

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

APRIL 5, 2017

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

Alternate Member:

Absent/ Excused: Laurie Kutina  
Richard Glover  
Jerry Thompson

Also Present: Patrick Blizniak, Superintendent of Buildings  
Jeffrey Harris, Town Councilman

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

**Timothy Bailey made a motion to accept the minutes of the March 22, 2017 special meeting. The motion was seconded by William Voss. Motion carried.**

**NEW BUSINESS:**

Case 1288 special use variance request at 1216 Quaker Rd referral from the ZBA. Philip Colarusso appeared as owner.

Mr. Colarusso discussed the history of the property. He purchased the home from his parents in 2001. He noted that the barn is currently used for his lighting showroom; however, the showroom is unnecessary for his business now. He would like to turn the barn into a venue. He has prepared a packet for members and video presentations of the property as proposed. He mentioned that the property will revert to its old name of Poplar Hill Farm. He discussed the existing layout of the property and proposed site plan including changes to the driveway, parking, enlarging the pond, a future deck with awning, and seating area and gazebo (or pergola) overlooking the pond.

Mr. Colarusso noted that 5 family members and friends have had their weddings in the barn. They have utilized a 40'x 60' tent in front of the barn for dinner and the barn itself is the dance floor and bar area. The barn is not large enough to accommodate dinner, dance floor, and bar

area all at once. He stated that the driveway will be 20' wide with 20' of drivable grass parking area along the each side of the driveway. He noted that the circle in front of the house will be completed and a fountain installed in the center. The old tennis/basketball court will be converted into parking area to accommodate about 15 cars. He discussed the landscaping and pond expansion, which should alleviate drainage problems on neighbor's property.

Don Owens asked if drainage goes east then north.

Mr. Colarusso indicated that drainage travels from west to east and ends up on the neighboring property. The proposed drainage will have a receiver installed in the front to catch the water then direct it to the pond, where eventually it will drain to the creek. He further noted that his property receives water runoff from the crown of 20A in that area.

Don Owens asked about the depth of the pond.

Mr. Colarusso stated that the pond will be 12-14' deep and approx. 300' wide and 200' across. He demonstrated his plan for a light/water show on the pond.

Don Owens asked if the show would emit light on neighboring properties.

Mr. Colarusso indicated that it wouldn't because only the water is lit. He stated there would be no light pollution.

Bill Voss asked about noise from the display and bands.

Mr. Colarusso indicated that he utilizes planar technology for sound which allows for the sound to appear the same whether close or far away from the speaker. And it also eliminates almost all the sound behind the speaker. With strategic placement of outdoor speakers, there won't be sound pollution for the neighbors. He further noted that the loft area inside the barn will be the designated location for bands/DJs, and this will be a condition of the venue.

Don Owens noted this is a challenging project. He reviewed the state guidelines for granting a use variance that the Zoning Board of Appeals will evaluate.

Doug Crow stated that the ZBA will make the decision on the points of the variance, but the referral to the Planning Board is to look at any concerns from planning or conservation perspective. He noted that the ZBA will determine if the request qualifies for the variance.

Don Owens agreed and indicated that the Planning Board will review the proposal and location and indicate their concerns to the ZBA. He encouraged Mr. Colarusso to respond to the Planning Board concerns through the meeting.

Don Owens noted a concern about sewage and the number of attendees.

Mr. Colarusso indicated that the venue size will be about 250 people max and that his preliminary investigation noted that only 4 bathrooms are needed for that number. He currently has one bathroom.

Doug Crow indicated that the bigger question is whether the system could handle the amount of sewage.

Mr. Colarusso indicated that he has a septic system and that there are two possibilities for handling this. One option would be an executive toilet suite or he could go through the process to apply for a permit to make the necessary changes to his septic system.

Don Owens noted that the Erie County Health Department would oversee the septic expansion project.

Tim Bailey noted that this will be a business operation in a property zoned Agriculture. He expressed concern about parking.

Mr. Colarusso noted that there is ample area for onsite parking. Based on his calculations, the drivable grass area will accommodate 160 cars perpendicular to the driveway, the designated parking lot he can fit 15 cars, and in the circle, when parked like spokes on a wheel, an additional 10 cars fit. In total 185 cars can be parked onsite.

Bill Voss asked Mr. Colarusso as asking to change the zoning of the property.

Mr. Colarusso confirmed that he is requesting a use variance.

Doug Crow expressed concern about the driveway. He understands the plan for having an additional 20' on either side of the driveway for parking, but doesn't know if it is advisable to have an emergency vehicle access the property through two rows of parked cars. He suggested a grass parking lot alongside the proposed lot, rather than all along the driveway.

Mr. Colarusso indicated that would be possible considering the acreage available.

Doug Crow mentioned that in the event of an emergency, cars may be leaving at the same time emergency vehicle are arriving. With a separate parking lot, it's easier to keep the access clear.

Bill Voss indicated that if the drivable grass area was alongside the driveway, it could be utilized for cars to pull over, out of the way of an emergency vehicle. This may be something to consider with regard to liability.

Doug Crow noted that the number of parking spots could be the same with a grass parking lot.

