

VILLAGE OF EAST AURORA
VILLAGE BOARD MEETING
October 20, 2025 - 7:00 PM

Present:

Trustee Lazickas
Trustee Cameron
Trustee Viger
Trustee Scheer
Mayor Mercurio

Absent:

Trustee Flynn
Trustee Rabey

Also Present:

Maureen Jerackas, Clerk-Treasurer
Shane Krieger, Village Administrator
Dustin Waldron, Police Lieutenant
Chris Trapp, Village Attorney
Jeff Stoll, General Foreman
Rich Miga, Assistant Code Enforcement Officer
24 Members of the public

A Motion by Trustee Lazickas, to hold the approval of Village Board minutes for October 6, 2025 until the next meeting because Trustee Viger and Trustee Cameron had to abstain, seconded by Trustee Scheer.

Trustee Lazickas moved to approve the payment of Abstract for October 20, 2025, with a total of \$36,109.88, seconded by Trustee Viger and carried by unanimous approval.

- Trustee Lazickas asked about the LED street lighting and if there was a reduction in usage or cost, Clerk Treasurer Jerackas said electric prices went up and the usage only went down slightly.

SPEAKERS AND COMMUNICATIONS (I)

- Moe Gavin- 117 Pine- He said that he was unhappy about the garbage rollout and would like better communication from the Village. Clerk-Treasurer Jerackas said that she agreed Waste Management told us the mailers were out in the mail, but in the meantime, the village put the information out on the website, Facebook, and the Code Red program was utilized. Mayor Mercurio spoke about the Code Red program and reviewed where we are with the garbage contract. Mr. Gavin also spoke about his concern over the speed on Pine Street. Village Administrator Krieger asked Lieutenant Waldron to look into the speed signage on Pine. Mr. Gavin said that he believes that it will be worse if the development is approved.
- Mason Winfield- He was against 0 pine and spoke about how he would like to develop a committee to preserve green space in the Village.
- Joann Ryan- 211 Porterville- She has concerns about Pine Street and would like more done to slow down and reduce traffic.

PUBLIC HEARINGS

- A Motion by Trustee Lazickas, to open the Public Hearing at 7:27 pm regarding a local law for the rezoning of a portion of the property at 192 Oakwood Avenue by Marget J. Drzewiecki, Esq., of Rupp Pfalzgraf LLC, for the property owner Dimitie O'Connor, seconded by Trustee Cameron and carried with unanimous approval.
 - The applicant said that they are aware that the Village Planning Board and the HPC did not recommend this application. He spoke about the amended permit, why this is not spot zoning and about the current zoning. He also said they have more information to submit to the Village on this topic. The public hearing was left open.
 - Mary Ann Colopy- Chairwoman HPC- She has concerns over the home being demolished that is from the 1800's with this application.

The Public Hearing will remain open.

