Village of East Aurora Planning Commission

Agenda

Tuesday, July 12, 2022, at 7 p.m.

Call to Order Chair

Introduction of Planning Commission Members Chair

Approval of Meeting Minutes Chair

June 9, 2022

New Business

- 227 Poked Yolk-Site Plan-permanent roof patio
- 70 Church St-Muse Jar-Rezone

Adjournment

Randy West – Chair
Daniel Castle – Member
Allen A. Ott. Jr. – Member
Geoff Hintz – Member
Arron Fisher – Member
Dale Morris – Member
Stacy Oar - Member
Cornell "Bud" Babcock – Alternate Member

Elizabeth Cassidy – Code Enforcement Officer Chris Trapp – Village Attorney Jessica Taneff – Planning Commission Secretary Marcia Kimmel-Hurt Liaison

Orgional 06/15/22

TOWN OF AURORA

575 OAKWOOD AVENUE, EAST AURORA, NY 14052 BUILDING DEPARTMENT (716) 652-7591

MEMO

TO:

Mayor Mercurio and Village Board Members

FROM:

Elizabeth Cassidy, Code Enforcement Officer

DATE:

June 15, 2022

The Building Department has received a re-zoning request application from Vanessa Frost, as agent for William Marusza, owner of 70 Church St. The request is to rezone the part of the parcel at 70 Church St that fronts on Pine St, where a former commercial building is located.

Village Code section 285-57.3 requires the application be referred to the Planning Commission for their recommendation. After which a public hearing is required prior to a decision by the Village Board.

Village Code section 285-57.4 requires all zoning changes be referred to the Erie County Planning Department for review.

This is a Type I action for purposes of SEQR.

If you have any questions, please contact me at 652-7591. Liz Cassidy

Fee: \$150

PETITION TO AMEND THE ZONING MAP OF THE VILLAGE OF EAST AURORA, NEW YORK, BY THE VILLAGE BOARD

TO: THE VILLAGE BOARD OF THE VILLAGE OF EAST AURORA, NEW YORK

Pursuant to Article IX of the Zoning Ordinance of the Village of East Aurora, the undersigned owner(s) and petitioner(s) hereby request that the Zoning Map of the Village of East Aurora, be amended as follows:

1.	$\frac{V/h//ESS/h}{\text{Name (First)}} \qquad \frac{C}{\text{Midd}}$	T dle Initial)	(Last)
2.	Location of property to be rezoned: 70 CHURCH STR	EET (PINE STREET	SIDE GIVLY
3.	Area, in square feet, of the property to be rezone Dimension of the property to be rezoned:	ned: 26,342 LALA , 2 × 200 × 210 × 1	3900 BUILDING
4.	If the petitioner is not the owner of the property WILLIAM F. MARVSZ Owner's Name and Address		
	7832 QUILER ROISD, Owner's Name and Address What is the interest of the petitioner in the prop		1 14127

5. Petitioner understands and agrees to furnish any of the following if requested by the Village Board or its agencies: An accurate survey map prepared by a licensed surveyor showing all dimensions, including interior angles or bearing of lines, and the location, proposed use and height of all buildings; location of all parking and truck loading areas, with access and egress drives thereto; location of outdoor storage, if any; location of all existing or proposed site improvements, including drains, culverts, retaining walls and fences; description of method of sewage disposal and location of such facilities; location and size of all signs; location and proposed development of buffer areas;

location and design of lighting facilities; and the amount of building area proposed for retail sales if any.

