

Village of East Aurora Planning Commission Agenda

Tuesday, February 6, 2024 at 7 p.m.

Call to Order	Chair
Introduction of Planning Commission Members	Chair
Approval of Meeting Minutes	Chair

December 5, 2023

New Business

- **206 Main Street – John Becker, B&P Main, LLC (Mister’s)** – Amend Special Use Permit for the use of an outdoor smoker on the property
- **603 Oakwood Avenue – Nathan & Chelsea Root** – Special Use Permit for a prep kitchen with no seating or music
- **658 Main Street – Erik Kennedy, Highwire** – Special Use Permit to operate a legal State Licensed dispensary.

Old Business

- **ADU – Discussion**

Member considerations

Adjournment

Randy West – Chair
Dale Morris – Vice-Chair Daniel Castle –
Member Allen A. Ott. Jr. – Member Geoff Hintz –
Member
Stacy Oar – Member
Dave Simeone – Member
Grace Viger – Liaison
Liz Cassidy / Rich Miga – CEO
Chris Trapp – Village Attorney

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

MEMO

TO: Mayor Mercurio, and Village Trustees

FROM: Elizabeth Cassidy, Code Enforcement Officer

DATE: December 13, 2023

The Building Department has accepted a Special Use Permit (SUP) application for Left Coast Kitchen at 603 Oakwood Ave (597 Oakwood Ave legal address) as submitted by Nathan and Chelsea Root. This property is located in the Neighborhood Commercial (NC) zoning district and a restaurant (eat in or takeout) is an allowable use in this district. The intent is to use the Oakwood Ave location for a prep kitchen with no seating or music.

Village Code section 285-52.3B states that the Village Board may refer the Special Use Permit application to the Planning Commission for their review and recommendations. The Village Board shall then schedule a public hearing for the applications.

A referral to Erie County Planning Department is not required for this application.

This is an Unlisted action under SEQRA.

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

Liz Cassidy

VILLAGE OF EAST AURORA

585 Oakwood Ave, East Aurora, New York 14052
716-652-6000

In conjunction with
Town of Aurora Building Department
575 Oakwood Ave, East Aurora, NY 14052
716-652-7591

Building Dept	12/13/23
Date Received	12/14/23
Complete App	12/15/23
Village Clerk	
Date Filed	12/15/23
Amount \$	120
Receipt #	2948-2

SPECIAL USE PERMIT APPLICATION

PROPOSED PROJECT
LOCATION

prop Kitchen @ 003 Oakwood
003 Oakwood
1597 Oakwood legal Addr

SBL#: 176-05-7-2.1
ZONING DISTRICT NC

The applicant agrees to reimburse the Village for any additional fees required for review by consultants hired by the Village.

APPLICANT NAME
ADDRESS
TELEPHONE
SIGNATURE

Chelsea Roof
#91 Willow St.
716 5440244 FAX
E-MAIL buckyroots5@gmail.com

OWNER NAME
ADDRESS
TELEPHONE
SIGNATURE

Oakwood Square LLC
PO Box 483 East Aurora NY 14052
FAX
see attached

DEVELOPER NAME
ADDRESS
TELEPHONE
SIGNATURE

FAX E-MAIL

THIS APPLICATION MUST INCLUDE THE FOLLOWING:

- One Cover Letter to Village Board, Supporting Documents and SEQR as required in §285-52.2
- One complete file of submittal package in PDF format via email (under 10MB) to maureen.jerackas@east-aurora.ny.us. Larger files may be submitted on a USB drive or CD-ROM
- Application fee \$25.00, Permit fee \$25.00 and Public Hearing fee \$100.00 - Total \$150 at time of application

OFFICE USE ONLY: Sketch Plan Meeting Date

REQUIRED MEETINGS/REFERRALS:

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	2/6/24	
Safety Committee		
VEA DPW		
OTHER (specify)		

SEQR ACTION:

Type 1 Type 2 Unlisted

VILLAGE BOARD ACTION:

	Mtg/Mail Date
Public Hearing	
Notices Mailed	
Posted Notice-VEA Hall	
Posted Notice-Prop	
Approval/Denial Date	

Attach Village Board resolution with noted conditions.