- A Motion by Trustee Lazickas, to open the Public Hearing at 7:27 pm regarding a minor subdivision application for the vacant parcel at 0 Pine Street by applicant Aaron Romanowski of Alliance Homes, seconded by Trustee Cameron and carried with unanimous approval.
 - The applicant reviewed the application and submitted a PowerPoint. They said that a SEQRA was submitted and there was no protected environment. They spoke about the efforts needed to protect the trees and what they will be doing. Mayor Mercurio asked if he could add that the Village has to be notified before they start the tree work, Village Attorney Trapp said that he can.
 - Shelby Deck-299 Pine Street- She has serious concerns about the trees and asked if there is an environmental impact study. She also has serious concerns about the traffic in the area and asked if there is a traffic plan
 - Michelle Parrish- 854 Lawrence Ave- She has concerns over the traffic on Pine. She also has concerns about what the height of the homes will be.
 - Jenn Brazil- 115 Blake Hill- She asked about the tree stipulation and agrees with the other speakers about the tree concerns. She also has serious concerns over green space and the Village being overdeveloped. She noted that Randy West from the Village Planning Board said that recommending the approval, even with conditions, does not mean we like it. She asked the Village Board to wait on approving this.
 - Joanne Ryan- 211 Porterville- She spoke about her concerns over the heavy impact on the land and the area. She asked the Village Board to wait on approving this.
 - Michelle Biella- 370 South Park- She asked about an environmental study and has concerns over traffic issues.
 - Joshua Best- 208 Porterville- He said that he is an architect and a developer. He said that he has concerns over the application not having all the information needed and advised the Village Board to request additional information.
 - Theresa Kishel- 506 Fillmore- She asked if East Aurora has a code in place that requires a certain amount of land to build a home, the way Elma does. Assistant Code Enforcement Officer Miga said that there are rules per zoning district and explained. Mrs. Kishel asked if the code for this could be changed due to overcrowding. Assistant Code Enforcement Officer Miga said that it could be brought to the Village Board and taken to a committee. Clerk-Treasurer Jerackas said that the Village Board cannot change the code for this project because it has already been applied for by the applicant. Trustee Lazickas asked the developers about the swales and expressed his concerns over damage to the property in the natural setting and the tree canopy.
 - Joanne Ryan- 211 Porterville- She said that she also has concerns about the size of the houses being put on the property. Mayor Mercurio asked Assistant Code Enforcement Officer Miga about the limits of the house, and he said that the current application has nothing that contradicts the code as it is written. The applicant reviewed how they are working with the Village about the trees, even though it is not required by code, and why they don't need an environmental impact study. The applicant also discussed the specifications that were agreed upon with the Village Planning Board and asked the Village Board to approve the application.

- Jenn Brazil- 115 Blake Hill- She asked the Village Board to look more into this application for environmental reasons.

A Motion by Trustee Scheer to close the public hearing at 8:27 pm, seconded by Trustee Viger, and carried with unanimous approval

- A Motion by Trustee Viger, to open the Public Hearing at 8:28 pm regarding projects for the Community Development Block grant application, seconded by Trustee Lazickas and carried with unanimous approval.
 - Clerk Treasurer Jerackas explained the project possibilities for CDBG.
 - Mary Ann Colopy- HPC Chairperson- She asked if it can be used for planning purposes. Clerk Treasurer Jerackas said that she believes that it has to be used for a physical project but can look at what she is presenting. Mrs. Colopy asked if it could be used for comprehensive planning. Clerk Treasurer Jerackas said that there is other funding for things like that, and this one is used for projects in regard to ADA, seniors, or for low-mod areas which we do not have in the village.
 - A Motion by Trustee Lazickas to close the public hearing at 8:32pm, seconded by Trustee Cameron and carried with unanimous approval.
 - Public Hearing regarding a Local Law to amend §285-44 Sign Regulations.
 - Village Attorney Trapp said that he sent them to the Village Board today for review.
- The Public Hearing will remain open.

OFFICIAL CONSIDERATIONS

- **Resolution of the Board of Trustees of the Village of East Aurora with respect to a Determination of Non-Significance pursuant to the State Environmental Quality Review Act in the matter of 0 Pine providing for the development of a minor subdivision in the Village of East Aurora.**

WHEREAS, Parts 1, 2 and 3 of the Short Environmental Assessment Form has been filed with this Board, a copy of which is included by reference and made a part hereof, relating to Village Code Article 285; and

WHEREAS, the Village Attorney has carefully and fully reviewed Parts 1, 2 and 3 of the Short Environmental Assessment form referenced above; and

WHEREAS, this matter has been deemed to be a local concern by the Erie County Department of Environment and Planning, and after a review of the determinations of the Planning Commission, the County Sewer District, and

WHEREAS, the Village Attorney, after review of the above, recommends the Village Board of Trustees declare itself as Lead Agency and issue a Negative Declaration of Environmental Significance; and

WHEREAS, the Board of Trustees, upon carefully and fully reviewing all the information in regard to the proposed action, and taking a hard look at the proposal, made a finding that there are no significant environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of East Aurora, as Lead Agency, has determined that the proposed action described in the Short Environmental Assessment Form filed with the Village, included and incorporated by reference herein, is classified as an Unlisted Action and therefore issues a Negative Declaration, that grant of this will not have a significant environmental impact and a Draft Environmental Impact Statement will not be required nor prepared.

