

EAST AURORA PLANNING COMMISSION
REGULAR MEETING
February 1, 2022 - 7:00 PM

PRESENT:

Dale Morris-Deputy Chair
Dan Castle
Stacy Oar
Allen Ott Jr.
Geoffrey Hintz
Bud Babcock, Alternate

Absent:

Randy West-Chair
Arron Fisher
Allen Ott Jr.

Also Present:

Chris Trapp, Village Attorney
Elizabeth Cassidy, Code Enforcement Officer, Village of EA
Jessica Taneff, Village Deputy Clerk
Peter Sorgi-0 Walnut/ 363 Prospect
Andrew Lionowski-0 Walnut/ 363 Prospect
Chris Wood-Carmina Wood
James Bammel-42 Riley
Manny-ACEs Hardware
EA Advertiser
20 members of the public

Dale Morris, Deputy Chair, noting that a quorum was present, called the meeting to order at 7p.m.

Tabled the January 4th meeting minutes due to no quorum to motion the meeting minutes.

42 Riley Street- SNAP Fitness
James Bammel-Bammel Architects, PC

Deputy Chair, Dale Morris, opened the discussion for 42 Riley Street for a Site Plan application.

Mr. Bammel told the Commission SNAP Fitness would be relocating to 42 Riley St. SNAP Fitness will have a private club section and they are requesting a covered closed awning section so it will be more of a private entrance. There will be no new construction other than the covering. This covered entrance will be the length of the walkway which is 22' long. SNAP has submitted an application to go before the Zoning Board of appeals regarding a signage variance. The front of the building will be cleaned up that was from the previous business. Mr. Bammel clarified that there will be a bike rack in the back and also in the front near that entrance.

Member Hintz motioned to recommend that the Site Plan Application be approved as proposed by the Village Board with the following findings and conditions:

Findings

1. The covered canopy will provide a safer means of access to the building
2. The project is compatible with surrounding land uses
3. The applicant has agreed to provide a bicycle rack near this entrance to the facility

Conditions

1. The applicant has agreed to install lighting and will work with the property owner to make sure there is no blockage to the entrance.
2. ZBA variance for signage

The motion was seconded by Member Castle with unanimous approval.

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.

42 Riley Street-ACE's Hardware Manny

Deputy Chair, Dale Morris, opened the discussion for 42 Riley Street for a Special Use Permit. Manny Varma told the Commission their plan is to make this location the largest grilling center in WNY which would include two propane tanks cages, which would house blue rhino propane. The tank cages would be placed on the side closest to SNAP fitness but still on ACEs side of the property and they will be ADA compliant. Once a week, maximum, a truck will come to fill the tank cages which should take 10 minutes at most to replace the tanks. CEO Cassidy had reviewed the proposal with Blue Rhino at length and she did not have any concerns.

Member Castle motioned to recommend that the Special Use Permit be approved as proposed by the Village Board with the following findings and conditions:

Findings

1. The project is compatible with existing land uses adjacent to and near the property.
2. The project complies with Village code for propane tank storage facilities
3. Propane delivery trucks make quick deliveries every couple of weeks and will not block parking spaces for long periods of time

Conditions

1. Applicant will maintain handicapped accessible sidewalk widths between the propane tank cages and parking lot.
2. No parking spaces will be lost due to the placement of the protective barriers in front of the propane tank cages

The motion was seconded by Member Oar with unanimous approval.

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.

0 Walnut and 363 Prospect Avenue Peter Sorgi

Deputy Chair, Dale Morris, opened the discussion for 0 Walnut and 363 Prospect Ave for a Subdivision application.

Mr. Sorgi told the Commission they had come before the Commission in December, and they have not changed the plan from when they previously saw it. As discussed, they had a neighbor meeting for the neighbors within 500' of this subdivision. This is a 9-lot subdivision, with one being a preexisting home. There are no new roads, no flag lots, no water district. There have been a lot of drainage concerns about a culvert that comes in from Walnut and flows to the west and across Center then into the creek. The catch basin that is on their property is not soaked and they are not connecting. The Village Engineer has been reviewing the plans and will give their comments so the Village Board can make their decision. There is no plan to pre-build the houses, but they have designed a rough portfolio of plans that they will use as a guideline. They will design the houses one at a time and build one at a time.

Holly Maciejewski-218 Center St- Concern with the stream and feels there are errors in this project regarding the culvert and underground springs. She said her property on Center St. has never been dry.

Dr. John Sterba- 226 Center - read from his affidavit that he submitted with his concerns for flooding on lot 9 where he does not think a house should be built.

Sean and Max Heimbarg-168 Center St.- there is a great concern that the abundance of 8 homes where water catches and will flow into their backyard, which already has been wet.

Sally Mitchell-206 Center St- read the letter sent in from her husband regarding their concerns. Their yard sometimes has standing water.

Charles Melonic-210 Center St- neighbors to the west. Has surveyed the sewer extensively.

Terrence Kopp-363 Prospect- has mowed this field for 3 decades and has mowed it after torrential rain and there has never been a tractor stuck on this land. He does not feel this project will not affect anything.

The members and residents discussed an easement for these properties due to the runoff issues. Mr. Sorgi said the DEC is involved in the development and they will require a downstream analysis. Member Castle commented that the Village Engineer is reviewing the plans and calculations along with the properties not being part of the regulated wetlands.

Member Hintz motioned to recommend that the Subdivision Plan be approved as proposed by the Village Board with the following findings and conditions:

Findings

1. The proposed subdivision complies with the Village zoning code.
2. Drainage from the proposed houses on Walnut Street (Lots #4 to #9) will be directed to the storm sewer on Walnut Street.
3. Drainage from the proposed houses on Prospect Street (Lots #2 and 3) will be directed to the storm sewer on Prospect Street or to a bubbler at the curb.
4. The houses will be designed in a manner consistent with the Village houses in the neighborhood, and the houses will not be repetitive in design.
5. Garages for the new houses will be "de-emphasized" by setting them back from the fronts of the houses or placing them behind the houses.

Condition

1. The Village engineer or consultant will issue a report studying any drainage issues found on the subject property.
2. The Village engineer or consultant will evaluate the condition of the 24" drainage line that runs from the north corner of 213 Walnut Street (on the Bender property) and runs in a westerly direction to the rear of proposed Lot #9, as depicted on the preliminary plan

The motion was seconded by Member Castle with unanimous approval.

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.

Old Business:

620 Main St.- application has been rescinded by the applicant and CEO Cassidy spoke about ADA accessible cleared sidewalk.

A motion was made by Member Hintz to adjourn the meeting at 9:07 PM. seconded by Member Castle and unanimously carried.

Respectfully submitted,

Jessica Taneff
Village Deputy Clerk