

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

SEPTEMBER 3, 2014

Members Present: Donald Owens, Chairman  
William Adams  
Timothy Bailey  
Douglas Crow  
Norm Merriman

Alternate Member: David Librock  
David Majka

Absent/ Excused: Laurie Kutina  
William Voss

Also Present: David Gunner, Highway Superintendent  
Greg Keyser, CRA  
William Kramer, Assistant Building Inspector

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 Adams led the recitation of the Pledge of Allegiance to the Flag.

Chairman Don Owens welcomed new alternate member to the Planning Board, Dave Librock. Don indicated that Douglas Crow would serve out the remainder of Al Fontanese's term as a full member of the Planning Board. Don stated that for this meeting, alternate members David Librock and David Majka would participate in the vote.

**William Adams made a motion to accept the minutes of the August 6, 2014. The motion was seconded by Norm Merriman. Motion carried.**

NEW Business:

4485 Transit Road 1 Lot ODA referral from the Town Board. David Schwing and Laurie Felton-Schwing appeared as owners.

Don Owens discussed the location of the ODA, the Smokes Creek watershed and the topography of the area.

Mr. Schwing discussed the pinch point in the driveway area and the ZBA variance approval for ingress/egress. He circulated photos of the driveway and indicated it is 15' wide with millings and the hard pan will be 20' wide for the whole driveway. The Fire Chief walked the driveway with Mr. Schwing and wrote a letter indicating that there is sufficient width for emergency vehicle access. There will be two emergency turnaround points. One will be located to the west of the residence and the second will be located at the residence.

Doug Crow asked about the length of the driveway.

Mr. Schwing indicated the driveway will be approximately 1000' long.

Doug Crow asked about the wetlands on this property if they continue to the south.

Mr. Schwing indicated that yes, the wetlands continue and that the parcel to the south is all wetlands.

Don Owens stated that the wetland delineation had been confirmed by the Corps of Engineers and the DEC. And the delineation appears on the site map.

Tim Bailey asked if there will be a 2" waterline to the residence.

Mr. Schwing indicated that his engineer determined that he only needs a 1.5" waterline. If they install the sprinkler system then a 2" waterline would be required. He has plans for the sprinkler system, but installation will depend on the cost.

Bill Adams discussed utilities and the concerns with the pinch point.

Mr. Schwing indicated that the driveway will be 20' of hard pan. They will run two separate trenches. The electric will be run on one side of the driveway and water and gas on the other.

Don Owens indicated that at the pinch point, the utilities may be located under the hard pack.

Mr. Schwing stated that the electric may be located under the hard pack, not the gas or water lines.

Bill Adams asked about the pinch point.

Mr. Schwing stated that the property narrows to about 30' but opens right back up after that pinch point. He further stated that the Zoning Board of Appeals granted an ingress/egress width variance two weeks prior.

Bill Adams asked about the wetlands.

Mr. Schwing stated that there will be a temporary impact of 0.001 acre of the wetland for the utility trench and 0.03 impact for the driveway which was already approved by the Army Corps of Engineers.

Don Owens indicated that the owner already has his Army Corps permit and DEC permit.

Mr. Schwing indicated that the wetland is not a DEC wetland. He obtained a DEC permit in case the DEC decided to take jurisdiction of that wetland before he decided to build.

Doug Crow indicated his support of this project. He mentioned the Fire Department's letter, the length of the driveway and other recent ODAs and the differing opinions of local Fire Officials.

Bill Adams asked about turnarounds.

Mr. Schwing indicated that there are two planned turnarounds at the building site.

Norm Merriman asked about the millings on site.

Mr. Schwing stated that the pile of millings are fine millings that will be used as the topcoat for the driveway once the heavy trucks stop tearing it up. Once the foundation concrete is completed, the fine millings will be spread over the whole driveway and emergency vehicle turnaround.

Norm Merriman suggested including a turnoff near the road for the safety of vehicles entering/exiting the driveway.