Elizabeth Cassidy

From: JERROLD THOMPSON <c21gldjtsr@aol.com>
Sent: Thursday, December 14, 2023 8:44 AM
To: Elizabeth Cassidy
Subject: Re: Left Coast Taco approval

They have my permission
Jerry Thompson Sr

Sent from my iPhone

On Dec 14, 2023, at 8:41 AM, Elizabeth Cassidy <ecassidy@townofaurora.com> wrote:

Jerry,
Please reply to this email with authorization for Chelsea and Nate Root of Left Coast Taco to submit an Special Use Permit Application for their catering kitchen operations at 603 Oakwood Ave (597 Oakwood Ave legal address).

Thank you,
liz
Elizabeth Cassidy
Town of Aurora/Village of East Aurora
Code Enforcement Officer
Office 716-652-7591
Cell 716-695-5194

December 11,2023

To whom this may concern,

We propose to continue to use 603 Oakwood as a preparation kitchen and storage facility for Left Coast Taco. LCT has been growing and thriving in the south/east corner of the Oakwood Square Plaza and on Elm Street for over 6 years now. We have outgrown the space and would continue to thrive with the addition of a preparation kitchen at the old space.

100% of the space has been updated and brought to current standards per the the landlord

Purposed use:

Hours of operation
Tuesday - Sunday 11-6

No Seating

Number of Employees - 10-12

Number of parking spaces - 3 and in the parking lot and surrounding municiple paring lots and street parking

Employee parking - In the surrounding municiple paring lots and street parking

Signage - We will use a sign that reads Left Coast Kitchen

Music - Left Coast Taco does not plan on having music inside/outside

Thank you,

Chelsea and Nathan Root
Owner and Operator
Left Coast Taco
716-544-0244

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.

Part 1 - Project and Sponsor Information			
Name of Action or Project: <div style="font-size: 1.2em; font-family: cursive;">prep kitchen @ 603 Oakwood</div>			
Project Location (describe, and attach a location map): <div style="font-size: 1.2em; font-family: cursive;">Oakwood Plaza @ 603</div>			
Brief Description of Proposed Action: <div style="font-size: 1.2em; font-family: cursive;">prepare food for left coast taco - storage and preparation</div>			
Name of Applicant or Sponsor: <div style="font-size: 1.2em; font-family: cursive;">Chelsea Root</div>		Telephone: <div style="font-size: 1.2em; font-family: cursive;">716 544 0244</div>	
		E-Mail: <div style="font-size: 1.2em; font-family: cursive;">busroots.5@gmail.</div>	
Address: <div style="font-size: 1.2em; font-family: cursive;">711 N Willow St.</div>			
City/PO: <div style="font-size: 1.2em; font-family: cursive;">East Aurora NY</div>		State:	Zip Code: <div style="font-size: 1.2em; font-family: cursive;">14052</div>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<div style="font-size: 1.2em; font-family: cursive;">0</div> acres	
b. Total acreage to be physically disturbed?		<div style="font-size: 1.2em; font-family: cursive;">0</div> acres	
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.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?		NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain 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: _____		NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? <input type="checkbox"/> NO <input type="checkbox"/> YES If Yes, briefly describe: _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>

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)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Chelsa Root</u> Date: <u>12/13/23</u></p> <p>Signature: <u>[Signature]</u></p>		

TOWN OF AURORA

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

MEMO

TO: Mayor Mercurio and Village Trustees

FROM: Richard Miga, Assistant Code Enforcement Officer

DATE: December 18, 2023

The Building Department has accepted a Special-Use permit application for 206 Main Street (Mister's), by Mr. John Becker, of B&P Main, LLC. 206 Main St is located in the Village Center (VC) zoning district. The Special-Use application has been submitted to amend the existing Special-Use permit for the use of an outdoor smoker on the property.

Village Code section 285-50.4C requires the Village to submit the applications to Erie County Department of Environment and Planning for their review and comment due to proximity to a State highway.

Village Code section 285-52.3B states that the Village Board may refer the Special Use permit application to the Planning Commission for their review and recommendation. The Village Board shall then schedule a public hearing for the application.

