

MINUTES OF A MEETING AS HELD BY THE  
TOWN OF AURORA PLANNING & CONSERVATION BOARD

NOVEMBER 2, 2016

Members Present: Donald Owens, Chairman  
Timothy Bailey  
Douglas Crow  
Laurie Kutina  
David Librock

Alternate Member: Richard Glover

Absent/ Excused: Norm Merriman  
Jerry Thompson

Also Present: William Kramer, Assistant Building Inspector

Chairman Don Owens presided over the meeting which began at 7:00 p.m. at the Town Hall, 300 Gleed Avenue, East Aurora, New York. He led the recitation of the Pledge of Allegiance to the Flag.

Chairman Don Owens noted that Dick Glover would be a voting member for the meeting.

**Douglas Crow made a motion to accept the minutes of the September 7, 2016. The motion was seconded by David Librock. Motion carried.**

OLD BUSINESS:

779, 781 Quaker Rd ODA revision. Steven Tait appeared as owner.

Doug Crow noted that although the Town is under a moratorium for ODA development, this project was in process prior to that and is allowed to continue.

Don Owens agreed and noted that the moratorium is for new applications. He further mentioned that there have been some changes and noted that Mr. Tait has submitted the boundary survey and indicated the driveway will be 20' wide and that the entrance at 20A will also be widened.

Mr. Tait discussed the ODA process to date.

Don Owens noted the utility corridor to the east of the proposed 20' driveway. He asked about the proposed storm sewer for the drainage.

Mr. Tait stated that he was approved in September 2004 to put it in and did so at that time. [He indicated the drain is behind the duplex at 777 Quaker.]

Don Owens asked if he was going to extend it further.

Mr. Tait stated that he was considering it but also because of the water off the hill, he didn't want to put too much into the pipe. He mentioned that the gas main has already been installed and that NYSEG installed poles back already.

Doug Crow asked about the acreage of each lot, specifically the third lot.

Mr. Tait stated that the third lot is 1.38 Ac and that the survey was completed by Jim Shisler, a professional land surveyor and that the metes and bounds were done by Joel Kurtzhals.

Bill Kramer asked if the driveway is included in the third.

Mr. Tait stated yes.

Bill Kramer clarified that the total acreage includes the driveway.

Dick Glover asked if these are legal lots of record.

Mr. Tait stated yes.

Dick Glover noted that Erie County Health Dept will need to approve the septic system.

Mr. Tait indicated that the design for the duplex has been completed and approved by ECHD already.

Doug Crow discussed an earlier concern regarding the ROW and road width from a safety perspective of the multiple residences. He noted that changes have been made to address those issued.

Dick Glover asked if there is a maintenance agreement on the driveway.

Mr. Tait stated yes and that it had been previously submitted to the ZBA.

Don Owens noted that the ZBA hearing was July 2014.

Mr. Tait stated that his engineer noted that duplexes have to be sprinklered and hopefully that will prevent the firetrucks from having to pass on the road.

Don Owens noted that the concern extends to ambulances too.

Dick Glover noted that the 160' driveway from the common driveway to the duplex should be detailed as well, including the 20' width. He suggested an engineered drawing that would show the details for the utilities to the house, the driveway to the duplex. He indicated that the driveway to the duplex should also be written to the ODA code and be 20' wide.

Mr. Tait asked if that is different than a normal house.

Multiple conversations occurred at the same time.

Tim Bailey asked for clarification on the property boundaries.

Mr. Tait discussed the property. He also stated that he thought the Building Department would approve the driveways to the dwellings from the common driveway, as long as the common driveway criteria were met.

Dick Glover agreed that that would be possible and added that he would have preferred those details on the plan.

Mr. Tait stated he thought the 20' hard pack surface were to provide fire access to the lots.

Bill Kramer noted that he has the 40' egress (with the variance approval) and the 20' hard pack driveway surface to the lots. He further indicated the Building Department would look at the access to the individual homes and see how that meets the fire code requirements. He also stated that any driveway coming off the common driveway is in itself a turnaround and it will have to meet the required radius.

Mr. Tait stated that he would likely copy the driveway for the existing duplex and thought that it measures at 24' at the widest point.

Dick Glover indicated that the Planning Board normally receives stamped engineered plans, not the drawings submitted.

Bill Kramer confirmed that the Building Department will be looking at the distance from the common driveway and the width and all those details.

Don Owens asked about drainage and the storm sewer along the utility corridor.

Mr. Tait indicated it is a 12” pipe. He also noted that there is quite a fall from third lot to the first.

Bill Kramer noted that the drainage concerns aren’t solely for getting water out of the house, but also include the impact of the structure on neighboring properties.

