

EAST AURORA PLANNING COMMISSION  
REGULAR MEETING

October 6, 2004

7:00 PM

Present	Dan Castle, Chairperson	Code Enforcement Officer, Pat Blizniak
	Carol Smith	Deputy Clerk, Sue Wolff
	Mary Jo Crone	
	Randolph West	Tim Boyle, NOCO Energy Corp., Project Sponsor
	Lowell Dewey	
Absent:	Dan Bermingham	

**NOCO – 495 Main Street**

Jim Boyle presented to the Planning Commission the proposed revised site plan to reduce over 300 + sq. ft. off the previous development submitted and other suggested design amendments for NOCO at 495 Main Street. The petitioner also pointed out the additional green space added to the West of building, next to the attorney's office.

Lowell questioned about the parking in the rear of building, Tim commented that parking in rear was primarily for employees, however, it could be used as overflow for Charlie the Butcher but hopefully customers would park out front.

Dan C. asked how much green-space had been increased on the new revised site plan. Tim replied that the original plan had increased from 12.9 ft. to 20.8 ft. between the attorney's offices to the west of the building.

Dan questioned Tim about the number of seats/tables in Charlie the Butcher. He noticed on the revised site plan number of tables was still at 6 rather than 4, which was previously what the Planning Commission had recommended. Tim was in hopes that the 6 tables would be approved but if necessary would reduce to 4.

Lowell questioned the speed bumps and felt that they might cause a back-up on Main St. when vehicles slow up to enter into NOCO. Thought it might be a good thing to eliminate.

Lowell asked Tim about the sidewalk, at which Tim replied that the entire sidewalk would be replaced at time of construction.

Lowell also asked Tim about the zoning of property on Park Place that is owned by NOCO, Tim replied that NOCO will not contest the rezoning of that property.

Dan C. questioned the primary hours of operation, Tim said the primary hours of operation for Charlie the Butcher would be 12 PM till 2 PM (lunch time) & from 5PM to 7PM (diner hours) with opening at 11AM & closing at 8PM. He feels these hours will not directly affect the school children. Dan wondered if signage could be placed outside and inside saying "watch for cars". Tim said that would not be a problem.

Lowell questioned the Curb Cuts for Driveways that appear to be 40' wide. Tim said that driveways were definitely not 40' probably more like 35' and could be downsized to approximately 28' and then Curb Planter would be moved over to meet the driveways.

Randy wondered if signage for Charlie the Butcher could be made smaller instead of going with large sign outside calling more attention to Charlie the Butcher & making it more of a destination. Dan C. called upon the Code Enforcement Officer and asked Patrick if proposed signage was within Code regulations. Patrick replied that all drawings indicated that they were. Mary Jo also requested if address could be incorporated in their sign on building. Absolutely Tim replied.

After much discussion on the traffic, curb cuts, speed bumps, and general downsizing of the establishment, Carol made a motion for the Village Board to accept NOCO's revised site and amendments to the development plan, seconded by Mary Jo. The motion carried with four members in favor and one (Randy West) opposed.

Recommendations/Conditions for Village Board at Public Hearing on October 18, 2004:

1. Eliminate Speed Bumps in entrance.
2. East of the Driveways on Main St. should be downsized from 35' to 28'.
3. Extend Curb Planters to match up to downsized driveways.
4. Lighting with no spillage beyond property lines.
5. As per Code, signage should not be larger than 25 sq. ft. for combined NOCO/Charlie the Butcher Signs.
6. Limit to 4 tables (4 seats per table) instead of proposed 6 tables.

Respectfully submitted,

Sue Wolff  
Deputy Clerk

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Present	Dan Castle, Chairperson	Code Enforcement Officer, Pat Blizniak
	Carol Smith	Deputy Clerk, Sue Wolff
	Mary Jo Crone	
	Randolph West	Peter Romeo, Arch.
	Lowell Dewey	Jett Mehta, Developer
Absent:	Dan Bermingham	Stephen R. Ferranti, Traffic Engineer

**Dunkin Donuts-230 Main St.**

Stephen Ferranti, Traffic Engineer spoke on the traffic study that was completed in August of 2004. Steve mentioned that there was only 1 curb cut 12' wide on Main Street, which will be good for pedestrian safety. Dunkin Donuts will not have a parking problem since it's primarily a morning business only.

Dan questioned pedestrian volumes, Steve replied he did not have that information but could get that data.

Dan C. discussed children crossing N. Willow during peak hours going to Parkdale School, and noted that there isn't a crossing guard at the intersection.

Lowell noted that there was 3 turns going to Level Service F and feels that it is on the Planning Boards shoulders to make the decision on safety of pedestrians.

Randy questioned if it would be possible to omit the drive thru, Jett the developer felt that it would be almost impossible to do away with drive thru.

Peter Romeo referenced letter that was submitted to Board on 9/24/04 noting the 10 car stack which complied with Village regulations and code.

After much discussion on traffic flow, pedestrian safety and potential drive thru problems, Randy West made a motion to disapprove the site plan review for Dunkin Donuts, motion seconded by Dan Castle. The motion carried with four in favor and one, (Carol Smith) opposed.

Findings & Recommendations for Village Board at Public Hearing on October 18, 2004:

1. Projected Traffic impacts as noted are considered by the Planning Commission to be significant, adverse and unacceptable, with 3 turns going to Level Service F.
2. Adverse affects to pedestrians and school children crossing at Willow St. location.
3. Traffic Study shows adverse affects to residents living on Willow St. and thus will adversely affect the character of N. & S. Willow.
4. The Planning Commission feels that this is the wrong use at the wrong location.