This is a Type II action for purposes of SEQR.

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

Richard Miga

+ Narrative
\$150 - check
smoker spec sheet

VILLAGE OF EAST AURORA

585 Oakwood Ave, East Aurora, New York 14052
716-652-6000
In conjunction with
Town of Aurora Building Department
575 Oakwood Ave, East Aurora, NY 14052
716-652-7591

Building Dept:	
Date Received	_____
Complete App	_____
Village Clerk:	
Date Filed	12/18/23
Amount \$	150.00
Receipt #	2956-6

SPECIAL USE PERMIT APPLICATION

PROPOSED PROJECT Smoking Meat SBL#: 164.19-5-15.1
LOCATION 206 Main Street ZONING DISTRICT General Commercial
MMO

The applicant agrees to reimburse the Village for any additional fees required for review by consultants hired by the Village.

APPLICANT NAME 206 B+P Main, LLC
ADDRESS 206 Main St EA, NY
TELEPHONE 716 435 5007 FAX _____ E-MAIL jbecker@fcbbuilders.com
SIGNATURE [Signature]

OWNER NAME John Becker
ADDRESS 267 Parkdale Ave EA, NY
TELEPHONE 716 435 5007 FAX _____ E-MAIL Same Above
SIGNATURE [Signature]

DEVELOPER NAME NA
ADDRESS _____
TELEPHONE _____ FAX _____ E-MAIL _____
SIGNATURE _____

THIS APPLICATION MUST INCLUDE THE FOLLOWING:

- One Cover Letter to Village Board, Supporting Documents and SEQR as required in §285-52.2
- One complete file of submittal package in PDF format via email (under 10MB) to maureen.jerackas@east-aurora.ny.us. Larger files may be submitted on a USB drive or CD-ROM
- Application fee \$25.00, Permit fee \$25.00 and Public Hearing fee \$100.00 – Total \$150 at time of application

OFFICE USE ONLY: Sketch Plan Meeting Date _____

REQUIRED MEETINGS/REFERRALS:

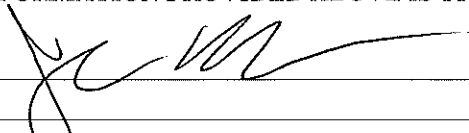
	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	<u>2/6/24</u>	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

SEQR ACTION:
___ Type 1 ___ Type 2 ___ Unlisted

VILLAGE BOARD ACTION:

	Mtg/Mail Date
Public Hearing	_____
Notices Mailed	_____
Posted Notice-VEA Hall	_____
Posted Notice-Prop	_____
Approval/Denial Date	_____

Attach Village Board resolution with noted conditions.

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)? If Yes, explain purpose and size: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: <u>Dec 14, 2023</u> Signature:  _____		

