

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

February 2, 2011

Members Present: Donald Owens, William Adams, Timothy Bailey, Jim Griffis, Al Fontanese, Dick Glover

Members Excused: Steve Mayer, Laurie Kutina, Chuck Snyder

Others Present: Ned Snyder, Deputy Town Atty  
Greg Keyser, CRA Engineering  
William Kramer, Asst Bldg Inspector  
Jim Collins, TOA councilman

Chairman Don Owens presided over the meeting which began at 7:00 p.m. at the Town Hall, 300 Glead Ave, East Aurora, New York. Bill Adams opened the meeting with the recitation of the Pledge of Allegiance to the Flag.

**Bill Adams made a motion to accept the minutes of January 2011. The motion was seconded by Jim Griffis. Motion carried.**

Steve Mayer offered and accepted by Town Board, to step down as full time member and will become an alternate due to his teaching commitments. Chuck Snyder has been named as an alternate to the PCB. Don Owens remains the chairman for 2011. Jim Griffis has been reappointed to the PCB.

**Comments from the audience:**

Marion Dombrowski, 183 Jewett Holmwood (JH), has many concerns including that the entrance is too close to 20A, the stopping distance approaching 20A from JH may cause accidents, building lots #22 & 23 are too close to the cliff and near wetlands, concerned that too many trees will be removed as site is prepared. Safety, environmental and conservation are her main concern.

**Old Business: Reed Hill proposed subdivision**

Peter Sorgi and Mike Metzger were present at the meeting and they are requesting a recommendation from the PCB for the final plat phase of this project. The final plat was referred to the PCB by the TB on November 22, 2010. The developer has been given a list of items to be completed before the TB can approve the final plat. The developer supplied letters, deeds with restrictions and maps. Many of the items on that list have been started but not finished with the need for more details to be finalized with the town attorney and the town engineer. The deed restrictions would run with the property and not the owner and the town attorney to determine whether the Town of Aurora can enforce these restrictions as written. Also, the adjacent property can enforce the restrictions as written. The buffer chosen by Pintabona is: erect a 4'

high concrete wall to be approved at final plat for the first 60' and to plant at least 50 evergreen trees. This will have no impact on the site line because it will not be in the ROW. The trees will be put on its own parcel to be owned by either developer or Pintabona. The trees would be planted more west than the 5' National Fuel easement. Any easement would be listed on the abstract of title and perhaps the survey as well. Deed restrictions for wetlands have items A-M listed which were taken directly from Army Corp of Engineers paperwork. The developer is working with Commerce Green regarding the buffer, fence and/or berm on the property line. The fence would be maintained by Astronics. An easement has been secured with Astronics for the county pump station to replace new with existing if needed. Erie County Division of Sewerage Management has received the plans for the sanitary sewers and will, upon review, send it on to Erie County Health Dept for final approval. The street lighting, design and locations will be installed and determined by NYSEG. The lights will be approximately 10' or 12' high. The lighting district will then be established and paid by all 33 lot owners within the subdivision. The recreation fee, payable to the Town of Aurora, will be \$500 when a new dwelling permit application is received. The drainage district will be discussed after the map is filed with Erie County. CRA has reviewed and provided comments to Metzger Engineering. Mike Metzger has incorporated the comments and should be finalized soon. The SWPPP is being worked on by CRA and Bill Kramer. Bill Kramer asked if the SWPPP easements will be noted on the final plat map. Peter answered that they will be listed on the plans and submap. Sidewalks will be installed within the subdivision. Bill Adams would like the sidewalks to extent to the post office's east side where the sidewalks coming from the village ends. Peter will send a letter to the DOT because they would need to agree to this. One of the street names, Creekview Ct may be changed.

**Dick Glover made a motion, seconded by Jim Griffis to recommend to the Town board approval of the final plat of the Reed Hill subdivision with the following conditions:**

**Final approval is needed by the town engineer as well as the town attorney**

**Aye – Dick Glover, Tim Bailey, Jim Griffis, Al Fontanese, Bill Adams**

**No – none**

**Abstained – Don Owens**

Subdivision code review:

Greg, CRA, prepared a spreadsheet detailing 19 towns and their codes. He contacted the building departments directly to properly understand their code and how it was written. The chart includes such things as: whether single lots are reviewed, who reviews/approves the splits, when is the review process triggered, do they allow flag lots and what is the standard lot size for splits. The town code is followed whether the applicant has contacted the building department or if lots are discovered after splits have occurred thru the assessors' office. The definitions are more elaborate than what is detailed on the spreadsheet. The definitions for major subdivisions vary for each town and may include all subdivisions requiring new streets and/or extension of public utilities. The definitions for minor subdivisions generally describe the subdivision of land

that meets minimum lot regulations per zoning and generally have less than 5 new parcels. It may be considered a Major subdivision if land parcels have additional splits within 3 to 5 year. Some towns require ZBA variance approval. Common issues are flag lots, substandard lots and drainage issues. There may be traffic issues with driveway cuts coming into the road/highway. PCB members raised some questions such as: the notification of property owner that they will need a review, who gets the review – the buyer or seller, who sends that notification and when the review takes place. Many towns have the Building Dept review the split from being notified by the assessors' office. Jim Griffis believes the review should be done at the time of development not at the time of the actual split. This way, at the time of review such things as size of building, placement, drainage and fill could be addressed accurately. PCB and TB should produce a code that addresses minimal impact of surrounding neighbors when lot is designed. Perhaps proper runoff storage can be provided for each new development when applying for a building permit. This should be a two-step process; 1) subdivision should guide the formation of the splits (like in most towns) and 2) development should be handled thru site plan review (like in most towns). The Town of Aurora has reached a level of development so that splits should be reviewed by more than one department or board. The PCB feels the code is not being followed and that the TB should address this issue. Jim Collins stated that the TB is looking into this code and many other code issues.

**New Business:**            Master Plan

- The TB was not successful in its attempt to receive funding through a grant application. PCB will be outlining the approach to the Master Plan.
- Most of the subdivision in village used to be in Town of Aurora and they were annexed so that public utilities could be provided.
- This will be put on the March & April's PCB agenda.

**General:**

Dick Glover will be absent for the next two meetings.  
Don Owens is a Town of Aurora representative on the EC Environmental Counsel but needs a substitute when he is not available. He would like another PCB member to volunteer.

A motion was made by Bill Adams and seconded by Tim Bailey to adjourn at 9:10PM.

**THE NEXT SCHEDULED MEETING WILL BE WEDNESDAY, March 2, 2011 AT 7:00 P.M. AT THE TOWN HALL, 300 GLEED AVENUE, EAST AURORA, NEW YORK**