

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

JULY 12, 2017

Members Present: Donald Owens, Chairman  
Timothy Bailey  
Douglas Crow  
Laurie Kutina  
David Librock  
Norm Merriman

Alternate Member: Richard Glover  
Jerry Thompson

Absent/ Excused: William Voss

Also Present: William Kramer, Code Enforcement Officer

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. Don Owens led the recitation of the Pledge of Allegiance to the Flag.

Chairman Don Owens noted that Richard Glover and Jerry Thompson will be voting members for the meeting.

**Norm Merriman made a motion to accept the minutes of the May 3, 2017. The motion was seconded by David Librock. Motion carried.**

**New Business:**

Preliminary Discussion of the Site Plan Submission for Five Star Equipment, 280 Ellicott Rd. Bill McDonald General Manager of Five Star Equipment, Don Aubrecht and William Heidt of Fontanese, Folts, Aubrecht, and Ernst, and Andy Gow of Nussbaumer and Clarke appeared on behalf of applicant.

Don Owens discussed the property, the neighborhood, and local watersheds.

Mr. McDonald discussed the Five Star Equipment Company and noted that they want to stay at their location, upgrade their facility, and also be a good neighbor. He indicated that they want to work with the Town during the process and want to fit into the community.

Dick Glover confirmed that this meeting is not a formal site plan review, but rather a preliminary meeting to ensure that the site plan will be complete when officially submitted. He asked if there is any information to add on the outstanding items on the site plan checklist.

Mr. Aubrecht stated no but that those items that are outstanding are in the works. The intent is to get the Planning Board's feedback and then finalize details of the plan.

Mr. McDonald noted that their hours of operation are Monday–Friday 7am to 5pm. They are not open nights or weekends, so lighting is adaptable.

Dick Glover asked if they are adjacent to a residential district.

Mr. McDonald stated that they are not in the Town of Aurora, but are in the Town of Orchard Park. He noted that they abut a subdivision to the northwest.

Bill Kramer suggested the application make a presentation before getting into questions.

Mr. Gow stated that the overall site is about 9 acres of which 3 acres will be developed. Three buildings will be demolished. The new building will be about 22,000 sq. ft. and is about 300' off the road. A commercial septic system will be installed and public water is available. They will capture water from the site and either pipe it or run it through an open ditch to the retention basin to then be discharged to the ditch along the railroad tracks.

Don Owens asked about the leach field depicted in the area of the existing building.

Mr. Gow noted that it is a general layout and it will have to be approved by Erie County Health Department. The location will have to have a perk test and then the system appropriately designed.

Jerry Thompson asked if the parking lot would be asphalt or concrete.

Mr. Gow it would be all concrete due to the heavy equipment. He noted that although not depicted on the drawing, they may have a ramp for offloading equipment.

Tim Bailey asked if this is a rental or retail business for heavy equipment.

Mr. McDonald stated it is more of a business to business selling of equipment. He noted there is a small amount of retail for parts primarily.

Doug Crow asked if they do repairs.

Mr. McDonald stated that they do.

Mr. Aubrecht noted that there are 8 service bays and a wash bay.

Doug Crow asked for a description of the properties around this site.

Mr. Gow referenced the concept plan and neighboring properties and the Town of Orchard Park.

Mr. McDonald stated that Five Star's property was split from a larger adjacent parcel.

Mr. Heidt noted that adjacent parcel is zoned Industrial and there is more than a 500' buffer around the Five Star property due to its size, outside of the Town of Orchard Park. There are no residentially zoned properties in a 500' radius in the Town of Aurora. He noted that Orchard Park is zoned Residential beyond the railroad tracks.

Mr. Aubrecht noted that the remainder of the lot from the split is undeveloped at this time.

Jerry Thompson mentioned that the proposed building is further away from the residential districts in Orchard Park.

Mr. Gow noted that with the new entrance, they will need to apply to the DOT for a curb cut. They will be consolidating entrances into one.

Don Owens noted that Eagle Heights is to the northwest. He showed an aerial photograph of the area.

Laurie Kutina stated that communication to all involved about this project is important, including the Eagle Heights residents.

Jerry Thompson asked about the Town's obligation for notification.

Bill Kramer stated that the Town will notify Orchard Park during SEQR.

Mr. Gow stated that Orchard Park would be an interested agency and they have 30 days to respond with any concerns.

Dick Glover questioned if SEQR has started.

Bill Kramer noted that SEQR has not begun because there isn't a complete site plan yet.

Don Owens reminded the board that the applicant is here on a preliminary basis for the Planning Board's feedback.

Jerry Thompson asked about the number of employees.

Mr. McDonald stated that they have twelve employees plus sales reps and on the road techs. They have about 18 employees total. They are looking to grow in the future.

Don Owens asked if there will be much noise to the business.

Mr. McDonald stated that most of the work is done inside the shop and there is a little bit of testing/demonstration outside.

Dick Glover asked about lighting.

Mr. McDonald stated that they only require exterior lighting for security.

Jerry Thompson asked if the entire area would be fenced with chain link.