Short Environmental Assessment Form

Part 1 - Project Information

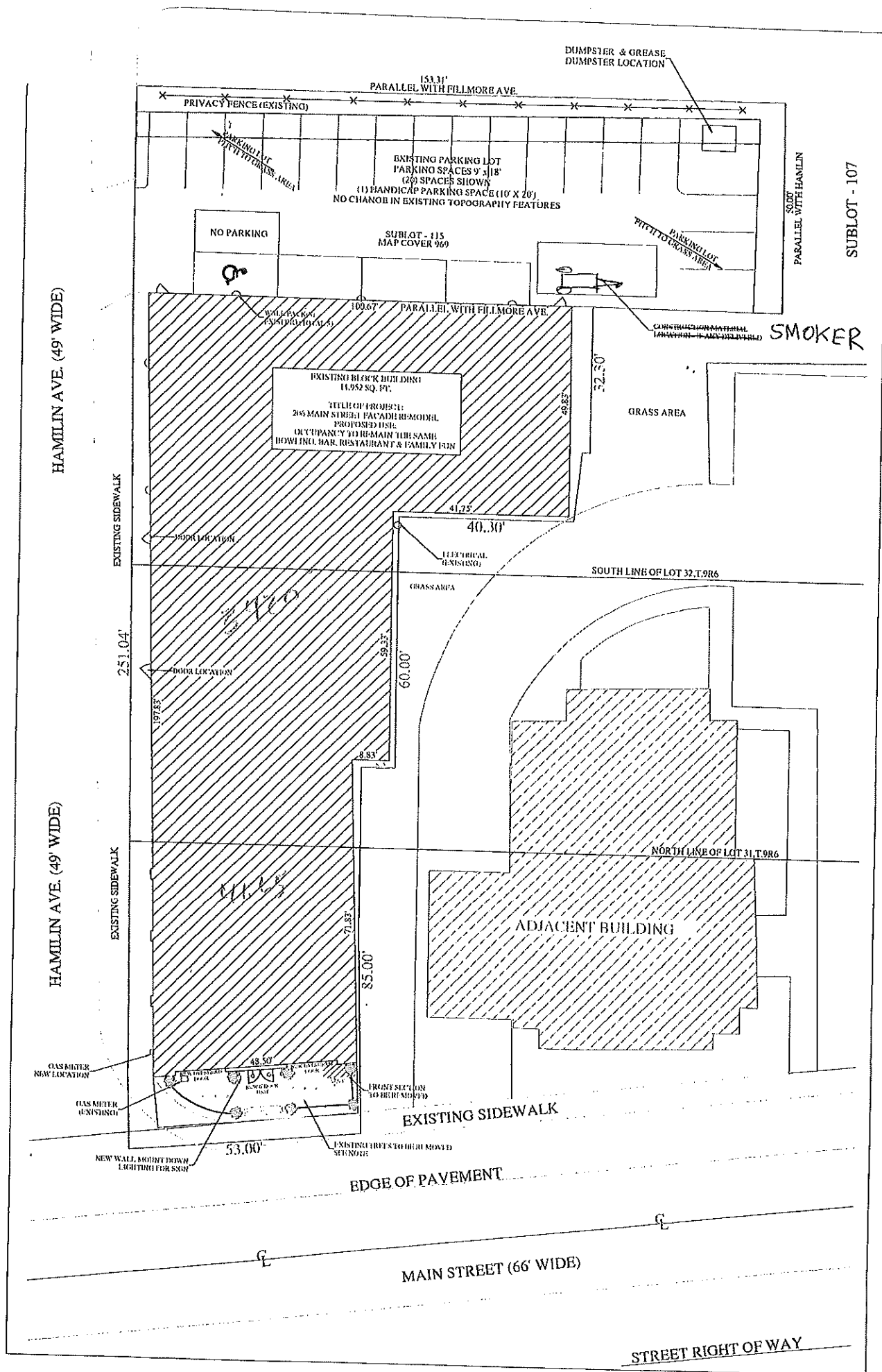
Instructions for Completing

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.

Part 1 - Project and Sponsor Information							
Name of Action or Project: <i>Outdoor smoker @ Mister's</i>							
Project Location (describe, and attach a location map): <i>206 Main St East Aurora NY 14052</i>							
Brief Description of Proposed Action: <i>Ability to smoke meats outside on an enclosed reverse flow smoker.</i>							
Name of Applicant or Sponsor: <i>B+P Main, LLC</i>		Telephone: <i>716 435 5007</i>					
		E-Mail: <i>jbecker@fecbuilders.com</i>					
Address: <i>206 Main Street</i>							
City/PO: <i>EA</i>		State: <i>NY</i>	Zip Code: <i>14052</i>				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		<i>5</i> acres					
b. Total acreage to be physically disturbed?		<i>00</i> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>All</i> none acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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: -NA-	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: -NA-	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: -NA-	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	





To: East Aurora Village Board

From: John Becker

Date: 12/16/23

Re: Smoker Special Use Permit

NARRATIVE:

Misters has been responsibly smoking meat on site at our restaurant since April of 2020.

Due to a recent neighbor complaint, we are being asked to apply for special use permit.

We have included a diagram from the supplier of the equipment website. There is visible smoke produced and scattered from the chimney about 4 to 5 feet away from the unit. We are operating from 7 am to 10 pm up to 7 days a week depending on demand. We do not feel from the type of enclosed flame unit and pictorial and video evidence provided that we are causing any disturbance that is not allowed in the village code for restaurants or private individuals in regard to this type of food preparation.