A motion by Trustee Viger, making a negative declaration for SEQRA for a minor subdivision application for the vacant parcel at 0 Pine Street by applicant Aaron Romanowski of Alliance Homes, seconded by Trustee Lazickas, and unanimously approved.

- **Resolution of the Village of East Aurora Approving a Minor Subdivision for 0 Pine Street in the Village of East Aurora, New York**

WHEREAS, an application has been submitted for minor subdivision approval at the above-referenced property; and

WHEREAS, the Village Board referred the application to the Planning Commission for review, comment, and recommendation, and the Planning Commission resolution, recommending the minor subdivision approval, with findings and conditions, is incorporated herein as follows:

Findings:

- a) The applicant has lowered the grades of the proposed residences from the previous submittal.
- b) The proposed project comprises 3 houses on conforming lots.
- c) The traffic safety committee has reviewed the locations of the proposed driveways and found no issues with them.
- d) Residents expressed concerns for traffic safety in the Girard Avenue and Pine Street area; the PC found that these concerns can be more adequately controlled by traffic management on Pine St. and/or Girard Ave.
- e) The amount of traffic from three additional houses will not be a significant increase for Girard Ave.
- f) The applicant has agreed to reduce the maximum setback for the primary structure to 30' from 60' (as permitted in the Village Code)
- g) Max depth of building envelope is 80'.
- h) Max width of 50' for the primary structure.
- i) There will be no driveways on Pine Street.
- j) The application is consistent with the comprehensive plan's recommendation to increase single-family housing within the Village.

Conditions:

- a) The max setback of the front of the building envelope is 30' from the property line for the primary structure
- b) The max depth of the building envelope is 80' from the setback line for the primary structure
- c) The project will have no driveways on Pine Street
- d) Lot 3 driveway must be on the west side of the property
- e) No trees shall be removed or damaged that are currently in the Village right-of-way

WHEREAS, the Erie County Division of Planning has reviewed the same and has no recommendation and deems the matter to be of local concern; and

WHEREAS, the Village's SEQRA Intake Committee considered the application and reviewed Part 1 of the Short Environmental Assessment Form submitted by the applicant and completed Part 2 and Part 3 thereof on behalf of the Village, and it was the determination of the SEQRA Committee that the proposed development plan is an Unlisted Action and would have no significant environmental impact; and

WHEREAS, the Village Board at a public meeting reviewed and considered the comments and all written materials submitted by the applicant and all other information and recommendations before the Board, including minutes of prior Village Board meetings and the recommendation of the SEQRA Intake Committee and Planning Commission; and

WHEREAS, the Village Board has separately considered the environmental impacts of the project, declared itself Lead Agency and issued a Negative Declaration of environmental significance.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board as follows:

1. The Findings of Fact of the SEQRA Intake Committee, the resolution with findings and conditions of the Planning Commission, and the minor subdivision application, including the above-referenced improvement rendering filed with the Village, all information included in the minutes taken in relation to the abovementioned Village Board and Planning Commission meetings are herein incorporated by reference.
2. The resolution of the Village Board considering the environmental impacts of the project and the issuance of a Negative Declaration of environmental significance is attached and incorporated herein by reference.

3. The minor subdivision relating to the proposed project at 0 Pine Street, East Aurora, New York, wherein the applicant proposes to subdivide one existing lot into three new lots, and as detailed in the following documentation:
- An application for a minor subdivision, dated May 22, 2025 (one page);
 - SEQRA SEAF Part 1 – Project Information Form (three pages);
 - as shown on a drawing (one page, undated and with no indication of the creator), depicting three lots, one with an existing house and two vacant lots;
4. is hereby approved, applying the standards under the Village Zoning Code, the project sits in with the Master Plan and is in harmony with the Zoning Code, and is subject to the following additional conditions:
- No trees shall be removed or damaged that are currently in the Village right-of-way
 - The Applicant must contact the Village prior to starting work so that the Village can protect the street trees.

