

EAST AURORA PLANNING COMMISSION  
REGULAR MEETING  
March 7, 2023- 7:00 PM

PRESENT:

Randy West-Chair  
Dale Morris-Vice Chair  
Geoffrey Hintz  
Bud Babcock, Alternate

ABSENT:

Allen Ott Jr  
Stacy Oar  
Dan Castle  
Dave Simeone

ALSO PRESENT:

Chris Trapp, Village Attorney  
Elizabeth Cassidy, Code Enforcement Officer  
Jessica Taneff, Village Deputy Clerk  
Marcia Kimmel-Hurt-PC Liaison  
Michael Anderson-Abstract Architect  
Nick and Alex Robinson-636 E Fillmore Ave

Member West, Chair, noting that a quorum was present, called the meeting to order at 7:00p.m.

Member Morris motioned to approve the February 7<sup>th</sup> meeting minutes, seconded by Member Hintz with unanimous approval.

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**203 Main Street**  
**Michael Anderson-Abstract Architecture; Clark and Katie Crook**

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Member West, Chair, opened the discussion for 203 Main Street for a Site Plan Application.

Mr. Anderson told the Commission they are proposing a new build at 203 Main St. It will be a mixed use two story structure. The front of the first floor will be commercial use, like a mercantile, and the back part will be used as a professional office. One part of the second floor will be utilized by the Crook family for their business and the other half will be used as living space for one of the Crook family members. From a design standpoint, the aesthetic will reflect an existing older building look. Brick and shiplap will be used for the exteriors. They have pushed the setback by 7', driven by being able to maintain the street front, and to not cut off at an integral front of Main St. or to interrupt the trees in the back. Their plan is to work with an arborist regarding the trees in the back.

There was conversation with the Commission that the 10' setback should be considered because of the west and east sides of the building being a brick wall, or to consider changing from having a brick wall.

The Commission asked about the rental apartment on the second floor and asked if there is ability to add on additional living space in the future. Mr. Anderson responded yes there could be a possibility for a second bedroom. CEO Cassidy responded to the Commission that if the Crooks wanted to ever do a short term rental that would constitute an additional permit. The back parking lot will not be affected and there is no intent to change the current 3 space parking.

The current proposal regarding second floor windows will just be square windows. Mr. Anderson said they are talking about making them double hung windows. The proposal to start the construction would most

likely start in the fall and should take up to a year. The Commission will table this application until next meeting regarding the additional information the Commission asked for during the meeting.

**Preliminary Findings:**

1. In general, the proposed project is consistent with the uses in the west end of the Village.
2. The concept of 2<sup>nd</sup> floor apartments with commercial on the first floor is positive
3. Preservation of existing trees and new plantings are very positive.
4. Bike rack is positive
5. It would benefit Main St if the building was set back as close as possible to the 10ft maximum allowed in that zone.
6. North end of east face and north end of the west face that currently show as brick wall on Main St should have additional architectural detail.
7. Second floor windows need to be compatible with other windows on Main St such as 189 Main St, which would require double hung pane windows
8. The level of architectural detail of the north and south faces are positive.

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**636 East Fillmore Avenue**  
**Alex and Nick Robinson**

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Member West, Chair, opened the discussion for 636 East Fillmore Avenue for a Special Use Permit.

CEO Cassidy said this is a revision of the prior Special Use Permit (SUP) permit from December 2021. The major change will be one tenant only occupied by Blue Eyed Baker. Operation and hours of the business will stay the same. The Commission asked how the seating has changed. The number of seating remains the same, but there will be an increase in kitchen space since they will be the only tenant in the building. They are not proposing any exterior music and all findings from the prior approval are still in place and not changing. The Commission asked about employee parking so they are not taking up customer parking. Mr. Robinson said they currently have their employee's park in municipal lots and walk down to work to not take up customer parking. Mrs. Robinson said that it would be very unlikely to have all 20 employees there at any one time. The Commission asked if they are taking in consideration with the hours at the Ice Rink. Mr. Robinson said he has been in contact with Scott at the rink supporting each other and if anything changes that they would like to extend their weekend hours, they would come back to the Commission to ask for approval. The Commission asked about foot traffic and there is no current issue and asked that the Village Board refer this application to the Safety Committee.

Member Morris motioned to recommend that the SUP be approved as submitted and consistent with the reviewed criteria, by the Village Board with the following findings and recommendations:

**Findings:**

1. The findings identified in the minutes of 12/7/2021 regarding the previous special use permit are still valid

**Recommendation:**

1. Village Board should refer the application to the Safety Board to evaluate pedestrian crossing from the Ice Rink to the proposed Special Use Permit

The motion was seconded by Member Hintz 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.

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**Old Business:**

- **Finalize Mission Statement:** Member West, Chair, reviewed the revisions with the Commission. They're proposing to give the wording the Liaison Kimmel-Hurt and Attorney Trapp to replace the last four sentences on the current Commission's Mission statement. The Commission will continue to review this at the next meeting.
- **Continue discussion for ADU code-** Attorney Trapp told the Commission ADU's are a hot topic around the state. They are in the process of creating a Code Committee to review codes and share ideas among other municipal attorneys. They are in the process of compiling Local Laws and will be exchanging them in the next few weeks. The State is focusing on finding ways to allow more housing and affordable housing.

**Members Considerations:**

- Member Hintz- The Commission requested to place the garages on the four Walnut Street residential houses placed in the rear. This was not followed on three of the four houses being built. This is not what was agreed to when the contractor met with the Commission. Member Hintz asked if the PC should verbally reprimand the contractor for not following what he agreed to do. Discussion concluded the Commission's position was weak as agreement on garage placement was not captured in the meeting minutes. Moving forward, all agreed that such things would be documented in findings or recommendations.
- Member Babcock- Discussed the development on Girard and Buffalo St bought by the Village Board and the Commission would like to be part of the process. Liaison Kimmel-Hurt will bring this to the Village Board. The Commission will brainstorm next meeting regarding ideas on this.
- CEO Cassidy- introduced the new Code Enforcement Officer, Richard Miga, as the Town and Village CEO.

A motion was made by Member Hintz to adjourn the meeting at 8:46 PM. seconded by Member Morris and unanimously carried.

Respectfully submitted,

Jessica Taneff  
Village Deputy Clerk