We are happy to answer any questions you may have.

All the best,

John Becker

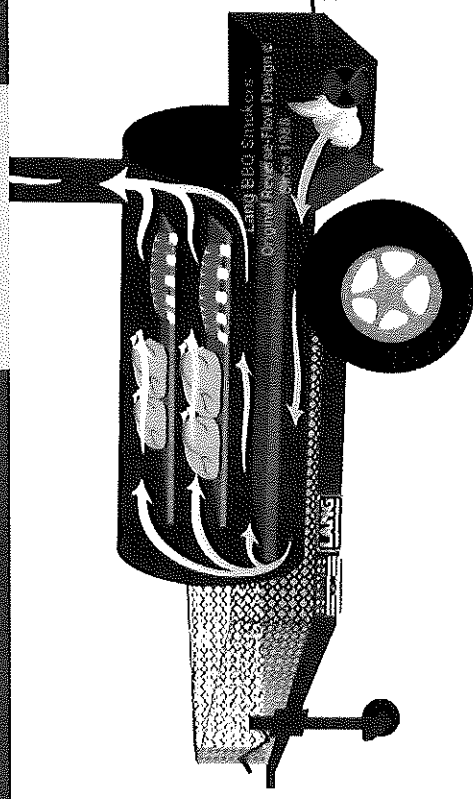
716-435-5007

[Home](#)
[Smoker Cookers](#)
[Accessories](#)
[Customize](#)
[Guides & Tips](#)
[About](#)
[Contact](#)
[Shopping Cart](#)

The website references the importance of the reverse flow feature. When it comes to Off-Set Firebox BBQ smokers cookers we are the originators of the reverse flow, offset-fire-box design. All of our smoker cooker models are built with the reverse flow design and we believe that all of our cookers have ALWAYS cooked better because of this reverse flow design.

What the reverse flow design does is:

The heat drafts from the firebox into the cooking cylinder and draws down under a baffled-flue to the end, then it reverses flow (thus the nick name reverse-flow) and drafts back over the top of the heated baffled-flue.



Reverse Flow Heat Baffle

This heated baffle or flue is designed in our cooker as a grease and water tight griddle or pan. The cooking racks are placed on top of griddle. The heat is used twice in our reverse flow system, and in a Lang BBQ Smoker the reverse flow baffle plate is fat searing on an all-welded griddle, sizzling and searing food to perfection with flavor and moisture beyond compare. As the meat cooks the fat renders out, it sears and sizzles on a hot clean griddle, thus pure magic.

Championship results.

The meat stays moist, becomes tender and is flavorful beyond compare. And it's less filling. What a winning combination.

We have continued to perfect that reverse flow, offset fire box design offer demonstrations at festivals, bbq cooking classes at our farmhouse with Chef Paul Kirk, and online tips to help you start a fire, utilize the reverse flow and cook with clean heat!

VILLAGE OF EAST AURORA

585 Oakwood Ave, East Aurora, New York 14052

716-652-6000

In conjunction with

Town of Aurora Building Department

575 Oakwood Ave, East Aurora, NY 14052

716-652-7591

Building Dept:

Date Received _____

Complete App _____

Village Clerk:

Date Filed _____

Amount \$ _____

Receipt # _____

SPECIAL USE PERMIT APPLICATION

PROPOSED PROJECT HIGHWIRE SBL#: _____
LOCATION 658 MAIN ST - REAR ZONING DISTRICT _____

The applicant agrees to reimburse the Village for any additional fees required for review by consultants hired by the Village.