6.	Attach the legal description of the property to be rezoned.
7.	Present zoning classification of the property: RESIDEINTIAL LCR
8.	Proposed zoning classification of the property: SPECIAL USE VARIANCE OF THE
9.	Present use of the property: STONAGE
10.	Proposed use of the property: MUSE JAR ANT STUDIO
11.	Description of uses on all adjacent properties and a general description of the type of neighborhood in which the subject property is located: RESIDE TINL MIXED USE
12	. Names and Addresses of Owners of Abutting Properties:
	1.
	2
	3.
	4
	5
	6
	7
13	Additional information which the petitioner believes will assist the Village Board in its consideration of this request for rezoning: ORIGINAL SITE OF FISHER PRICE WITH FRONTAGE AND DRIVEWAYS FROM CHURCH STREET AND PINE STREET, WE HAR PEQUESTING A SPECIAL USE VARIANCE ONLY FOR THE BULLOING THAT IS ACCESSED FROM THE PINE STREET ORIVEWAY.

	of the application fee is for administrative and advertising application and in no way relates to either approval or refundable.		
15. Attach completed New York State SEQF	R documentation as required by the law		
Date: 6 // /22	(Signature of Petitioner)		
	William F. Marusya		
	(Signature of Owner)		
State of New York County of Erie SS: Village of East Aurora			
On this day of June, 2027	2, personally appeared before me		
Vanessa Frost AND William Marrosza			
(Name)	(Address)		
the petitioner, to me known to be the same person described in and who signed and executed the foregoing petition and who duly acknowledged to me and the execution of the same for the purp therein mentioned.			

DANIEL A. LIGGETT
No. 01L16416123
Notary Public, State of New York
Qualified in Eric County
My Commission Expires 04/04/20_2_5

(Notary Public)

Village Board and Planning Commission,

My name is Vanessa Frost and I am the owner of MUSEjar, the all-things-art shop located on Elm Street in East Aurora. Our current space (17-21 Elm Street) has been sold and we are in need of a new home.

17-21 Elm Street has provided us with over 5,000 square feet of flexible, inspiring space that has helped us expand our offerings over the last nine years. In addition to our retail business, we have also developed an education component which has cultivated creativity for our community. We currently have over fifty private lesson students and a growing class calendar that consists of over thirty classes each month. On top of our growing art education programs, we are also filling an enormous event niche by hosting birthday celebrations, bridal/baby showers, and even small weddings.

For our new home, we are hoping for a similar building with good bones to allow us to fulfill our unique, evolving business. The most important thing is that we stay in East Aurora. We cannot imagine MUSEjar being anywhere else, as our success is due largely in part to our wonderful community.

We have found a perfect opportunity to relocate MUSEjar just a few short blocks away to 70 Church Street, home to the original Fisher Price buildings. This space is large enough and certainly, eccentric enough to accommodate all of MUSEjar's needs. We are hoping to split the property and only rezone the Pine Street side. In doing so, we are striving for minimal impact on Church Street and uplifting revitalization on Pine Street.

I'm writing on behalf of MUSEjar as well as Bill Marusza , the property owner, to propose we split the property and rezone the Pine Street side.

- The building is currently being used for storage. Under the current zoning, it limits its use and full potential.
- I'm suggesting a split of the property as a way to bypass the disruption of the Church Street residents. I feel strongly that this rezoning will not disrupt the current neighborhood. Please see the attached signatures of support from our community. We have created an online petition platform, so we hope our list continues to grow!
 - MUSEjar's business hours rarely exceed 7pm. If we host an evening class, they never go later than 9pm.
 - o Our weekend hours are never earlier than 10am.
- The original zoning and use of the building was commercial. I feel that we are bringing the building back to its original roots.

Thank you for your consideration and I look forward to hearing back from you!

Kindly,

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MUSEjar on Pine Street

About this petition

My name is Vanessa Frost and I am the owner of MUSEjar, the all-things-art shop located on Elm Street in East Aurora. Our current space (17-21 Elm Street) has been sold and we are in need of a new home.

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For our new home, we are hoping for a similar building with good bones to allow us to fulfill our unique, evolving business. The most important thing is that we stay in East Aurora. We cannot imagine MUSEjar being anywhere else, as our success is due largely in part to our wonderful community.