Respectfully Submitted,

Sue Wolff  
Deputy Clerk

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	Randolph West	Jim Rumsey (Arch.) Benderson
	Lowell Dewey	Dan Blamowski, FRA Engineering
Absent:	Dan Bermingham	

**Starbucks - 160 Main St.**

The Planning Commission reviewed the proposed modification of use for a Starbucks and Retail at 160 Main Street. The development plan has two facilities rather than one, which was previously approved by the Village Board. The Planning Commission does not consider the proposed uses a “Bank or similar use”, as stated by the applicant.

Dan Blamowski showed the video taken on site at Starbucks on Transit & French so as the Commission could see the amount of cars using the drive thru at peak morning times. The video showed that at peak times there were no more than 4 vehicles in the drive-thru at any one given time. Dan Blamowski also made the comment that Starbucks should generate less traffic than the proposed bank drive thru.

Upon much discussion over the traffic that will be generated, both at the circle and with the drive-thru, the planning commission was reluctant to agree with the developers’ view that there would be less traffic generated with the Starbucks then what was previously suggested with the bank. Both Randy and Dan feel that Starbucks will generate more traffic. Also with Eckerd Drugs already having a drive-thru that will funnel cars into the plaza parking area, another drive-thru would potentially add to the confusion.

The Traffic Study submitted only considered the difference in traffic from a Starbucks compared to a Bank. The study notes that Starbucks will increase traffic at some times and reduce it at others. Traffic Study does not take the adjacent new retail use into consideration.

Dan Castle was wondering if people might not get tired of waiting in the Tim Horton’s drive-thru and go to Starbucks instead, creating more traffic than at “similar” drive thru at the Transit & French Roads store.

A motion was made to recommend denial of the modified site plan as submitted. However, this motion was defeated.

Lowell made a motion to approve the Site Plan as submitted, with attached conditions, seconded by Carol. The motion carried with three in favor and two (Randy West & Dan Castle) opposed.

Recommendations for Village Board at Public Hearing on October 18, 2004:

1. The Village Board should strongly suggest to petitioner to eliminate the drive thru.
2. The sign should not dominate the building façade.

Both Randy & Dan want it noted that they do not object to the development use but feel that the area is not appropriate for a drive thru.

Randy made a motion to adjourn the meeting at 11:00 PM, seconded by Dan Castle and passed unanimously,

Respectfully submitted,

Sue Wolff  
Deputy Clerk

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Present	Dan Castle, Chairperson	Code Enforcement Officer, Pat Blizniak
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	Mary Jo Crone	
	Randolph West	Jeff Gicewicz, Owner & Petitioner
	Lowell Dewey	Gregory Schneider, Arch.
Absent:	Dan Birmingham	

**Flowers By Nature – 82 Elm Street**

Owner Jeff Gicewicz spoke to the Commission and explained how he was looking to renovate the outside and put an 11' addition for cooler. He wants to keep the theme of the Fire House as well as add West & South side awnings. Addition was being added on to North side of building.

After much discussion, about rear and side yard setbacks, it was suggested that the Village Attorney review and make a legal interpretation regarding which lot line would be considered their rear yard. Since building is on the corner, would it be Oakwood or Elm Street. Mailing address is 82 Elm St.

Commission members were very glad to hear that the petitioner was trying to keep the historic aesthetics of the Old Fire Hall in mind when doing the new addition.

It was noted that the distance between the expansion and the adjacent building to the north would be 4 feet. While this seems narrow, the Commission was assured by the Building Inspector that the proposed expansion could be done with applicable New York State Building and Fire Codes.

Carol made a motion to accept the site plan addition, contingent upon findings of the Village Attorney for Rear & Side Yard setbacks, seconded by Mary Jo. Motion passed unanimously.

Respectfully submitted,

Sue Wolff  
Deputy Clerk

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Present	Dan Castle, Chairperson	Code Enforcement Officer, Pat Blizniak
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	Mary Jo Crone	
	Randolph West	Harold McQuestion, Contractor
	Lowell Dewey	
Absent:	Dan Bermingham	

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

Mary Jo moved the minutes of September 1, 2004 meeting be approved. Carol Smith seconded the motion, which was then followed by a unanimous vote to approve.

Dan Castle noted that there was a quorum.

**W. H. Greene – 400 Quaker Road**

Dan Castle asked the petitioner to walk the Planning Commission through the development plan for 400 Quaker Road.

The contractor, Harold McQuestion explained that the development was for a 24' X 56' garage for storage of vehicles for the insurance company.

Randy West questioned if there was going to be any additional parking requested, Harold replied the developer is thinking of possible additional modifications in the future but only garage for right now.

Carol asked how many doors on garage; Harold said 3 garage doors and 1 man door.

Mary Jo asked about siding for exterior, reply was clapboard siding.

Randy questioned the trees that were in the area of construction, Harold replied that most were dead and the land would be cleared before starting garage.

Lowell mentioned that no grades are necessary because of size but grades, drainage & percents should be noted on final plans.

Randy asked if anything had been proposed in screening in of dumpster, not currently, but could be added if necessary, Harold replied. Carol agreed that screening would be a good idea.

After a short period of discussion, Mary Jo made a motion to approve the development plan with the exception of screening in the dumpster, seconded by Carol. Motion passed unanimously.

Respectfully submitted,

Sue Wolff  
Deputy Clerk