

EAST AURORA PLANNING COMMISSION
REGULAR MEETING

May 7, 2008

7:00 PM

Present: Dan Castle, Chairman
Lowell Dewey, Vice Chairman
Stacy Oar
Laura Mehl
Patrick McBurney
Donald Wynes
Deputy Clerk, Sue Wolff

Absent: Randy West
Code Enforcement Officer, Bill Kramer

Others Present:

Kim Bingman, property manager for Linwood Estates LLC, owners of 390-398 Main St.

Informal meeting/discussion on demolition for 390-398 Main St.

Chairman, Dan Castle called the informal meeting to order at 7:00 PM

Chairman, Castle explained to Kim Bingman, property manager for Linwood Estates LLC, how the Village Board rather than saying no or yes to the demolition, had asked the Planning Commission to meet with her to see if a compromise could be found for the demolition of 390-398 Main Street. Dan showed Kim Bingman an example of a recent completed site/development plan and explained that the planning commission still needs to see exactly what the vacant space will look like after demolition is complete. Dan gave suggestions as to what should be shown on the site/development plan, (example: drainage, elevation, landscaping, tree removal or plantings) and how property will be left after demolition. Kim replied by saying that she wasn't sure about redevelopment of property at this time. Dan explained again that the Planning Commission & Village Board want to see a site plan for the vacant land only, after demolition. Upon redevelopment of vacant land, another site/development plan would have to be submitted to the Planning Commission for further review. Kim reiterated that Linwood Estates does not know what will be developed on that site at this time.

Dan Castle then questioned Kim whether a compromise could be discussed, with regards to demolishing the front of the building (the former drug store) only, leaving the attached apartment to the rear and the house to the west intact. Kim replied that the house to the rear, since it is presently attached to the store front, would need a new façade and the apartment bldg. itself was really uninhabitable. Laura Mehl questioned whether the building in the rear was uninhabitable or simply uninhabited? Kim felt that in her mind it was uninhabitable. It is in need of many repairs and has been unoccupied and vacant for about four months Kim said.

Member, Lowell Dewey mentioned the intent of the Mid-Main District is to preserve the residential character. He feels that buildings shouldn't be let go until they are uninhabitable. Owners need to keep up routinely with repairs/maintenance on buildings, before they become in such condition the only feasible solution in the owners' eye is to

demolish. According to the code book, it is very clear in the first paragraph, new development must be based on compatibility with the existing character of the district". Lowell feels that a shovel ready lot is just not acceptable.

Member, Laura Mehl questioned if only the store front could be removed keeping the back building. Kim Bingman replied that the two buildings are attached and there would have to be a new façade added which would be too costly considering the condition of the rest of the apartment building.

Dan Castle asked Kim if there was any planned use for the site at this time. Kim replied no.

Dan & Lowell discussed how Code Enforcement Officer, Bill Kramer, feels that a vacant lot is in character with the Mid-Main St. district, providing the development/site plan is noted with proper drainage, elevation, seeding of property and or landscaping with trees.

Lowell again stated that poor condition does not warrant a demolition permit to be issued.

Kim Bingman stated that an application for demolition was filed with the building department back in August 2007 it was referred to the Planning Commission in November & December. Went back to the Village Board in December and Linwood Estates to date has still not received any answer to request for demolition. Would appreciate an answer either yes or no.

Dan Castle told Kim that a copy of the minutes from both the Planning Commission meetings, (November & December) were faxed to her, and copies were made and distributed to the Village Board. The recommendations/findings of the Planning Commission were given to the Village Board for review. One of several findings noted by the Planning Commission was as follows: incomplete development plan. When the Village Board met on December 17, 2007 for their work session, the request was tabled until a completed development plan was submitted by the applicant. On April 14, 2008 Village Board met at their work session and discussed if there would be an option for compromise. Mayor, Clark Crook asked Planning Board Chairman Dan Castle to "reach out" to the applicant to have them come back to the Planning Commission to discuss and see if there would be any other options. Dan Castle agreed that he would contact Kim Bingman to set up a meeting with the Planning Commission.

Dan explained to Kim that at this time, there is nothing more the Planning Commission can do, and unless there is a development plan submitted for future development or a site plan showing the necessary drainage, landscaping, elevation & plantings expected on that vacant parcel, their recommendations/findings that were noted from the November & December meetings stand as is.

Laura Mehl made a motion to close the meeting at 7:30 PM, seconded by Patrick McBurney and passed unanimously.

Respectfully submitted

Susanne M. Wolff
Deputy Clerk