APPLICANT NAME HIGHWIRE FARMS LLC
ADDRESS 840 S. MAIN ST ADRIAN, MI 49221
TELEPHONE (617) 709-0470 FAX _____ E-MAIL ERIC@HIGHWIREFARMS.COM
SIGNATURE _____

OWNER OF PROPERTY EA MANAGEMENT GROUP LLC
ADDRESS 658 MAIN ST REAR/ PO BOX 342 EAST AURORA, NY 14052
TELEPHONE 716 913 1232 FAX 716 941 9260 E-MAIL _____
SIGNATURE _____

DEVELOPER NAME _____
ADDRESS _____
TELEPHONE _____ FAX _____ E-MAIL _____
SIGNATURE _____

Request is for: ☐ Restaurant, Indoor Dining and/or ☐ Restaurant, Outdoor Dining
☐ Gas Station ☐ Car Wash ☒ Other
☐ Outdoor music or other noise impact; if yes please include a quick summation of request:

Days and hours of operation (indoor) MONDAY - SUNDAY 10 AM - 8 PM
Days and hours of operation (outdoor) N/A

Will alcoholic beverages be served? ☐ Yes ☒ No

Will there be outdoor music? ☐ Yes ☒ No If yes, what type of music: _____
Days and times of music _____

Are premises handicap accessible? ☐ Yes ☐ No If not, premises must be made ADA compliant
If yes, contact building department at 716-652-7591

Will there be any renovations ☒ Yes ☐ No

THIS APPLICATION MUST INCLUDE THE FOLLOWING:

- One Cover Letter to Village Board, Supporting Documents and SEQR as required in §285-52.2
- One complete file of submittal package in PDF format via email (under 10MB) to maureen.jerackas@east-aurora.ny.us. Larger files may be submitted on a USB drive or CD-ROM
- Application fee \$25.00, Permit fee \$25.00 and Public Hearing fee \$100.00 – Total \$150 at time of application

OFFICE USE ONLY: Sketch Plan Meeting Date _____

REQUIRED MEETINGS/REFERRALS:

	Mtg/Mail Date	Conditions/Comments, if applicable:
Planning Commission	_____	_____
Safety Committee	_____	_____
VEA DPW	_____	_____
OTHER (specify)	_____	_____

SEQR ACTION:

___ Type I ___ Type 2 ___ Unlisted

VILLAGE BOARD ACTION:

	Mtg/Mail Date	
Public Hearing	_____	
Notices Mailed	_____	
Posted Notice-VEA Hall	_____	
Posted Notice-Prop	_____	
Approval/Denial Date	_____	Attach Village Board resolution with noted conditions.

CHECK LIST FOR SPECIAL USE PERMIT APPLICATION

- ☐ A cover letter to the Village Board with a narrative of all proposed uses and structures, including but not limited to: hours of operation, number of employees, maximum seat capacity and required number of parking spaces.
- ☐ A narrative report describing how the proposed use will satisfy the criteria set forth in the Special Use Permit review criteria of Chapter §285-52.4 (also listed below), as well as any other applicable requirements relating to the specific use proposed.
 - ☐ Will be generally consistent with the goals of the Village Comprehensive Plan.
 - ☐ Will meet all relevant criteria set forth in Chapter §285-52.3 and §285-52.4.
 - ☐ Will be compatible with existing uses adjacent to and near the property.
 - ☐ Will not create a hazard to health, safety or the general welfare of the public.
 - ☐ Will not alter the essential character of the neighborhood nor be detrimental to the neighborhood residents.
 - ☐ Will not be a nuisance to neighboring land uses in terms of the production of obnoxious or objectionable noise, dust, glare, odor, refuse, fumes, vibrations, unsightliness, contamination or other similar conditions.
 - ☐ Will not cause undue harm to, or destroy, existing sensitive natural features on the site or in the surrounding area or cause adverse environmental impacts such as significant erosion and/or sedimentation, slope destruction, flooding or ponding of water or degradation of water quality.
 - ☐ Will not destroy or adversely impact significant historic and/or cultural resource sites.
 - ☐ Will provide adequate landscaping, screening or buffering between adjacent uses which are incompatible with the proposed project.
 - ☐ Will not otherwise be detrimental to the public convenience and welfare.
- ☐ All SEQR documentation, as required by New York State Law.

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.