Mr. Schwing indicated he may be able to accommodate this, as long as he doesn't impact the wetland. He also stated that there is currently a dirt path right near the road that could be used for this purpose and would be willing to put down millings.

Bill Adams asked about road frontage.

Mr. Schwing indicated he thought he had 125' but that was measured to the middle of the Transit Road. At the ROW, the frontage is 119'.

Don Owens discussed the benefits of the ODA being on Transit Road. The road is straight and wide and visibility is excellent.

Greg Keyser asked if there are plans for future homes, as it appeared the driveway was going to extend back into the woods.

Mr. Schwing stated no. They bought the property to have a wooded lot. The debris is from clearing out the building area.

Don Owens suggested to Mr. Schwing to control the invasive species in the wetlands. Narrow leaf cat tails, phragmites, Japanese knot weed are all invasive species in this area and can quickly diminish the esthetics of the wetland.

Mr. Schwing indicated that his co-worker owns the property to the South and is willing to work with him. He will keep his neighbor informed and indicated he may stop at Earth Dimensions for more information on preventing invasive species.

William Adams moved to recommend to the Town Board that they approve the one lot Open Development Area project at 4485 Transit Rd, Town of Aurora with the addition of a pull off near the driveway entrance to Transit Road. Mr. Adams noted the ZBA variance approval of the pinch point, as well as the East Aurora Fire Department recommendation. Seconded by Douglas Crow.

Upon a vote being taken: ayes – seven                      noes – none                      Motion Carried.

David Gunner, Highway Superintendent discussed with the Planning Board the Watershed Survey he received. He is looking for input from the Planning Board and suggested the possibility of a Planning Board or Highway representative from the Town attend the Watershed meetings.

Don Owens discussed the many narrow, small watersheds in the Town. Many are overtaxed, specifically the one at Davis near Ellicott Rd.

Bill Kramer indicated he has been attending the meetings since their inception. More representation from the Town is more than welcome. He stated that much funding is not available. And if you look at the needs of the Town of Aurora compared to other municipalities, we are low, considering Scajaquada Creek is running raw sewage and other streams that have severe flooding. He has completed the questionnaire the last few years, but it hasn't been for this year.

Don Owens asked how Reading Road is coming along.

Dave Gunner stated he received a thank you letter from the Erie County Environmental

Management Council regarding the event held in July. He indicated he is considering Manchester Road as a project for next year, and mentioned that if anyone has any suggestions for a project to let him know.

Correspondence:

Discussed the letter included in the Planning Board packet for the meeting.

Informal Discussion with Town Residents:

Diane Kohler and Bob Zehler, Jane Ricotta and Tim Bicknell, all residents of Boies Road and are concerned about a potential 4 lot ODA on an abutting property. There are wetlands on the parcel in question and if the owner decides to build 4 houses, the neighbors will be inundated with water.

Don Owens discussed the ODA process with the residents.

Bill Kramer mentioned that the lot size would allow for 4 building lots, without going through a subdivision process. It is legal under the zoning of the Town. Wetlands involved would need to be delineated. A permit is not needed to put in a driveway. If there are concerns about wetlands and the driveway the residents were recommended to call the DEC or the Army Corps of Engineers.

Don Owens mentioned that the Corp of Engineers is very strict about wetlands. If there is an impact on a wetland without a permit, the Corp will cite the landowner. There are severe penalties for that. One of the penalties is to restore the site to the original condition, which is costly. His recommendation is

Greg Keyser discussed the SEQR process as a way to determine environmental impact.

Don Owens recommended the neighbors to watch what happens, consult the Building Department if there is any question, and if the developer comes onto private property, call the police.

A motion was made by Douglas Crow and seconded by Norm Merriman to adjourn at 8:00PM.

**THE NEXT SCHEDULED MEETING WILL BE WEDNESDAY October 1, 2014 AT 7:00 P.M. AT THE TOWN HALL, 300 GLEED AVENUE, EAST AURORA, NEW YORK**