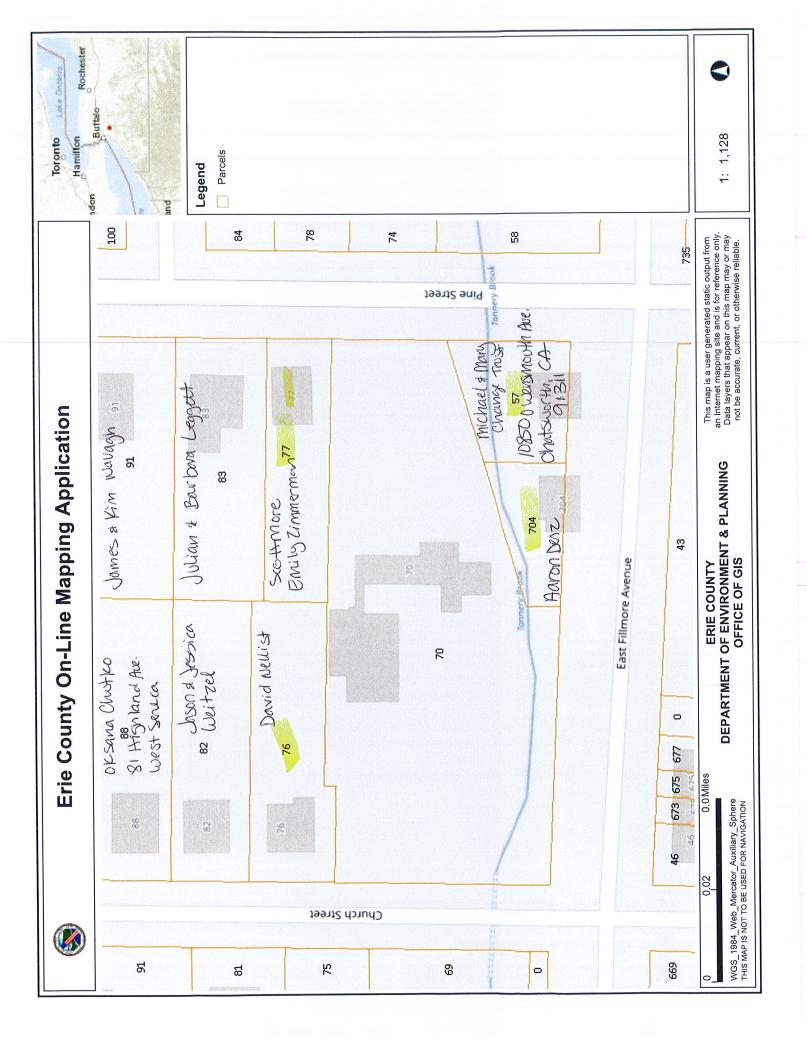
We have found a perfect opportunity to relocate MUSEjar just a few short blocks away to 70 Church Street, home to the original Fisher Price buildings. This space is large enough and certainly, eccentric enough to accommodate all of MUSEjar's needs. We are hoping to split the property and only rezone the Pine Street side. In doing so, we are striving for minimal impact on Church Street and uplifting revitalization on Pine Street.

Myself and the MUSEjar family are reaching out to ask for your assistance as we propose this plan to the Village Board and the Planning Commission. We are hoping that with the neighborhood's support on this new venture, the village will vote in our favor! We thank you in advance for your advocacy.