5. The resolution is effective immediately.

The foregoing resolution was duly made by Trustee Viger and seconded by Trustee Lazickas and carried on October 20, 2025.

- Mayor Mercurio asked Joshua Best about his comment during the public hearing about the location of the HVAC system. Mr. Best said that he believes that the Village Board should be asking what the homes look like because it may alter the character of the area. The applicant said that he met the requirements in the code and noted that they are custom homes. Village Attorney Trapp said that the application meets the code and that there is no basis to deny it. Trustee Viger said that Fisher Price never approached the Village to buy this land and that the code needs to be reviewed. Trustee Scheer said that he believes that it's too many homes on this lot, but believes this is a reputable company. Trustee Viger agrees. Trustee Cameron said that we need to work on making Pine Street safer. Mayor Mercurio said that this is private property and they are following the code.
- A motion by Trustee Lazickas, to refer to the planning commission, November 13, 2025, a special use permit from Carner Development Group at 670 Main Street to convert part of the 1675 square feet of the first-floor commercial space for an indoor golf recreation facility, seconded by Trustee Cameron, and unanimously approved.
- **Designation of 670 Main Street as a Local Landmark Pursuant to §156-3 of the Village Code**
Trustee Viger offered the following resolution and moved for its adoption:
WHEREAS, by application dated July 1, 2025, Mary Del Vecchio, agent for Carner Development Group, requested that their property located at 670 Main Street be designated as a local landmark, pursuant to Village Code §156-3; and
WHEREAS, the Historic Preservation Commission reviewed the documentation submitted and held a public hearing on August 13, 2025; and
WHEREAS, the Historic Preservation Commission voted 6 AYE and 1 NAY to designate 670 Main Street as a local landmark, and
WHEREAS, the application was forwarded and considered by the Village Board of Trustees; and
WHEREAS, designation as a local landmark is a way to honor and recognize those properties that contribute to the historic character of our Village and to protect such historic resources;
NOW, THEREFORE, BE IT RESOLVED, pursuant to Village Code §156-3(A), the Village Board of Trustees does hereby approve and designate 670 Main Street, East Aurora, NY as a local landmark; and
BE IT FURTHER RESOLVED, that the property owner of 670 Main Street shall comply with the provisions as set forth in §156 of the Village Code.
The foregoing resolution was duly seconded by Trustee Scheer, this 20th day of October 2025 and carried.

- Trustee Lazickas said that he does not feel like this building meets the criteria for a Local Landmark. Mary Ann Colopy reviewed the historic personages involved with this building and the requirements. Trustee Lazickas reviewed his opinion that he doesn't believe it meets the guidelines. Peter Sorgi gave the code to Clerk Treasurer Jerackas to give to Trustee Lazickas. Trustee Lazickas reviewed the document and does not believe the architect was significant. Mr. Sorgi gave the previous local landmark applications to the clerk for review. He reviewed with the Village Board members why he believes they should approve the application because he believes it meets the Local Landmark criteria. Mayor Mercurio said that he doesn't have a problem with it if they follow the rules, Trustee Cameron agrees. Mrs. Colopy reviewed the Certificate of Appropriateness process that this applicant will need to follow when they want to make exterior changes if the local landmark designation is approved.
- A motion by Trustee Cameron, to give permission for the building department to refer the violation of Amy Sue Martin, 51 Paine Street, to the town prosecutor for judicial court action, seconded by Trustee Viger, and unanimously approved.
 - Assistant Code Enforcement Officer Miga said that this permit has been expired for a while and they have been notified.