Don Owens noted that the generated runoff has to be contained so it doesn’t impact neighbors. He suggested the Board recommend a drainage plan be prepared and submitted to the Town Engineer for review.

Laurie Kutina noted that with just elevation points, not a full topographic map, it’s difficult to show how the water moves. She indicated this could also be a condition for approval

Mr. Tait asked if the full topographic map has to be done for the whole property.

Don Owens noted that a topography map is helpful, especially through the utility corridor from the highest point to Quaker Rd.

Bill Kramer noted that this is a requirement of the ODA submission.

Mr. Tait stated that he thought that what he has submitted is a topographical map with the elevations marked.

Laurie Kutina noted that with a full topographic map, you can see where the water is going to go. With just the spot elevations marked, you don’t always know which direction the water will travel.

Mr. Tait stated that there is a field on either side of his property.

Don Owens noted that in the future they may be developed.

Tim Bailey asked if these topo maps can be found on the USGS website.

Both Don Owens and Laurie Kutina indicated they could.

Mr. Tait stated that he is hesitant to have a full topo completed due to cost incurred on another project.

Doug Crow mentioned the Erie County GIS map also.

Don Owens noted that if the map shows water moving onto adjacent property, it needs to be addressed.

Bill Kramer indicated that a drainage plan shows the existing topo and the proposed topo with any berms/swales needed to prevent the impact of water on neighboring property, including between the proposed and existing houses. That is what the Town Engineer wants to see on a drainage plan.

Doug Crow expressed appreciation that Mr. Tait addressed the concerns of the Planning Board with regards to the driveway, fire access, and safety.

Don Owens noted that the development process should go more quickly for a landowner.

Mr. Tait stated that the requirements (surveyor, engineer, etc) feel like a punishment for the average landowner.

Don Owens stated that there is a lot of risk involved.

Laurie Kutina agreed and stated that there will be 5 homes on this property and there are safety concerns. That's why the rules are in place.

Bill Kramer stated that as more of these types of projects come along and more back property is developed, these laws are enacted.

Don Owens noted that as these regulations are made they are generally more restrictive.

Laurie Kutina stated that although now there are fields on either side of the property, when someone builds on the neighboring lot, they will have to protect Mr. Tait's property as much as he is protecting theirs.

Mr. Tait discussed the tax rate of his lots.

Doug Crow noted that the tax issue is outside the scope of the Planning Board.

Laurie Kutina asked if it would be possible to issue a conditional approval.

Don Owens indicated that the conditions include a review of the drainage plan.

Laurie Kutina noted that a topographic survey is necessary.

Doug Crow asked if there are other considerations for a conditional approval.

Laurie Kutina asked if a topographic survey is necessary or can Mr. Tait make a topographic map using the USGS data and the spot elevations he already has.

Tim Bailey indicated a topographic map would be ok and it would still be reviewed by the building department.

Mr. Tait asked if he should add the dwelling locations on the map.

Laurie Kutina and Doug Crow stated yes.

Laurie Kutina further mentioned that the water will need to move away from the houses but not travel off of the property. She further noted that this is why the existing and proposed topo maps are necessary.

Laurie Kutina asked about driveway turnarounds and Appendix D.

Bill Kramer indicated the turning radius will have to meet the code.

Laurie Kutina asked if the Building Department will verify this.

Bill Kramer confirmed.

Mr. Tait asked where the new topo map with house locations should be delivered.

Tim Bailey also stated that the alterations to grading that will be made need to be noted on the plan also.

Don Owens noted that the plan should be submitted to the Building Department.

Bill Kramer stated that the office would make sure the Town Engineer receives a copy for review as well.

Dave Librock asked if once approved would the third lot always remain a single family dwelling.

Doug Crow stated yes.

Bill Kramer stated that if that is how the plan is approved, yes. He further mentioned that once the ODA is approved, that is what will be built or he would have to reapply.

**Doug Crow moved to recommend to the Town Board that they approve the Quaker Rd ODA as presented by Steven Tait (SBL: 175.09-1-1.13 and 175.09-1-1.14), Town of Aurora, NY subject to:**

- 1. Building Department approval of specific site plan and dwelling driveway specifications.**
- 2. Submission of a fully detailed topographical map.**
- 3. Detailed drainage plan review by GHD.**

**Seconded by Laurie Kutina.**

**Upon a vote being taken:**

**ayes – six**

**noes – none**

**Motion Carried.**

Correspondence:

none

A motion was made by Tim Bailey and seconded by Doug Crow to adjourn at 7:55PM.

**THE NEXT SCHEDULED MEETING WILL BE WEDNESDAY December 7, 2016 AT 7:00 P.M. AT THE TOWN HALL, 300 GLEED AVENUE, EAST AURORA, NEW YORK**