

EAST AURORA PLANNING COMMISSION  
REGULAR MEETING  
January 7, 2025 - 7:00 PM

PRESENT:

Randy West-Chair  
Dale Morris- Vice Chair  
Stacy Oar- Member  
Allen Ott Jr.-Member  
Dan Castle -Member  
Dave Simeone-Member  
Geoffrey Hintz-Member  
Deborah Izatt-Alternate

ALSO PRESENT:

Chris Trapp, Village Attorney  
Joe Trapp, Deputy Village Attorney  
Liz Cassidy, Code Enforcement Officer  
Grace Viger, PC Liaison  
Christine Cappola, Sr. Clerk

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

Vice Chair Morris requested a verbiage correction on the minutes of the member considerations section from last meeting. Per Member West, strike 3<sup>rd</sup> sentence from 6<sup>th</sup> paragraph entirely.

Motion by Member Castle to approve the December 3, 2024 meeting minutes as amended, seconded by Member Ott with 7 ayes and member Oar abstaining.

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**Special Use Permit for Bed and Breakfast**  
**21 Fairlawn Court**  
**Alex Perez**

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Member West, Chair, opened the discussion for a Special Use Permit application for a Bed and Breakfast (B&B) at 21 Fairlawn Ct.

The owner of the residence, Mr. Perez, asked for approval of a single room as a B&B in his dwelling. The commission asked about the entrance to the B&B and the parking available to the tenant. CEO Cassidy clarified that the available parking was in conformance with Village code. Member Simeone and Member Castle both recommended that letters from neighbors in favor of this B&B be made available to the Village board when they consider the application.

Findings:

1. A very straightforward application
2. Request is consistent with Village code
3. There is no modification proposed to the exterior of the property
4. Adequate parking is available

Member Castle motioned to accept the Special Use permit as submitted, and the motion was seconded by Member Oar, and carried unanimously.

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**Special Use Permit for Bed and Breakfast**

**59 Walnut St.**

**Devin and Abigail Kelley, Owners**

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Member West, Chair, opened the discussion for an application for a Special Use Permit for a B&B at 59 Walnut St.

Attorney Ryan McCarthy, representing the Kelleys, noted that the application is to allow for the short-term rental of an accessory structure (detached from the primary residence of the property) as a Bed and Breakfast. The PC, however, noted that the Village has always interpreted its code to require that B&Bs be physically part of the primary residence.

Atty McCarthy stated that the Special Use Permit checklist requirements have been met by the current applicant. He referenced many properties in the area that are multi-family units.

Member Castle asked for clarification on the unit, questioning if it was in fact an ADU and if this should be construed as an ADU permit. If not, then he'd like the ADU verbiage removed from the application as it is confusing, and he is concerned that precedent could be set.

Member Morris asked for clarification on questions 10, 11, and 12 from the EAF form as they pertain to historical sites. He believes the answers are contradictory to previous answers on the form. Also asked if this is handicap accessible. COE Cassidy advised it is not required to be.

Member West asked Attorney Chris Trapp for advisement on the issues at hand. Atty Trapp believes this is a commercial enterprise and that they are taking the idea of an ADU and making it into a B&B. He recommends tabling the request until further research can be done and provided to the committee.

Ms. Kelley spoke to the reasoning behind it being a short-term rental and why they cannot allow for it to be a long term rental unit at this time. Both she and Atty McCarthy believe they have complied with the code regulations.

Member West suggested tabling this matter to the committee until a subsequent meeting, pending attorney research and advisement.

A motion to table this matter was made by Member Morris, seconded by Member Ott, and unanimously approved.

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**Amended Special Use Permit  
Favo Pizza (Yotality) 160 Main Street  
Eugene O'Donovan**

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Member West, Chair, opened the discussion for 160 Main Street for an Amended Special Use Permit.

Mr. O'Donovan spoke of the changes that were made from the previous business model (the Irishman) to the current business model (Favo) and explained the addition of the dessert option Yotality to the restaurant. He indicated the most significant change would be seating, as he'd like to potentially increase the outdoor seating availability if possible.

Member West commented that this was also a very straightforward request but was curious why the change in business name from Irishman to Favo was not brought before the board. COE Cassidy explained it was not required as it was a name change of the business but remained the same owner.

Findings:

1. Modification of existing use
2. Hours of operation will be reduced
3. No change to the footprint is expected
4. There is not likely to be outdoor music with this business model (this portion of the request was removed from the application)

Member Oar motioned to accept the Amended Special Use permit as submitted, and the motion was seconded by Member Hintz. Carried unanimously.

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**Site Plan Application  
Taste Bistro 634 Main Street  
Eric Gawron**

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Member West, Chair, opened the discussion for 634 Main Street for a Site Plan application.

Eric Gawron explained his desire to move the side door that is currently in a small alcove near the alleyway. He would like to make it flush with the side of the building and remove the alcove area. There would be no change to the external lighting.

Findings:

1. Minor modification to existing building exterior
2. Modification will not impact adjacent businesses
3. Request is architecturally consistent with the building
4. No change to external lighting will take place

Member Ott motioned to accept the Site Plan Application as submitted, and the motion was seconded by Member Simeone. Carried unanimously.

**Member Considerations:**

- Member Castle- none
- Member Morris- none
- Member Ott- none
- Member Simeone- none
- Member Oar- none
- Member Hintz- Member Hintz confirmed the date of 1/21/25 at 6:30pm for the general discussion session at the far end room upstairs for the Planning Committee. Requested a formal notice be provided. No one other than committee members need to be present.
- Member West- Member West stated he has been in contact with Town Councilman Wrazen regarding the Town's Master Plan, and that the Village will not be able to be part of the Plan steering committee. However, the Village will be able to provide input to the plan as a "focus group." Member West stated they need to identify the members of the focus group as soon as possible. Members Ott and Simeone indicated interest in participating, as did Member West.

A motion was made by Member Castle to adjourn the meeting at 8:10pm. Seconded by Member Hintz and unanimously carried.

Respectfully submitted,

Christine Cappola,

Sr. Clerk