Bill Voss noted that a turnaround is required and that if the circle was blocked off with parking it would be more difficult for emergency vehicles to turn around.

Bill Voss asked about the slope of the driveway and parking areas proposed.

Mr. Colarusso noted that with the change in the location of the driveway, the grade is not as steep.

Bill Voss asked about the hill and visibility at the driveway entrance.

Mr. Colarusso noted that his driveway is at the apex of the hill and that visibility is good in that area. He also noted that the shoulder is large enough to be a lane. He indicated that people won't all leave at the same time.

Dave Libroock suggested making the entrance as wide as possible, with 3 lanes if possible. He noted that there is good visibility. But this would allow a left and right turn to occur at the same time.

Mr. Colarusso checked with NYS DOT and he can go up to 33' wide on the apron without issue. He indicated he has about 18' paved now.

Norm Merriman asked about the stabilization product for the drivable grass parking area.

Mr. Colarusso stated that there are options. One option would be to take crushed gravel and mixing it with topsoil in the right ratio, tires won't sink in and the grass will grow. There does have to be a weed fabric underneath. Another option is a type of product where there is a web of rings attached to a fabric which is rolled out over gravel and filled with topsoil. The rings will support the weight of a vehicle. Either way the grass remains green. He indicated he would need to delineate parking areas.

Bill Voss would recommend having the Fire Department review the plans to make sure they are comfortable with the ability to get in and maneuver properly. He noted many times multiple vehicles show up to a call.

Doug Crow asked how the appropriate size for the septic system would be determined.

Don Owens stated that an engineer would need to design it appropriately.

Mr. Colarusso asked if the health department handles the design.

Pat Blizniak stated that they do not design systems any longer.

Norm Merriman asked if Johnnie-on-the-spot would be able to handle specific events.

Mr. Colarusso indicated that the executive toilet suites, which are brought in on a trailer, are tiled, heated or air conditioned are very nice and would be enough.

Dave Libroock asked if the other barn venue in Wales uses these executive suites.

Mr. Colarusso stated yes. He further indicated that he could add the rental fee for this to the event charge or depending on the amount of business, he could purchase one.

Dave Libroock asked if there is a kitchen facility.

Mr. Colarusso stated there is not and that there will need to be a caterer. He noted that he has talked with caterers and it is easier for them to keep food hot, but keeping food cold is a concern. So he may eventually install large refrigerators, but not a full kitchen. He stated that he is not looking to get a liquor license either.

Don Owens asked how he will handle liquor.

Mr. Colarusso stated that the caterers will need to have a license, since he would only be able to have 5-7 or so events a year under his license. He noted that all the events he has held there was a caterer who handled it.

Pat Blizniak suggested looking into it further and reminded him about event insurance.

Pat Blizniak noted that the impact to the septic system during an event would be significant. And improvements to the existing system to accommodate these events may be a major hurdle.

Don Owens also mentioned the impact on water.

Doug Crow mentioned that it is unlikely events can occur with the existing size system and just be pumped more frequently.

Mr. Colarusso indicated that it may default to requiring executive toilet suite for every event.

Doug Crow noted that these suites are nice.

Pat Blizniak asked if the pond already exists.

Mr. Colarusso stated that it does but it needs work. It is filled with cattails and about 2' deep.

Pat Blizniak stated that the new pond should have a permit with the required engineered drawings so that all the safety and outflow issues are addressed.

Don Owens noted that the soils in the area are shaley-gravel which has some permeability and moderate drainage.

Pat Blizniak wondered why he has ponding.

Don Owens noted that the property is sloped like a trough.

Mr. Colarusso mentioned the water from the street which causes ponding.

Pat Blizniak asked about drainage to accommodate the ponding.

Mr. Colarusso indicated that he will install a DI to take the water that crosses his property onto his brother's property. The water will be taken to the pond to keep it full.

Norm Merriman discussed the parking along the driveway and his concern about a rain during an event. He asked if the Town Engineer would need to approve the drivable grass area.

Pat Blizniak stated that it is not required but would be advisable. He further noted that it depends on what the ZBA states are conditions of approval.

Don Owens indicated that it could be a recommendation to the ZBA to have the drivable grass area evaluated by the Town Engineer.

Don Owens asked for a recommendation.

**Douglas Crow moved to recommend to the Zoning Board of Appeals that they approve the use variance of Philip Colarusso, Case 1288, subject to:**

- 1 – Review of parking locations and driveway width with the East Aurora Fire Chief to ensure emergency access.**
- 2 – Engineering analysis of on-site sanitation per Erie County standards.**
- 3 – No light pollution or negative sound impact on neighbors.**

**Seconded by William Voss.**

**Upon a vote being taken:**

**ayes – six**

**noes – none**

**Motion Carried.**

No Public Comments.

No correspondence at this time.

A motion was made by Bill Voss and seconded by Doug Crow to adjourn at 7:55PM.

**THE NEXT SCHEDULED MEETING WILL BE WEDNESDAY May 3, 2017 AT 7:00 P.M. AT THE TOWN HALL, 300 GLEED AVENUE, EAST AURORA, NEW YORK**