

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

September 1st, 2021

Members Present: Donald Owens, Chairman
Douglas Crow
Norm Merriman
David Librock
Alice Brown
Laurie Kutina
Jerry Thompson

Alternate Member: Richard Glover

Absent/ Excused:

Also Present: Elizabeth Cassidy, Code Enforcement Officer
Greg Keyser, GHD

Chairman Don Owens presided over the meeting which began at 7:00 p.m. at the Town Hall, 575 Oakwood Avenue, East Aurora, NY. He led the recitation of the Pledge of Allegiance to the Flag.

Doug Crow made a motion to accept the minutes of August 4th, 2021 meeting. Seconded by Jerry Thompson.

Upon a vote being taken:

ayes – seven

noes – one

Motion Carried.

PUBLIC COMMENTS: None

Don Owens begins the meeting by introducing Town Highway Superintendent David Gunner, who then discussed the upcoming debris clearing from Cazenovia Creek.

NEW BUSINESS:

ODA Code Changes.

Jerry Thompson discusses his concern that a lot of people can be affected and would like to have some input from the public. Would also like to know why no one from the Planning Board was included in the first draft of the proposed changes and does not want to provide further recommendation until the Planning Board hears from the public.

Dick Glover brings up some confusing language in proposed changes.

Liz Cassidy states that the Town Board would like to prevent when a property has the required road frontage but narrows after the road frontage (maintain the lot width).

Doug Crow discusses lots of record. Additional discussion regarding lots of record and “grandfathering” existing property splits and current multiple lot ODA’s that currently exist.

Agreement of board members that they need further explanation as to the intent of the changes and public input would be beneficial.

Doug Crow motioned to ask the Town Board to extend the moratorium on ODA’s and provide an opportunity for the Planning Board and Town Board members to meet to discuss the changes and to understand the decisions for specific changes as they have been made. The Planning Board would also like the opportunity to hear from the public regarding the changes (either via a public hearing or just a special public meeting).

(09/03/2021: Vote on this subject is VOID because it was seconded by Jerry Thompson who officially resigned from the Planning Board prior to the meeting and has not yet been appointed as an alternate.)

Special Event Code Proposal.

Doug Crow begins by asking for definition of a “Special Event”

Liz Cassidy clarifies a public event that impedes or impacts traffic, etc. and if a business has a Special Use Permit (SUP) and plan to have public events beyond what the SUP covers.

Jerry Thompson asks about insurance requirements.

Liz Cassidy answers that is determined yearly at the organizational meeting.

Greg Keyser suggests to clarify if yard sales, estate sales, garage sales are included.

Liz Cassidy states that this code was proposed with the last code change in 2017 but was pulled from being included.

Doug Crow suggests to make exceptions to garage sales.

Discussion reiterating that the Special Event Code would be for events open to the public not for private events, example of Boies Rd. holiday light show that affected traffic, etc. and further discussion regarding the 30-60 day timeline for application.

Douglas Crow moved to recommend the Town Board make the following changes to the proposed Special Even Code:

- 1. In regards to the application due date under section 3a, change “shall” to “may”**
- 2. Add an exemption for garage sales that are held on private property.**

Seconded by Laurie Kutina

Upon a vote being taken:

ayes – six

noes – none

Motion Carried.

Special Event Code Proposal.

Discussion by Board members about enforcing the code and providing a designated space for employees for smoking.

Laurie Kutina brings up the need to think about the impact of smoke (health implication) on the property whether on the property or not.

Additional discussion on the 50' requirement as well as the detail of wherever smoking is allowed, smoking marijuana will be allowed as well. Also discussed is the enforcement of the code upon complaint.

Board members reiterate the consideration of designated smoking areas and health impact of smoke on the general public.

Laurie Kutina moved to recommend the Town Board make the following changes to the proposed Smoking and Vaping Code:

- 1. Clarify the “fifty foot radius” and “land adjacent” terms to emphasize the impact of the smoke on the property (such as odor, health, etc.) rather than just a distance.**

Seconded by David Librock

Upon a vote being taken:

ayes – six

noes – none

Motion Carried.

PUBLIC COMMENTS: None

CORRESPONDENCE: None

A motion was made by Jerry Thompson and seconded by Laurie Kutina to adjourn at 8:47 pm.

THE NEXT SCHEDULED MEETING WILL BE WEDNESDAY October 6th, 2021 AT 7:00 P.M. AT THE TOWN HALL, 575 OAKWOOD AVENUE, EAST AURORA, NEW YORK