Part 1 - Project and Sponsor Information				
Highwire Farms LLC				
Name of Action or Project: Highwire Farms Retail Dispensary				
Project Location (describe, and attach a location map): 658 Main Street, East Aurora				
Brief Description of Proposed Action: Just moving into an existing retail space.				
Name of Applicant or Sponsor: Highwire Farms LLC		Telephone: 317-979-5126		
		E-Mail: tony@highwirefarms.com		
Address: 840 South Main Street				
City/PO: Adrian, MI 49221		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO	YES
If Yes, list agency(s) name and permit or approval: NY Office of Cannabis Management must approve the license			<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ NA acres		
b. Total acreage to be physically disturbed?		_____ NA acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ NA acres		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

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)? If Yes, explain purpose and size: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input checked="checked" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Highwire Farms LLC</u> Date: <u>12-22-23</u> Signature: <u>TONY RATLIFF</u>		



840 S. Main St. • Adrian, MI 49221

17 November 2023

Re: 658 Main St (rear) Special Use Permit

Dear East Aurora Village Board:

Highwire Farms, LLC is requesting a special use permit to operate a legal state licensed dispensary within the Village of East Aurora. The proposed location is 658 Main St-Rear.

We have grown fond of the Village over the last two years. With local involvement, we feel strongly this would be the best location for the first Highwire in the state of New York. We currently have two stores operational in Michigan. Our first one opened in late 2019. As a result of our experience, we feel extremely confident of the success we will have with in the Village. Furthermore our concept of farm-to-table within the cannabis business would seem to mesh well with the vibe of the Village.

Thank you in advance for your time and consideration in this matter.

Sincerely,

Eric Kennedy
317.709.0470
eric@highwirefarms.com



Date: 12-20-23

Our vision for the East Aurora storefront.

It's our intention is to implement our farm-to-table retail concept into 658 Main Street, East Aurora (located in the rear of the building). We are confident the improvements would be consistent with goals of the Village and surrounding neighborhood. The storefront would be compatible with surrounding businesses in the area and would pose no health or safety concerns.

I am attaching some photos to demonstrate how we like to build out the interior of our stores. We focus on an Industrial/Farm brand called HIGHWIRE and these are examples of the look and feel we hope to achieve.

The overall buildout will not alter the character of the Village. There will not anything that would harm public convenience or welfare.

Security: Under the Zoning Code section 285-31.12(C)(1) the property will have a fully functional and operational camera system sufficient to be used at night covering all areas of the property and the necessary storage equipment to keep the product secure and locked down. The premises will be handicap accessible and there will be no consumption or odor from the retail establishment.

We are simply looking to provide safe, high-quality products along with consumer education. Feel free to reach out with any questions and we estimate having a total of 8-12 employees at this location based on the volume of sales.

Best Regards,

Highwire Farms LLC

Eric Kennedy and Tony Ratliff



TOWN OF AURORA

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

MEMO

TO: Mayor Mercurio and Village Trustees

FROM: Richard Miga, Assistant Code Enforcement Officer

DATE: January 3, 2024

The Building Department has accepted a Special Use permit application for 658 Main St, by Mr. Eric Kennedy, of Highwire. 658 Main St is located in the Village Center (VC) zoning district. Under 285.31.12(A) requires a Special Use permit regardless of zoning district. Restrictions of Cannabis uses, retail dispensaries, shall not be within 500 feet of another dispensary, 500 feet school building or property, and or 200 feet of a church or similar place of worship. See attached EC GIS map as a reference to the location of this application and nearby place of worship. Also, parking is exempt under 285-40.3C as the location is off Main Street between Whaley Avenue.

Village Code section 285-50.4C requires the Village to submit the applications to Erie County Department of Environment and Planning for their review and comment due to proximity to a State highway.