Signatures

1.	Name: Jennifer S Charles on 2022-05-20 14:10:48 Comments: 78 Pine St
2.	Name: Lindsay Rodgers on 2022-05-20 15:07:00 Comments: 128 Pine St
3.	Name: Hannah Caraotta on 2022-05-20 19:38:01 Comments:
4.	Name: Stephanie Flattery on 2022-05-20 19:43:31 Comments:
5.	Name: Judy Caraotta on 2022-05-20 19:44:28 Comments:
6.	Name: Danielle Glover on 2022-05-20 19:47:38 Comments:
7.	Name: Russell Caraotta on 2022-05-20 19:48:24 Comments: 49 Kelver Ct.
8.	Name: Julie O'Connell on 2022-05-20 21:06:20 Comments:
9.	Name: Jackie Hanavan on 2022-05-20 21:25:34 Comments:
10.	Name: Kevin OConnell on 2022-05-20 21:27:02 Comments: 104 s willow st, east aurora, NY 14052
11.	Name: Beth on 2022-05-20 21:28:20 Comments:
12.	Name: Kim Collins on 2022-05-20 21:35:00 Comments:
13.	Name: Kim navagh on 2022-05-22 13:17:13 Comments:
14.	Name: Sarah Hornung on 2022-05-24 00:54:51

	Comments:
15.	Name: Renee Kujawski on 2022-05-24 01:17:41 Comments:
16.	Name: Lily Eager on 2022-05-24 01:25:14 Comments:
17.	Name: Gina Wayman on 2022-05-24 01:35:54 Comments: Anything we can do to support you!
18.	Name: Nathaniel Wayman on 2022-05-24 01:58:29 Comments:
19.	Name: Julia on 2022-05-24 02:10:32 Comments:
20.	Name: Kelly wittmann on 2022-05-24 04:36:49 Comments:
21.	Name: Patrick Hornung on 2022-05-24 11:20:27 Comments:
22.	Name: Vanessa Frost on 2022-05-24 15:54:05 Comments:
23.	Name: Andrea Frost on 2022-05-24 19:03:41 Comments: Fully support MUSEjar!
24.	Name: Danielle Glover on 2022-05-25 00:36:22 Comments:
25.	Name: Kim Flattery on 2022-05-25 00:36:23 Comments:
26.	Name: Samantha McGrath on 2022-05-25 00:38:25 Comments:
27.	Name: Daniel Glover on 2022-05-25 00:41:48 Comments:
28.	Name: Jaclyn Dusel on 2022-05-25 01:08:29



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TOWN OF AURORA

575 OAKWOOD AVENUE, EAST AURORA, NY 14052 BUILDING DEPARTMENT (716) 652-7591

MEMO

TO:

Mayor Mercurio and Village Board Members

FROM:

Elizabeth Cassidy, Code Enforcement Officer

DATE:

June 15, 2022

The Building Department has received an application from Mr. James Vaughn of The Polked Yolk at 227 Main St. He is requesting approval to construct a permanent roof over the existing patio in the front of their building, to replace the existing awning, used during the summer, and the tent structure that has been used over the past few winters.

Village Code section 285-51.5A requires the application be referred to the Planning Commission for their recommendation. After which a public hearing is required prior to a decision by the Village Board.

Village Code section 285-50.2 requires the application be sent to the Erie County Planning Department due to the proximity of a State Highway (20A/Main St).

This is a Type II action for purposes of SEQR.

If you have any questions, please contact me at 652-7591. Liz Cassidy

VILLAGE OF EAST AURORA

571 Main Street, East Aurora, New York 14052 716-652-6000

In conjunction with

Town of Aurora Building Department 300 Gleed Ave, East Aurora, NY 14052 716-652-7591 Building Dept: 5/2 2

