

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

December 7th, 2022

Members Present: Norm Merriman
Jeanne Beiter
Timothy Stroth
Alice Brown
Douglas Crow

Alternate Member: Angela Griffis

Absent/ Excused: Donald Owens, Chairman
Laurie Kutina

Also Present: Liz Cassidy, Code Enforcement Officer

Chairman Don Owens has appointed Tim Stroth to temporarily preside over the December 7, 2022 Planning Board 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.

Jeanne Beiter made a motion to accept the minutes of the November 2nd 2022 meeting. Seconded by Doug Crow. Motion carried.

Tim Stroth states that alternate Angela Griffis will be a voting member this evening.

PUBLIC COMMENTS: None

OLD BUSINESS: None

NEW BUSINESS:

Review and recommendation of a rezoning request at 359 Quaker Rd. as presented by Nicholas Tuttle, Ryan McCann agents for property owner.

Mr. McCann discusses the proposed project and the need for rezoning in order to have a two-five unit apartment buildings. Mr. McCann also discusses adjacent property zoning.

Doug Crow discusses the property owner history, current use of property (offices) and spot zoning. Asks applicant for their detailed reasoning for asking for rezone.

Mr. McCann discusses scarcity of R3 zoning in the Town but R2 zoning is across the street, states that R3 zoning is less intensive use of the property than current Industrial (C3) zoning. This location makes sense to rezone given the surrounding zoning districts.

Doug Crow and Tim Stroth state that typically spot zoning isn't something that is accommodated frequently. Discussion about recent zoning code changes (commercial districts) and future adoption of a Comprehensive Plan.

Tim Stroth asks if their request can be accommodated in the C1 or C2 zoning districts as a compromise?

Liz Cassidy states that it's possible but the Town Board would have to amend the zoning code to add multi-family dwelling as an allowable use in those zoning districts (not currently allowable use). If added, the property would still need a zoning change but it would be a less drastic rezone.

Tim Stroth asks for confirmation the apartments would be long term rentals?

Mr. McCann confirms long term rentals.

Liz Cassidy discusses the area which is noted in the Regional Comprehensive Plan as being a commercial development area. This type of development (apartment buildings) would fall under the Commercial Building Code therefore makes sense as a commercial use/zone.

Further discussion about surrounding area zoning (including Village properties) and uses (residential areas such as Polo Grounds, Reed Hill Heights), setback requirements, rezone/use options, future comprehensive plan.

Mr. McCann discusses spot zoning again, feels changing to R3 zone is compatible with surrounding area therefore not a spot zone.

Doug Crow discusses recent conference attended which discussed spot zoning.

Angela asks about the actual buildings that are planned.

Discussion by the applicant about building size, lot size, etc. Possible variances would be needed for square footage.

Discussion by board about the process and time frame of adding multi-family use to the code, possible variances if changed to a C1 or C2, lot coverage area requirements per code updates.

Discussion summarizing options of rezoning to R3 or updating C1 or C2 zones to include multifamily dwelling then rezoning from current C3 to C1 or C2.

Doug Crow notes that updating the code to include multi-family dwelling doesn't guarantee it'll happen and also doesn't feel there is enough of a compelling reason to rezone the property.

Angela Griffis motions to recommend the Town Board consider adding a zoning use accommodation under either the C1 or C2 zoning district for multi-family dwellings **for the rezoning request at 359 Quaker Rd.**

Seconded by Norm Merriman

Upon a vote being taken:

ayes – five

noes – one

Motion Carried.

Review and recommendation of a Site Plan application at 2491 Emery Rd. as presented by the Gow School

Marty O'Connor, Director of Buildings and Grounds at the Gow School begins by giving the board a handout showing the proposed new school building. He also discusses the project, the plan to demolish the current building that doesn't currently meet the school's needs. The new building will be larger, with modernized classrooms, increased safety and brought up to ADA standards. The plan is to keep the architectural style/look with the new building.

Doug Crow discusses the comments from GHD including energy code, flood plain location/area.

Mr. O'Connor states that they will take all of those comments into consideration and modify the environmental form as needed.

Tim Stroth reiterates the comments from GHD and asks about impacts to the adjacent property during construction.

Mr. O'Connor reiterates that construction will not affect the driveway for the adjacent property (which is located on the Gow School property).

Discussion about the square footage of the proposed building versus the existing, uses per floor of the proposed building, projected schedule and accommodations during construction. Currently the plan is to keep the existing building until construction is complete then proceed with demolition of the existing building, the area becoming green space.

Tim Stroth asks about the driveway and what the plan is for construction and after?

Mr. O'Connor states that they will remove the "U" and are considering a traffic-circle type of driveway with one way traffic in and out. Driveway for the adjacent property to the west will no longer be connected to or used as the secondary entrance/exit for the school, will be solely for the dwelling.

Further discussion about the site, the need for a Stormwater Pollution Prevention Plan and age of buildings on the campus (possible future updates to additional buildings). Dorms and residences on the property are oldest on campus.

Doug Crow motions to recommend the Town Board approve the Site Plan application **for the Gow School at 2491 Emery Rd.** with the following conditions:

1. The applicant address the suggested/requested changes from GHD
2. A Stormwater Pollution Prevention Plan be provided

Seconded by Jeanne Beiter

Upon a vote being taken:

ayes – five noes – none Motion Carried.

(Alice Brown excused herself from voting because of her connection to the Gow School)

CORRESPONDENCE: None

A motion was made by Jeanne Beiter and seconded by Alice Brown to adjourn at 8:09 PM.

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