

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

May 1, 2019

Members Present: Donald Owens, Chairman  
David Librock  
Douglas Crow  
Jerry Thompson

Alternate Member: Alice Brown  
Richard Glover

Absent/ Excused: Laurie Kutina  
Timothy Bailey  
Norm Merriman

Also Present: Greg Keyser, GHD  
William Kramer Code Enforcement Officer  
3 members of the public

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

**Douglas Crow made a motion to accept the minutes of the April 3, 2019 meeting. Seconded by Jerry Thompson. Motion carried.**

PUBLIC COMMENTS: None

Don Owens states that Alice Brown and Richard Glover will be voting members this evening.

OLD BUSINESS:

Don Owens begins by recapping the informal code discussion from the previous week, and states that his hope is to make a recommendation to the Town Board.

Bill Kramer discusses general overview of the discussion from the previous week. After the meeting both Bill Kramer and Dick Glover made some changes to the ODA definition/code. Bill Kramer has also included the NYS driveway code for review.

Jerry Thompson asks if the State requirements can be used as part of the Town Code or does the Town need to come up with its own driveway code?

Bill Kramer discusses the details of the State driveway code and if the Town Code references that and uses the State Code, it will be more visible to homeowners/residents and more accessible to the Code Enforcement Officers.

Jerry Thompson asks what the process would be to add that to the Town Code.

Bill Kramer states that the Planning Board makes a recommendation to the Town Board to add the driveway code and the changes to the ODA code at the same time. It makes the process easier to make multiple changes at the same time (SEQR, public hearing, etc.)

Discussion regarding the Town ODA Code and the State driveway code and which is more restrictive, if there would be any conflict between the 2.

Doug Crow states that technically the New York State driveway code applies as it exists, we just haven't been focusing on it. It applies to new builds but would it apply when someone needs to resurface, what level of reconstruction work would need to abide by the code?

Bill Kramer states that it would be required for new-builds moving forward.

Further discussion by the Board members on driveways.

Dave Librock asks if the changes to the Building Lot definition/requirements are still on the table?

Bill Kramer states that no, the building lot will remain by revising the ODA Code. The thought from the discussion last week is that the Building Lot will stay, you have to have the 125' by  $\frac{3}{4}$  of an acre, meet the setbacks, etc. and you can build. That way if you have an odd shaped lot or a lot with varying width, it's still a buildable lot. To close the loophole the idea is to add to the ODA Code that if the lot narrows to a certain width to gain access to a buildable lot, then it would go to the ODA process.

Dick Glover states that's why the definition changes, make simplest change as possible.

Further discussion by the Board members on ODA Code, how to close the loophole without making a non-buildable lot and lots that have less than 3 acres for an ODA.

Dick Glover clarifies his definition by stating that by requiring the "accessed driveway", it would have put the Jewett Holmwood lot into the ODA process.

Doug Crow indicates he agrees with the wording changes proposed by Bill Kramer however is not entirely clear on the wording changes proposed by Dick Glover.

Dick Glover further indicates his thought process and reasoning for word changes in the definition of the ODA. To use the word “contiguous” frontage and accessed by a private driveway would be a simple change.

Greg Keyser asks for Dick Glover to clarify “contiguous frontage” from his definition. Having 125’ all the way back to the buildable area?

Dick Glover states yes.

Alice Brown refers to the previous week’s meeting in which having the 125’ width all the way back to the buildable area will not work when there is an angle or curve at the road, thus making a non-buildable lot.

Bill Kramer states that by adding those specific numbers, it will limit the potential buildable lots.

Further discussion by the Board to clear confusion on an ODA lot vs. a buildable lot.

Greg Keyser clarifies Dick Glover’s point of view in that a lot *behind* a compliant buildable lot at the road (a back lot), is when the ODA regulations should kick in.

Dick Glover states that he looks at it from the point that if it’s a flag lot, if it looks like a flag lot, it’s a flag lot and needs to meet the ODA code.

Don Owens asks if the Board is ready to make a motion?

Richard Glover moved to recommend that 2 proposed code change recommendations (by William Kramer and Richard Glover) be sent to, reviewed and discussed by the Town Board.

Seconded by David Librock.

Further discussion by board members regarding the recommendations to the Town Board and the possible need to have both definitions explained at the Town Board meeting/work session.

Upon a vote being taken:

ayes – five

noes – one (Jerry Thompson)

Motion Carried.

Don Owens asks if there are any other items to discuss.

Bill Kramer indicates that the driveway code needs to be incorporated.

Jerry Thompson moved to recommend the Town adopt a driveway code to mirror the NYS Driveway Code in an RR zoning district.

Seconded by Douglas Crow.

Upon a vote being taken:

ayes – six

noes – none

Motion Carried.

PUBLIC COMMENTS: none

CORRESPONDENCE: none

A motion was made by Doug Crow and seconded by David Librock to adjourn at 7:59 PM.

**THE NEXT SCHEDULED MEETING WILL BE WEDNESDAY JUNE 5TH, 2019 AT 7:00 P.M. AT THE TOWN HALL, 300 GLEED AVENUE, EAST AURORA, NEW YORK**