

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

FEBRUARY 4, 2015

Members Present: Donald Owens, Chairman  
Timothy Bailey  
David Librock  
Norm Merriman  
William Voss

Alternate Member: Richard Glover  
Absent/ Excused: Douglas Crow, Laurie Kutina  
Also Present: Patrick Blizniak, Superintendent of Buildings  
Greg Keyser, CRA  
Chuck Snyder, Town Councilman

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

Chairman Don Owens welcomed Dave Librock to the Planning Board as a full member. Don also welcomed Dick Glover as an alternate member and indicated that Dick would be a voting member for the meeting.

**Timothy Bailey made a motion to accept the minutes of the December 3, 2014. The motion was seconded by Norm Merriman. Motion carried.**

New Business:

1346 – 1350 East Main (Big Tree) 1 lot ODA referral from the Town Board. Andrea Chudy appeared as agent.

Ms. Chudy indicated that she has been authorized by property owner Bob Harris to speak on his behalf in regards to the change of ownership of the property known as 1346 East Main St.

Don Owens clarified that this is the parcel in the northwest corner.

Ms. Chudy confirmed and indicated that there is an existing ROW and driveway.

Bill Voss asked for clarification of the parcel map.

Ms. Chudy indicated that initially Mr. Harris intended to split the property into multiple parcels but since has changed his mind and only wants to sell the NW parcel, indicated by parcel 12 on the map.

Don Owens mentioned the existing dwelling on parcel 12.

Ms. Chudy confirmed that there is an existing dwelling, driveway, septic system and utilities on parcel 12.

Bill Voss mentioned the ZBA ingress/egress variance approval conditional on the driveway being widened to 20'.

Don Owens discussed the driveway width and fire access.

Bill Voss indicated that the Planning Board is making a recommendation regarding splitting the lot, since the house is already built. He did question the adequacy of the turnaround for the fire department.

Ms. Chudy stated she did not measure the width of the driveway, but since the area is open, making it the require 20' wouldn't be difficult.

Tim Bailey mentioned that Fisher-Price once owned the property.

Dick Glover discussed the driveway variance.

Bill Voss clarified that the approval of the ingress/egress width variance is conditional on widening he driveway to 20' and a turnout in compliance with NYS Fire Code.

Don Owens asked if the driveway configuration presently in use would satisfy the NYS Fire Code.

Pat Blizniak indicated that with the driveway at 20' for the common driveway as indicated by the dark section on the map. The loop is a private driveway and the turnout is at the northern end.

Ms. Chudy indicated that there is a parking area that is not represented on the map. It is located across from the business.

Tim Bailey asked if the area is plowed to the back.

Ms. Chudy indicated that it is regularly plowed to the back.

Tim Bailey asked if this is considered an ODA.

Don Owens stated that yes it is and there is the variance for ingress/egress.

Dick Glover asked what utilities are at the site.

Ms. Chudy indicated that she is not certain but believes water is supplied by a well; the dwelling has its own septic system, gas and electric.

Bill Voss asked about the future of parcel 13.

Ms. Chudy indicated that to her knowledge Mr. Harris does not intend on splitting the parcel further.

Don Owens clarified that the Planning Board is tasked with making a recommendation on the change of ownership and subdivision of the property.

Norm Merriman asked if there is an appropriate timeframe for the ZBA condition to be completed.

Pat Blizniak stated that the work would need to be addressed as soon as the weather is conducive.

Greg Keyser stated that in his experience the Bank would likely require a statement from the Town indicating that the lot is in compliance.

Bill Voss asked if there was any incentive to the property owner to make sure the driveway is widened to 20'.

Don Owens indicated that the Planning Board makes a recommendation to the Town Board and it is their decision.

**Richard Glover moved to recommend to the Town Board that they approve the change of ownership and one lot subdivision of land as shown on the revised map dated January 20, 2015 for 1346-1350 East Main St. This recommendation includes the Zoning Board of Appeals condition that the entire length of the driveway be widened to 20' of hard surface and a turnaround in compliance with NYS Fire Code. Seconded by William Voss.**

**Upon a vote being taken: ayes – six                      noes – none                      Motion Carried.**

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Mill Road development informal discussion. Gary Eckis of Eckis Realty in West Falls appeared as agent.

Mr. Eckis and the Planning Board discussed the previous submissions for development of the parcel in question (vacant land just south of the Mill Rd Apartments). The contract/project is in the due diligence phase and there are no definite plans to date. Mr. Eckis indicated that the development would be residential, not apartments, with a combination of traditional lots and patio homes with green space. He further stated that the development would require an extension of the sewer district. Don Owens disclosed that Earth Dimensions has been retained to do a wetland walkover and as a result he will be unable to vote on this project. Mr. Eckis would like to come back to the April meeting with the concept plan. Dick Glover mentioned that approval is a long process, years long process. In addition to the Planning Board recommendation, the Town Board and Community have a say in approval of the project. Mr. Eckis indicated that the objective is to get a concept plan together that the Planning Board likes and then the extensive work (sewer, traffic and more) would be started.

General:

Question from Christine Bosch, under contract to purchase 1346 East Main St asking to clarify what is needed for the variance. Don Owens indicated that the owner has to increase the driveway width to 20'. Pat Blizniak further stated that as the property is right now is a legal lot. The property was approved for a dwelling group in 2007. Since the property is being split, an ODA approval is required now because the lot does not have required frontage. The ODA is required to have 50' easement with 20' of hard pan surface. In this case, the egress is less than what is required and the Zoning Board granted the variance conditional on the driveway being widened to 20' of hardpan. Right now there is 15' and would require 5' of gravel to allow fire vehicle access. Bill Voss suggested that the maintenance agreement clearly state that all 20' be plowed in winter to allow fire vehicle access.

Don Owens wished everyone a happy new year, as this is the first meeting of 2015. He would like all Planning Board members to participate and give opinions. He reminded the board that the recommendation made to the Town Board is just a recommendation and that the Town Board doesn't have to take it. He is looking forward to working with the Planning Board members.

A motion was made by Norm Merriman and seconded by David Librock to adjourn at 8:02PM.

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**THE NEXT SCHEDULED MEETING WILL BE WEDNESDAY March 4, 2015 AT 7:00  
P.M. AT THE TOWN HALL, 300 GLEED AVENUE, EAST AURORA, NEW YORK**