

EAST AURORA PLANNING COMMISSION

REGULAR MEETING

October 3, 2023

PRESENT:

Randy West-Chair
Dale Morris-Vice Chair
Stacy Oar
Dan Castle
Dave Simeone
Geoff Hintz

Absent: Allen Ott Jr

ALSO PRESENT:

Joe Trapp, Counsel
Chris Trap, Counsel
Rich Miga, Code Enforcement Officer
Crystal Barrett, Deputy Clerk
Linda Lund, Babcia's Pierogi

Member West, noting that a quorum was present, called the meeting to order at 7:02 p.m.

Member Castle motioned to approve the September 12th meeting minutes, seconded by Member Simeone and approved unanimously, with Member Morris abstaining.

AUD - Discussion

Member West re-opened the PC's ongoing discussion of the current Village code for ADUs.

Member West asked the PC to consider possible conflicts between the stated Purposes of the ADUs and those of the Single-Family Zoning (SFR) district. Member Morris commented that the purpose of SFR zones is specifically to preserve "the existing, traditional single-family neighborhoods", whereas the purpose of an ADU is to create additional housing on any lot on which an ADU is approved. Thus, the purpose of ADUs conflicts with SFR zones.

Member West asked the PC to consider on what basis, given the current Code, the PC might recommend disapproval of an ADU. West stated that there is nothing in the Code that would provide a basis for disapproval, so that in his view ADUs seem to be acceptable in every lot in the Village.

Member Castle stated that one of the ADU objectives is to allow seniors with reduced incomes to share single family parcels with their children and be able to remain in the Village.

Member Castle and Member Simeone concurred if it's more than one unit, the lot size, limited parking area, or building a separate housing, that would stop an approval for an ADU.

Member, Castle also mentioned long term homeownership as a requirement.

The review for the ADU will continue at upcoming PC meetings. Member Castle, suggested reviewing the possibility that ADUs be limited to family. The PC asked Attorney Trapp if the Code could be modified to restrict ADUs to only family members. Attorney Trapp will review this issue and provide his opinion to the PC.

Special Use Permit (SUP) for Babcia's Pierogi
33 Elm Street
George and Linda Lund

Member West opened the discussion for 33 Elm Street for a SUP.

The applicant stated they would like to operate a retail business for Babcia's Pierogi in the previous location of the Blue-Eyed Baker business. The applicant plans to open around December 1, 2023. The business plan would be primarily to sell frozen food, with the option for hot food sales for on-premises consumption or to go. The PC asked the applicant about seating. The applicant responded that it will be only 2-3 standing tables with no outside seating. Member Hintz said he called the Blue Eyed Baker and confirmed that they didn't have indoor seating.

The PC reviewed parking as it's a concern for the Elm Street local. It was noted that the applicant is applying for the same parking variance previously granted to the Blue Eyed Baker. The applicant stated that there will be no changes to a side driveway where 5 cars can fit and there is also a municipal parking lot nearby. Code Enforcement Officer, Miga confirmed that the parking plan meets the Code. Member West asked about the drawings that were submitted with the application and it was noted that the drawings came from the Blue-Eyed Baker.

Member Castle noted that Babcia's Pierogi plans to open at 10am and commented that it won't negatively impact the busy morning commuter traffic. The Blue-Eyed Baker opened much earlier, along with Kornerstone Coffee: so, traffic is expected to be eased on Elm Street.

Findings:

1. There are several other businesses in the area that offer takeout.
2. There will not be any special privileges given that haven't been afforded to other businesses on Elm Street.

3. The business will open at 10am and should lessen traffic.
A motion to approve a SUP as submitted for 33 Elm Street was made by Member Hintz. The motion was seconded by Member Castle and unanimously approved.

A motion was made by Member Oar to adjourn the meeting at 7:38 PM, seconded by Member Castle and unanimously carried.

Respectfully submitted,

Crystal Barrett
Deputy Clerk