

EAST AURORA PLANNING COMMISSION  
REGULAR MEETING  
December 7, 2021 - 7:00 PM

PRESENT:

Karen Lee-Chair  
Dan Castle  
Dale Morris  
Randy West  
Allen Ott Jr.  
Geoffrey Hintz  
Bud Babcock, Alternate

ABSENT:

Arron Fisher

Also Present:

Bob Pierce, Deputy Village Attorney  
Elizabeth Cassidy, Code Enforcement Officer, Village of EA  
Jessica Taneff, Planning Commission Secretary  
Alexandra Robinson- Blue Eyed Baker  
Xin (Alice) Gordo, Ryan Renshaw, John Schenne- Schenne and Associates  
Terence Kopp-363 Prospect Ave  
Peter Sorgi-Attorney for 363 Prospect Ave  
Chris Wood –Project Engineer for 363 Prospect  
East Aurora Bee  
21 Members of the public

Karen Lee, Chair, noting that a quorum was present, called the December 7<sup>th</sup> meeting of the Planning Commission to order at 7p.m.

Member Castle motioned to approve the November 9<sup>th</sup> meeting minutes, seconded by Member Morris with unanimous approval.

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**636 E. Fillmore Ave**  
**Blue Eyed Baker**

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Chair, Karen Lee opened the discussion for 636 E. Fillmore Ave. for a Special Use permit. The restaurant will not have any outdoor music. For the outdoor seating, since the business closes at 5pm, they do not plan to have additional outdoor lighting. The first workers will arrive around 5-5:30am when they will start baking and the business will open at 7am. The Commission had a concern for the noise of the rooftop air handling units, but the applicant stated that they only produce 50db of noise, which will not have a negative impact on the community. Member Castle is recusing himself due to his position with Erie County and the fact that this development will involve Erie County.

Member West motioned to recommend that the Special Use Permit be approved by the Village Board following based upon the findings identified:

Findings:

1. Proposed use is allowed in the current zoning designation.
2. There will be no outdoor music.
3. There will be no additional lighting used for outdoor seating.
4. The height of the proposed building appears consistent with surrounding area.
5. Hours of operation at the new location will remain the same as the hours at the current location.
6. Hours of operation end at 5 pm Mon-Sat. And 3pm Sunday preventing any disturbance to neighbors during evening hours.
7. Applicant has stated that the roof top air handling units will operate at noise level of approximately 50 db.

8. To place the bike rack closer to the sidewalk

The motion was seconded by Member Morris with 6 ayes and one recusal from Member Castle.

The Planning Commission refers this application to the Village Board with a timestamp. This approval will expire one year from the date of Village Board approval pursuant to Section 285-50.5A of Village Zoning Code.

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**636 E. Fillmore Ave  
Blue Eyed Baker**

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Chair, Karen Lee opened the discussion for 636 E. Fillmore Ave. for a Site Plan application. The applicant is raising the floor, so the establishment will be above the floodplain. The wall pack lighting will shed light 15 to 20ft off the building and will not impact surrounding areas. The wall pack lighting will be in addition to the gooseneck lighting. They are proposing a living green screen 6ft. tall along the 20ft of patio to buffer any noise that will come from the rooftop seating in the daytime. The proposal to use trees instead of plexi-glass is because trees absorb more noise than a hard surface. The applicant proposes White Pines as their native evergreen shown in the landscape plan for the property. The Commission made a recommendation for the bike rack to be moved closer to the sidewalk than the current proposed bike rack in the back of the lot. They will prepare a stormwater management program when they get approval and, in that time, they will propose a rain garden or some type of filtering area which will filter runoff from the site before it enters Tannery Brook. A review by The Safety Committee could determine if a crosswalk is necessary to put across Riley St. and/or E. Fillmore for pedestrian safety.

Member Morris motioned to recommend that the Site Plan be approved by the Village Board based upon the findings identified and conditions:

Findings:

1. Proposed site plan is a good re-use of an existing structure which is consistent with the Village Comprehensive plan.
2. All outdoor lighting will be code compliant.
3. A wall of greenery will be employed on the roof top seating area to buffer noise to neighboring residential properties.
4. The proposed parking plan provided by the applicant is consistent with parking previously approved by the Planning Commission for the same location.

Conditions:

1. Applicant should look at a permeable option for the parking lot to mitigate run-off to Tannery Brook.
2. Applicant should look in to alternate snow stacking location to allow the rain garden area to mitigate run-off to Tannery Brook.
3. Recommend the Safety Committee to take a look at pedestrian safety crossing Riley St. and E. Fillmore to get to the bakery and whether cross-walks might be necessary due to the high volume of traffic from the ice rink.
4. Applicant should employ a parapet on the roof as a design feature and to obscure roof-top mechanicals as per Village Commercial Design Guidelines.

The motion was seconded by Member Hintz with 6 ayes and one recusal from Member Castle.

The Planning Commission refers this application to the Village Board with a timestamp. This approval will expire one year from the date of Village Board approval pursuant to Section 285-50.5A of Village Zoning Code.

#### INFORMAL BUSINESS:

- 363 Prospect/ 0 Walnut St.- Informal Sketch Plan for Residential Subdivision- Proposing a 9-lot subdivision. One house already exists on the subdivision which will be staying on the property. There will be no new roads added and there will be no flag lots. The new homes will have a similar front setback to the existing neighboring properties. There will be no subdivision signs. The builders plan on having a mix of different designs and a model house but these homes will be custom built to the homeowner's preferences. There will not be redundant designs. The builders are still working on garage placement, but they stated that if garage entrances face the street they will not be in line with the entrances of the homes, they will be offset and deemphasized. The Planning Commission feels this is a great idea for the Village. The developers will be sending out letters to the neighbors after this meeting to see if they would like to meet to discuss any concerns and answer questions.

#### OLD/NEW BUSINESS:

- CEO Cassidy updated the Commission about Auto Zone and said that the developer will most likely come before the PC in February for an informal sketch meeting. This is Chair Lee's last meeting, she is resigning. Vice Chair, Randy West will be acting as Chair until such time as a permanent replacement is elected or appointed.

A motion was made by Member Castle to adjourn the meeting at 8:15 PM. seconded by Member Ott and unanimously carried.

Respectfully submitted,

Jessica Taneff  
Secretary