● **RESOLUTION DESIGNATING POLLING PLACE AND HOURS POLLS ARE OPEN**

Trustee Scheer offered the following resolution and moved for its adoption:

WHEREAS, the next General Election for officers in the Village of East Aurora, New York, will be held on Wednesday, March 18, 2026, and

WHEREAS, Section 15-104 (3) (b) of the Election Law of the State of New York states that the Village Board of Trustees must designate by Resolution the polling place in each election district, and the hours during which polls are open.

NOW, THEREFORE, BE IT RESOLVED:

1) That the one (1) polling place in the Village of East Aurora will be in the East Aurora Municipal Center, 575-585 Oakwood Ave, East Aurora, New York 14052; and

2) Polls will be open for the General Village Election to be held on Wednesday, March 18, 2026, between the hours of 12 noon and 9:00 pm.

The foregoing resolution was duly seconded by Trustee Lazickas and unanimously adopted.

- A motion by Trustee Scheer to give permission for the Mayor to sign an Intermunicipal agreement with the Town of Aurora for two Bridge NY Culvert replacement projects 5765.46 and 5765.54, seconded by Trustee Lazickas and unanimously approved.
 - Clerk-Treasurer Jerackas said the verbiage is the same as the last agreement with the Town for being on the Village property while doing work on their bridges. The Village Board members had concerns over the sidewalks being ADA-compliant after Gunner completes the work on the current bridge. The Administrator will contact the town about the compliance.
- A motion by Trustee Viger, to approve a temporary use permit for the Buffalo Bills – Katie Jordan Thursday, November 13, 2025, from 5-8 pm for the Hallmark movie premiere and “parade” of the cast and players, seconded by Trustee Lazickas, and unanimously approved.
 - Clerk Treasurer Jerackas reviewed the application. Lieutenant Waldron reviewed the route and road closures. Trustee Viger said she has concerns about the crowds. Lieutenant Waldron said that the police department will have extra officers, and the applicant will also have a security detail.

NEW BUISNESS

- Village Board agreed to have a work session on November 3, 2025 at 6pm to discuss the code revisions for the local law on ebikes and trees if that law is ready.

SPEAKERS AND COMMUNICATIONS (II)

- Dave Simone- 121 King Street- He said that he would like additional code changes made to protect green space in the future. Trustee Scheer asked if we could discuss this in the work session. Mayor Mercurio also asked to discuss fixing the code to not allow something like what happened at Maple and North Street with the demolition go-around. Trustee Scheer and Trustee Viger agree.
- Mary Ann Colopy- HPC Chairwoman- She suggested having an architectural review board. She also spoke about local landmark districts and what that entails. Trustee Lazickas asked about the situation with Maple and North Street. Assistant Code Enforcement Officer Miga reviewed how the owners got around the demolition permit.

Department Head and Trustee Reports

Police Lieutenant– none

Streets Foreman- He said that he attended the NYCOM conference and it was good. He said that the DPW just started leaf collection and that they are getting the plows ready for snow.

Assistant Code Enforcement Officer- none

Village Administrator- He said that he has a meeting with NYSEG on Nov 6th at 10am

Village Clerk-Treasurer- She said that she has the capital committee meeting on Thursday and met with the department heads about what they wanted for this plan.

Trustee Lazickas- none

Trustee Cameron- She said that she would like to meet with Lindsey Lorigo on the Pine Street issue. She also asked about yard waste options. Clerk Treasurer Jerackas reviewed the items that can be bagged in the totes, what can be taken to the DPW on Saturdays, and what the DPW picks up at the road. Trustee Viger asked about the cost of having recycling every week. Clerk Treasurer Jerackas said that they are working on the law for options for additional totes.

Trustee Scheer- none

Trustee Viger – She said that the East Aurora Fire Department had an open house, and it went great.

Mayor Mercurio- He said that they put in a request for holiday decoration committee help, and the Girl Scouts will be helping again.

ADJOURNMENT

A motion was made by Trustee Viger to adjourn the meeting at 9:51pm. Seconded by Trustee Lazickas and unanimously carried.

Respectfully submitted,

Maureen Jerackas
Village Clerk-Treasurer