Mr. Gow noted the location of the fence and customer parking area on the concept plan.

Don Owens asked about the future of the existing buildings.

Mr. Gow stated that the existing buildings will remain open during construction but will be demolished after the new building is in operation.

Doug Crow mentioned the note that talks about seeding.

Mr. McDonald stated that they are flexible with the landscaping and want to make sure that the property fits esthetically with the neighborhood.

Jerry Thompson asked if any environmental studies were done when the property was originally purchased and if there were any critical issues.

Mr. McDonald stated there was a Phase 1 study done and there were no critical issues.

Dick Glover asked about the history of the buildings.

Mr. McDonald discussed the history.

Dick Glover noted that they don't really know what they will encounter during demolition.

Mr. McDonald agreed and stated that they will take care of anything they do.

Dave Librock asked how much an issue could there be with demo.

Mr. McDonald indicated that he was not aware of any underground tanks.

Jerry Thompson noted that the Phase 1 would have indicated them. He further asked about fuel storage at the new building.

Mr. McDonald stated storage will be above ground for both a small amount of diesel fuel and lubricants in shop.

Don Owens noted that the new site location is somewhat elevated above Ellicott Rd to the south and that some of that is due to demolition.

Jerry Thompson asked if any borings have been conducted.

Mr. Aubrecht noted that they are investigating wetlands now and will have borings done primarily in the area of the building.

Doug Crow discussed the memo from Greg Keyser at GHD, the Town Engineering firm.

Mr. Gow agreed that this is a preliminary discussion and noted that additional details are needed in order to proceed.

Doug Crow indicated that locating the commercial building away from the road is a positive.

Dick Glover asked about outdoor storage.

Mr. McDonald indicated any equipment will be in the fenced in area.

Don Owens noted that there isn't much industrial zoning in the town and that this is one of those areas.

Members discussed the businesses in the area.

Mr. McDonald stated that their goal is to fit into the community.

Laurie Kutina reiterated that her only concern is that clear and open communication with Orchard Park. She mentioned that she thought this is a great project.

Jerry Thompson asked about the timeline.

Mr. McDonald stated that they would like to break ground before winter and ultimately completed by spring.

Dick Glover asked about timing for a complete application.

Mr. Gow indicated that they would like to be back for the next meeting. And once there is a complete application, SEQR can begin.

Jerry Thompson asked if the application goes to the Town Board first.

Bill Kramer stated that the completed application will return to the Planning Board. He further mentioned that SEQR begins once the complete application is submitted.

Bill Kramer asked if the façade is steel.

Mr. Aubrecht stated that it is pre-engineered steel in a series of panels and/or siding.

Mr. McDonald stated that as soon as they are in the new building, the existing buildings will be demolished.

Mr. Aubrecht asked about communication with the Town of Orchard Park and whose responsibility it is.

Doug Crow noted that generally the Town is contacted.

Bill Kramer noted that the Town of Orchard Park will be notified during SEQR which is initiated by the Building Dept or Town Clerk.

Don Owens recommended that the applicant have an informal meeting with the Town of Orchard Park as soon as SEQR is initiated.

Multiple conversations occurred.

Jerry Thompson clarified that this is a Town of Aurora development in an Industrial zoned and SEQR is a requirement and many agencies will be notified. Those agencies will then have 30 days to comment.

Bill Kramer agreed.

Jerry Thompson asked how an interested agency could cause difficulties.

Laurie Kutina noted that they could slow the process down. She further stated that the project will still occur, but the timeline may be affected. She suggested putting information in the Bee newspaper.

Discussion over contacting neighboring Orchard Park residents in Eagle Heights

Don Owens suggested buffering the NW corner with vegetation.

Dave Librock noted the woods between.

Bill Kramer mentioned that the residences are closer when you look at the Erie County GIS map. He further noted that where the houses currently are but the Eagle Heights development comes closer than what you see.

Bill Kramer asked Mr. Aubrecht if they have a copy of the letter from Greg Keyser at GHD.

Mr. Aubrecht indicated that they didn't. [*He was given a copy at that time*]

Laurie Kutina noted that drainage may be interesting.

Mr. Gow stated that most sites they work on are flat and with this site there is a slight slope that they will work with for drainage.

Dick Glover indicated that drainage impact off site is something to consider.

Doug Crow mentioned that there has been a movement to convert the old railroad to a trail system, which would lead to pedestrian/bicycle traffic adjacent to the property.

Mr. McDonald noted it wouldn't affect them.

Mr. McDonald thanked the Planning Board for their time. He noted his contact information on the application, if anyone has any questions.

Don Owens ended this portion of the meeting.

Members discussed the log jams along Cazenovia Creek, stormwater runoff on Olean near the parking lot and Rt 240 just south of Ellicott, and ODA approval process.

A motion was made by Tim Bailey and seconded by Laurie Kutina to adjourn at 8:00PM.

**THE NEXT SCHEDULED MEETING WILL BE WEDNESDAY August 2, 2017 AT 7:00 P.M. AT THE TOWN HALL, 300 GLEED AVENUE, EAST AURORA, NEW YORK**