

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

June 2nd, 2021

Members Present: Norm Merriman
Laurie Kutina
David Librock
Jerry Thompson
Douglas Crow

Alternate Member: Alice Brown
Richard Glover

Absent/ Excused: Donald Owens, Chairman
Timothy Bailey

Also Present: William Kramer
Kevin Glover, Assistant Code Enforcement Officer
Greg Keyser, GHD

Chairman Don Owens has appointed Norm Merriman to temporarily preside over the June 2, 2021 Planning Board Meeting.

Doug Crow made a motion to accept the minutes of the May 5th, 2021 meeting. Seconded by David Librock.

Upon a vote being taken:

ayes – seven

noes – none

Motion Carried.

PUBLIC COMMENTS: None

OLD BUSINESS:

Review and recommendation of the slightly revised ODA application at 535 Jewett Holmwood Rd.

Ms. Erickson begins by explaining that their ODA application was approved last month but since then the excavation crew ran into an issue with the driveway in that there is a power pole where the proposed driveway was located. They would like to widen the road frontage (from 50' to 75'). We also rescinded our request for a front yard setback variance.

Doug Crow discusses Greg Keyser's comments regarding distance between driveways and it sounds like there is no choice in this situation even though the new location will be closer to an existing driveway.

Ms. Erickson confirms there is no other location to put the driveway.

Further general discussion by board members regarding distances between driveways specifically for ODA lots.

Jerry Thompson moved to recommend the Town Board approve the revised lot lines and 75' road frontage for the ODA application at **535 Jewett Holmwood Rd.** as presented by Joan Erickson.

Seconded by Douglas Crow.

Upon a vote being taken:

ayes – seven

noes – none

Motion Carried.

NEW BUSINESS:

Referral from Town Board for review and recommendation of an ODA application at 430 Maple Rd., as presented by Russo Developers & Builders.

Mr. Russo discusses the property that has a general layout for a house, pool and small out building. He may sell his current house and build the new one on this lot.

Dick Glover discusses the previous ODA application for his current residence and discussion about splitting the property, which Mr. Russo has already done. This is a third parcel, there was concern about the parcel being close to wetlands, etc. At that time you said that parcel was set aside as not to be developed from my recollection. The problem is that it doesn't meet the required 3 acres (2.75), also because of the wetlands the proposed dwelling location does not meet the setback requirements.

Greg Keyser states that correct the yard requirements and roadway standards are set forth in the ODA code and as my letter/comments state, the plan does not meet the minimum requirements.

Dick Glover again discusses previous discussions and there would be issues in developing anything further than the two lots that were (previously) approved. This is showing up in the engineer's report, there are a lot of concerns in developing this parcel including driveway, setbacks, etc. This does not meet the standard set forth in the code for area size.

Mr. Russo asks where he can find that information?

Mr. Kramer answers that it is in the Town Code. Mr. Kramer also asks Mr. Russo if he talked to anyone at the Town prior to submitting his application?

Mr. Russo answers that 5 years ago he developed the 2 lots and back then stated that in the future he wanted to develop this lot. That's it.

Mr. Kramer reiterates his question and is unsure how the application is being reviewed.

Dave Libroch states that this is potentially the 4th dwelling on this property, the 4th driveway coming out onto Maple Rd.

Jerry Thompson brings up that the code changed in 2017 and the 3 acre requirement is one of those changes. The other concern I have is there are other variances that would be required. We would have to make a recommendation on those variances.

Dick Glover discusses use variances.

Mr. Kramer states that the size of the lot would be an area variance not a use variance.

Further discussion on the difference between use and area variance.

Dave Libroch and Mr. Kramer state that there would be at least 4 variances. There isn't enough information on the drawings so it's unclear if Mr. Russo is asking for a variance on those items or not (ie. none of the driveway requirements are noted on the plans).

Mr. Kramer further discusses the driveway requirements for an ODA lot. All items that Greg Keyser pointed out could have been addressed on the plans before the application was submitted.

Jerry Thompson states that there are too many unanswered items to be able to make a recommendation at this time.

Discussion regarding the property address and copies of Greg Keyser's letter.

Doug Crow is concerned with the density of the area. He agrees there needs to be revisions, etc. for clarification on the variances. The number of possible variances could be reduced.

Dick Glover states that the number one issue is the less than 3 acres. We are not very receptive to recommending variances for less than the 3 acre requirement. It took a long time to come up with that requirement when discussing and planning the newest ODA code.

Jerry Thompson moved to table the referral from the Town Board for the ODA application at **430 Maple Rd.** as presented by Frank Russo, due to lack of information and lack of requirements met.

Seconded by David Libroch.

Upon a vote being taken:

ayes – seven

noes – none

Motion Carried.

The Planning Board recommended Mr. Russo talk to the Building Department in further detail regarding the comments from GHD as well as the current ODA lot requirements. They also requested driveway details (including bump out requirements, etc.) be included on the site plan, as well as revisions where possible to meet the ODA code requirements.

CORRESPONDENCE: None

A motion was made by Jerry Thompson and seconded by Doug Crow to adjourn at 7:31 pm.

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