Date Received
Complete App
Village Clerk
Amount \$ 125

Receipt # Chyllo20

SITE PLAN APPLICATION

PROPOSED PROJECT <u>f</u>	PERMANENT	ROOF	PAno	SBL#: _	164.19.	-6-14.1 VC
LOCATION 227 N	1AN ST			ZONIN	G DISTRICT_	VC
The applicant agrees to reimbincluding but not limited to, t	ourse the Village for raffic studies, drain	r any additi nage, lightir	ional fees required for ng, water and sewer p	r consultant's lans.	s review of submi	itted technical data,
APPLICANT NAME	THE 1	OOKER	YOLK			
ADDRESS 227 TELEPHONE 998	11/14/10 57 9425 FAX_		E-MAIL_	thepok	edyolk @	gmail.com
SIGNATURE	(<u> </u>	
OWNER NAME ADDRESS 2.27	JAMES VI MAIN ST	4V6 H	9N			
TELEPHONE 9989 SIGNATURE			E-MAIL			
ENGINEER/ARCHITEC NAME BRIAN ADDRESS 302	SUSTAKO	WSKI	ect firm F\$L) Con	ISTEUCTIO	n)
TELEPHONE 824 54	130 FAX	0 57	E-MAIL			
SIGNATURE						AFFIX STAMP
One (1) complete file aurora.ny.us. Larger Application fee \$25.0 OFFICE USE ONLY: Ske	files may be sub: 00 and Public He	mitted on a aring fee \$	a USB drive or CD 3100.00 – Total \$12	Rom. 25 at time of	application	
REQUIRED MEETINGS	S/REFERRALS: Mtg/Mail Date	Conditi	ons/Comments, if a	applicable:		
Planning Commission						
Historic Preservation						
ZBA EC Div of Planning						
NYS DOT						
Town Notification						
Safety Committee VEA DPW						
OTHER (specify)						
SEQR ACTION:Type 1 Type 2	Unlisted					
VILLAGE BOARD ACT	ΓΙΟΝ: Mtg/Mail Date					
Public Hearing	141.6, 141an Date					
Notices Mailed		_				
Posted Notice-VEA Hall Posted Notice-Prop						

Short Environmental Assessment Form Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Name of Action or Project:		
Project Location (describe, and attach a location map):	ich	re
227 MAIN ST Brief Description of Proposed Action:		
remove and replace the existing pato roofing	7	
remove and replace the existing paths roofing structure with a permanent root that can be used year round and look nicer	n	
Name of Applicant or Sponsor: Telephone: 716 998 942 THE POWED YOLK - Jim VAVEHAN E-Mail: the poked yolk @ g	'5	
THE POUGS YOUR - JIM VANGHAN E-Mail: the poked yolk @ a	ma:	COM
Address: 227 MAIN 5T City/PO: State: Zip C	,	
EAST AVRONA M 14	Code: 105	2
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?	NO	YES
	Ø	
	NO	YES
If Yes, list agency(s) name and permit or approval: TOA BUILDING DEPT		X
3.a. Total acreage of the site of the proposed action?		
b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned		
or controlled by the applicant or project sponsor?acres		
4. Check all land uses that occur on, adjoining and near the proposed action.		
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify):		
□ Parkland		

5. Is the proposed action, NO	YES	N/A
a. A permitted use under the zoning regulations?		
b. Consistent with the adopted comprehensive plan?	X	
6. Is the proposed action consistent with the predominant character of the existing built or natural	NO	YES
landscape?		X
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES
If Yes, identify:		
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES
o. a. win the proposed action result in a substantial increase in traine above present levels:	1X	
b. Are public transportation service(s) available at or near the site of the proposed action?		景
		
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	VES
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies:	NO	YES
	X	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES
10. Will the proposed action connect to an existing public/private water supply?	NO	YES
If No, describe method for providing potable water:	対	П
*		
11. Will the proposed action connect to existing wastewater utilities?	NO	YES
If No, describe method for providing wastewater treatment:	ΓV	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic	NO	YES
Places?		
b. Is the proposed action located in an archeological sensitive area?	X	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain	NO	YES
wetlands or other waterbodies regulated by a federal, state or local agency?		
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:		
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that	at apply:	<u>l</u>
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional	** ^ .	
☐ Wetland ☐ Urban ☑ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed	NO	YES
by the State or Federal government as threatened or endangered?		
16. Is the project site located in the 100 year flood plain?	NO	YES
	X	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?		
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?		
If Yes, briefly describe:		
	-	
	-	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain purpose and size:	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE KNOWLEDGE	BEST C)F MY
KNOWLEDGE Applicant/sponsor name: AMES VAVOHAN Date: Lo [15]	!"L_	

