

EAST AURORA PLANNING COMMISSION

REGULAR MEETING

Tuesday, March 3, 2026

PRESENT:

Randy West – Chair
Dale Morris – Vice Chair
Allen A. Ott Jr. – Member
Geoffrey Hintz – Member
Dave Simeone – Member
Daniel Castle – Member
Debbie Izatt- Alternate

ABSENT:

Stacy Oar – Member

ALSO PRESENT:

Chris Trapp, Attorney
Joe Trapp, Assistant Attorney
Liz Cassidy, Code Enforcement Officer
Melanie Walker, Deputy Clerk
7 members of the Public

Chair West called the March meeting to order at 7:00 p.m. and introduced the Planning Commission members. The PC reviewed the minutes of the February 3rd meeting (revised in an email from Member Morris). Member Hintz motioned to approve the minutes as revised, seconded by Member Ott, with one abstention, and approved.

Five Below – Special Use Permit

123 Grey Street

Michelle Baco, Five Below store manager

Chair West opened the discussion and had Michelle Baco, the store manager, go over the application. The proposal is to stage merchandise outside of their storefront. Chair West asked if the merchandise would go out on the sidewalk, but would not obscure the sidewalk for pedestrians. Member Castle asked when this would be displayed. The applicant said merchandise would be out during business hours, though not during snow/winter.

Counsel suggested putting conditions on the findings due to it being in the plaza.

Chair West opened and closed public comment when no comments were received.

Findings:

The proposed action will not interfere with pedestrian traffic flow on the sidewalk or create any unsafe situations.

The proposed action is consistent with the practice of other stores in the Plaza.

Conditions:

Merchandise is displayed only during the hours of operation of the store.

The outdoor displays cannot impede ADA or pedestrian access on the sidewalk.

Member Castle made a motion to recommend that the Village Board APPROVE the Special Use Permit for 123 Grey Street (Five Below) with the findings and as conditioned, seconded by Member Simeone, and was unanimously approved.

Contento Company – Special Use Permit

533 Prospect Avenue

Zach Goodrich and Erin Redding

Chair West opened the discussion and had the applicants, Zach Goodrich and Erin Redding, and the contractor introduce themselves. The applicants spoke of their Special Use Permit for 533 Prospect Avenue. The Special-Use application has been submitted to construct a 22'x45' detached garage with an Accessory Dwelling Unit (ADU). The ADU will be at grade and at the rear

structure with side entry. The one-bedroom ADU will be for family and occasional guests of the property owners who own-occupy the primary single-family dwelling on the property. The current detached garage will be demolished. The applicant spoke of her adult brother, who has Down syndrome, and their parents, who would come and stay with them.

Chair West commended the thoroughness of the application, particularly the commitment to preserving the garage's architectural style. Member Hintz mentioned that he shared the applicants' cover letter with Mary Ann Colopy, Chair of the Historic Preservation Commission, because the garage was built in 1905. CEO Cassidy noted that no permit is required to demolish the garage as it is less than 500 square feet in area.

Member Morris asked the applicant if they intend to rent this out as an Airbnb, and if it is allowed. The PC determined that such a use for the proposed structure is not allowed by the Village Code.

Counsel said that Code Enforcement and/or PC should include in its evaluation the criteria specified in §285-3.12(D3)

An accessory dwelling unit shall be designed to maintain the architectural design, style, appearance, and character of the primary residential unit. Any addition must be consistent with the existing facade, roof pitch, siding, and windows of the primary residential unit. Any addition shall not exceed the height of the primary structure.

Member Morris asked about occupancy levels. The applicant stated that they propose to have one or two family members stay there at a time.

Member Simone asked the applicants to explicitly state that they are not taking out any mature trees. They stated that they are not, and once the project is finished, they are planning on planting some additional trees. Member Hintz mentioned that the Tree Board is very active and very willing to help with questions or suggestions.

Member Castle asked about the siding and if it will all be the same. The applicant said the siding would be the same color and made of wood material.

Findings:

1. The application architecture, roof pitch, siding, windows, and colors will match the main house.
2. The applicant has committed to not removing any mature trees.
3. The application meets the intent of the ADU code in providing for Village residents to provide temporary residence family

On the motion by Member Morris to recommend that the Village Board APPROVE Special Use Permit for 533 Prospect Avenue with the findings. The motion was seconded by Member Castle and unanimously approved

Old business -

Chair West moved on to old business. In the previous meeting, from which Chair West was absent, the PC decided to ask the Village Board for input on possible zoning changes in the area of the 270 Quaker Road proposal. The PC drafted a letter letting them know the PC is looking for guidance, particularly if manufacturing zones that were established over 20 years ago are still a priority in light of the emerging priorities of senior housing. Member Morris stated that the Village Board will hold a work session on March 30th at 6 pm. Member Castle supported what Member Morris had to say. Chair West said it would have been much cleaner to evaluate the application under the existing zoning. Member Hintz said that it would be spot zoning. Chair West stated that a study will be performed on affordable senior housing for the Village property on Girard, though he does not know the status. He asked what provisions are included for senior housing in the Town's revised Comprehensive Plan. CEO Cassidy said that they are looking at directing developments that are along the Town that have sewer capacity, lines, and availability. He noted that a floating multi-family district that could be used for senior housing is proposed.

Luke Wochensky of 115 S Grove Street, Deputy Supervisor and Town Councilmember, stated that there are two competing issues in the Town's Comprehensive Plan. One is the desire to minimize further development, and the other is the need for senior housing. They are creating an Appraisal Review Board and another Comprehensive Plan Steering Committee.

Member Castle said on a side note, it would be really nice if Senior Housing could stay on the tax roll. Chair West asked Member Morris how to proceed prior to the March 30th meeting. Member Morris asked, "Do we want to have our PC input into the work

session?" Council needs written submissions on the basis to advise the Board. Chair West said the application should be evaluated against the zoning in place and then speak to modify the Comprehensive Plan without an application in front of the PC. The rest of the PC stated that they felt that adequate direction had already been provided to the Village Board, and that no additional discussion was required.

Mary Durlak of 465 South Street spoke of senior, low-income, and subsidized housing. Member Castle wanted to add that there has been no discussion on low-income or subsidized housing at all. There is a different process for that, and this is not what is being talked about.

Chair West asked about an email that was sent to the members of the PC from a member of the PC discouraging lawn signs relating to the current Village elections in front of individuals' homes. Attorney Trapp said that he will look into it, but that he always advises members to appear as neutral as possible.

Member Hintz asked about the status of the 2025 meetings between Chair West and Members Hintz and Oar that had discussed possible modifications to the ADU code. He asked what had happened to the resulting document. Chair West said he would revisit shortly.

Member Morris moved to adjourn the meeting at 8:15 pm The motion was seconded by Member Simeone and unanimously approved.

Respectfully submitted,

Melanie Walker
Deputy Clerk