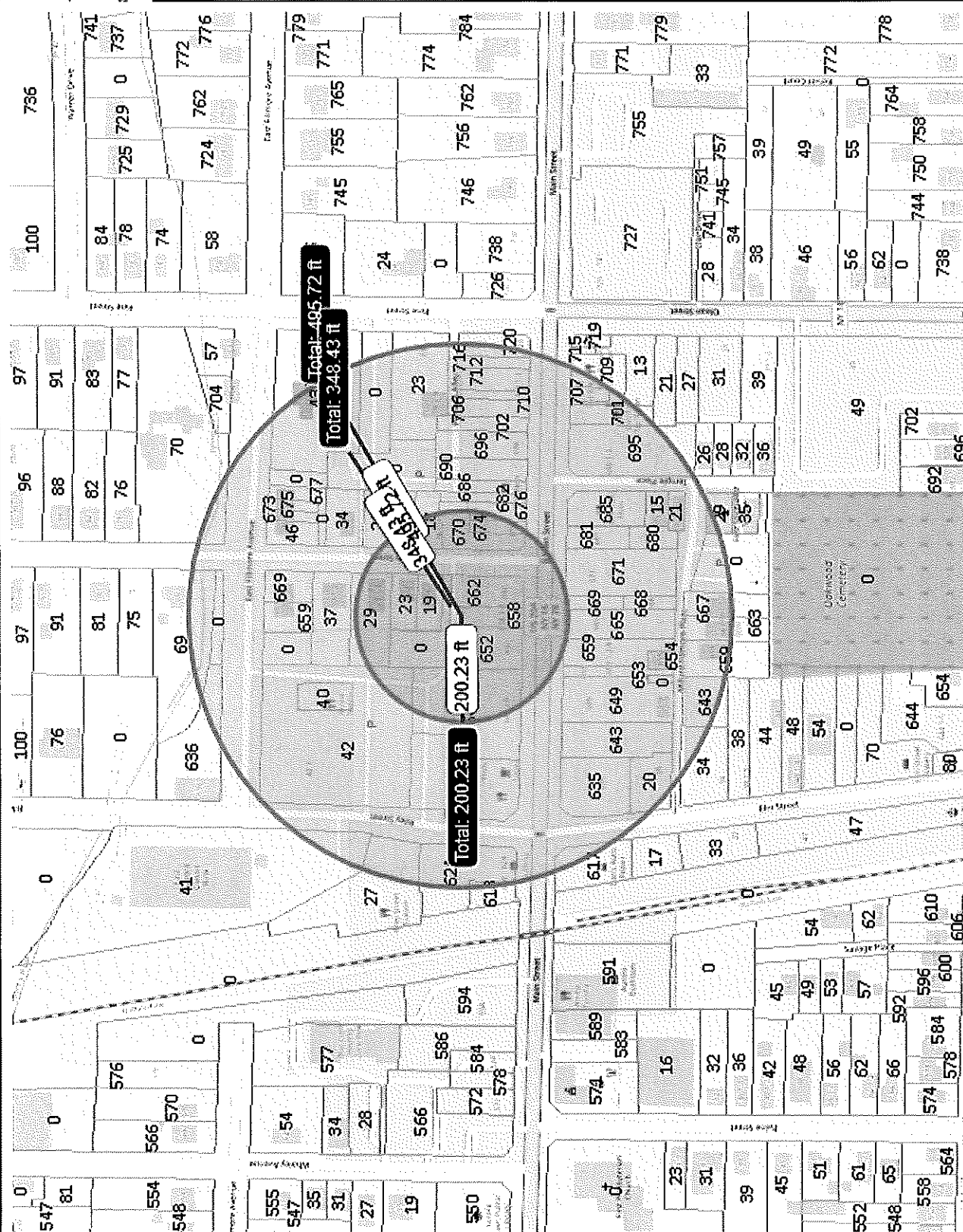
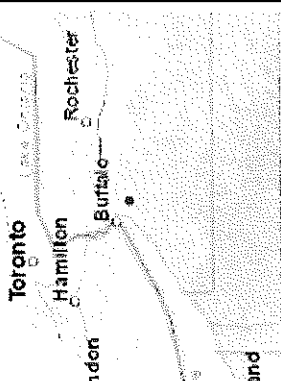
Village Code section 285-52.3B states that the Village Board may refer the Special Use permit application to the Planning Commission for their review and recommendation. The Village Board shall then schedule a public hearing for the application.

This is an Type II action for purposes of SEQR.

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

Richard Miga

Erie County On-Line Mapping Application



Legend

- ☐ Parcels

0 0.07 0.1 Miles

WGS 1984 Web Mercator Auxiliary Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

1: 4,514



Highwire Farms - East Aurora, NY
658 Main Street - Rear

