

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

OCTOBER 2, 2013

Members Present: Donald Owens, Chairman
William Adams
Al Fontanese
Charles Snyder
William Voss

Alternate Member: David Majka

Absent/Excused: Timothy Bailey
Laurie Kutina
Norman Merriman

Also Present: William Kramer, Code Enforcement/Building Inspector
Edward Snyder, Deputy Town Attorney
Jolene M. Jeffe, Town Supervisor
Greg Keyser, CRA Engineering
Elizabeth Cassidy, Building Clerk

Chairman Owens presided over the meeting which began at 7:00 p.m. at the Aurora Town Hall, 300 Gleed Avenue, East Aurora, NY. William Adams led the recitation of the Pledge of Allegiance to the Flag. Chairman Owens designated alternate member David Majka as a voting member for tonight's meeting.

Charles Snyder moved to approve the minutes of the September 4, 2013 Planning and Conservation Board meeting; seconded by William Adams. Upon a vote being taken:
ayes – six noes – none Motion carried.

Old business: none

New Business:

The Town of Aurora Zoning Board of Appeals, at their meeting on September 17, 2013, voted to refer to the Planning Board, a petition from Jewett Holmwood LLC for a variance to change the front yard setback for all the lots in the Reed Hill Heights Subdivision from seventy-five (75) feet to fifty (50) feet.

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Reed Hill Heights developer Bob Hill, Attorney Peter Sorgi and builder Tom Johnson were present. Mr. Sorgi noted that this was referred to the Planning Board based on NYS Town Law 277(6).

Mr. Johnson stated he is overseeing the marketing and development of the lots in the Reed Hill Subdivision. He stated they are seeking a 50' front yards setback in order to create a village rather than rural setting for the development. Moving the homes forward on the lots will leave more green space between neighboring lots outside the subdivision and bring construction away from the creek bank and from the industrial zone to the east.

Bob Hill stated that he has already had a fence erected along the Astronics' property and worked with them on sound barriers.

Peter Sorgi stated that the smaller front yard setback would result in shorter driveways and more green space to the rear of the homes. It was noted that driveways would be on the same side of each lot and side-load garages would be required.

Don Owens noted that this subdivision is not connected to any other subdivision.

Bill Voss asked if Lot 30 (on the east cul-de-sac) would be included in the 50' setback request.

Mr. Johnson stated that 50' would be the minimum setback consistent along the main street and homes on the cul-de-sac lots may be built farther back due to the configuration of the lots.

Bill Adams asked why, after all these years, they want to change the setback, noting that the Town Code is very specific at 75 feet.

Peter Sorgi responded that the Town Code also allows for variances to be considered and if the idea had come to their attention earlier, they would have asked for a setback other than 75 feet.

Bill Voss noted that one consideration for approval or recommendation could be that the setbacks of the homes are not staggered.

Charles Snyder noted that since the setback is measured from the right-of-way, the houses would be approximately 68 feet back from the road gutter.

Mr. Johnson stated the homes would be in the 2,400-3,500 sq. ft. range and cost between \$500,000 - \$700,000 (including lot price).

Charles Snyder moved to recommend to the Zoning Board of Appeals that they grant a variance to allow a fifty (50) foot front yard setback for lots in the Reed Hill Subdivision, with the condition that on building lots where the conditions are appropriate or feasible, the setback of the houses be essentially the same. Seconded by William Voss.

Upon a vote being taken: ayes – five noes – one (Adams) Motion carried.

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The Town of Aurora Zoning Board of Appeals, at their meeting on September 17, 2013, voted to refer to the Planning Board, a petition from Denise Buehler and Thomas Wood for a variance from the requirement of a 50 foot wide right-of-way to access a flag lot. The petitioner is asking for a width of 40 feet. The Zoning Board would like the Planning Board to consider if this is actually a buildable lot if the property were to be split. Neighbors who attended the Zoning Board meeting spoke of drainage issues on this parcel and on their own parcels.

Denise Buehler, property owner, and Tom Welsh, builder were present.

Ms. Buehler stated that she would like to split her property so her daughter can build a house.

Mr. Welsh stated they hired Earth Dimensions to identify wetlands on the property. He said that about 1/10 of an acre was determined to be wetlands and noted they would not infringe on the wetlands. Don Owens stated that Earth Dimensions recommends that the Corp of Engineers confirm the boundary(ies).

Chuck Snyder and Don Owens visited the site and noted that the current driveway is not 20' of hard pack surface.

Don Owens stated there is a high water table in that area and soil boring would be needed prior to the foundation being constructed.

Mr. Welsh stated he wants to talk to Village of East Aurora personnel regarding a second drain pipe going into the Village drainage system.

Al Fontanese asked if easements would be needed to get a second drain pipe to North Street and if a drainage study had been done.

Mr. Welsh noted that they still had to do their due diligence as far as septic, drainage, etc., is concerned.

Mr. Fontanese requested that the petitioner provide a scale drawing of where the future house would go, where the turn-around would be, and any other pertinent information.

Charles Snyder moved that the referral from the Zoning Board of Appeals relating to 220 North Willow Street be tabled for more information from the petitioner; seconded by Al Fontanese:

- **Scaled sketch plan showing future house placement and emergency turn-around.**
- **Can the future house hook-up to municipal sewer?**
- **Can an additional storm water line be connected to the Village storm sewer on North Street?**

Upon a vote being taken: ayes – six noes - none Motion carried.

Comments from the audience:

Bill Kane, Bowen Road, commented on the invasive species presentation given at the last Planning Board meeting and asked if he could speak to various classes on this subject on behalf of the Town. The Planning Board suggested a written request from the school.

Dave Majka moved to adjourn at 8:15 p.m.; seconded by William Adams. Carried.

The next scheduled meeting of the Aurora Planning & Conservation Board is Wednesday, November 6, 2013.

Martha L. Librock
Acting Secretary