

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

September 2<sup>nd</sup>, 2020

Members Present: Donald Owens, Chairman  
Norm Merriman  
Douglas Crow  
David Librock  
Jerry Thompson

Alternate Member: Richard Glover

Absent/ Excused: Laurie Kutina  
Timothy Bailey  
Alice Brown

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

Chairman Don Owens presided over the meeting which began at 7:03 p.m. at the Town Hall, 300 Gleed Avenue, East Aurora, NY. He led the recitation of the Pledge of Allegiance to the Flag.

**Jerry Thompson made a motion to accept the minutes of the July 1<sup>st</sup> 2020 meeting. Seconded by Richard Glover. Motion carried.**

**PUBLIC COMMENTS:** None

**NEW BUSINESS:**

**Referral from the Town Board for a Special Use Permit at 583 Olean Rd. as presented by Carl and Nicholas DiPietro.**

Mr. DiPietro begins by discussing the site and the purpose of the new building, which will be used for storage. There will be no additional traffic since it will be used for storage. They began working in March with Earth Dimensions to conduct a soil study and to also delineate or determine if there were wetlands at the site. Mr. DiPietro states that there are no concerns from the study regarding wetlands. Their plan is to build a building next to the existing Napa building, with the same façade style and design but the new building will have a smaller

footprint. The building will be heated and have a concrete floor. Joe Matucci from Matucci Design will be the tenant and plans to store his landscaping business equipment in the new building.

Jerry Thompson asks if there will be a need for new or modified septic?

Mr. DiPietro states that no, there will be no additional septic systems as they are not putting any restrooms in the new building. The new building will also not affect the current septic system for Napa.

Jerry Thompson asks if there will be an overhead door?

Mr. Di Pietro states that there will be an overhead door located in the back of the building.

Jerry Thompson makes a note of the fact that this area along Olean Rd. is an Archeological area of interest.

Further discussion on the archeological area to the South of the Napa building (the West Herr parking lot).

Greg Keyser states that because of the historic archeological area, the SEQR form will need to be modified (as per his comment letter) to note this. It will also be an unlisted action on the SEQR form.

Bill Kramer asks if there will be any planned signage or lighting?

Mr. DiPietro answers that there is no plan for either.

Discussion continues regarding the use of the building. Question was raised if there will be outdoor storage?

Mr. DiPietro states there will be no outdoor storage.

Richard Glover asks if there will be any storage of hazardous materials?

Mr. DiPietro states that there will not be, but there may be some gas cans (smaller) for some of the equipment. He also mentions that it would be a liability if they allowed bulk storage of fuel so they don't plan to allow that.

Jerry Thompson moved to recommend that the Town Board approve the Special Use Permit for the storage of landscaping equipment at 583 Olean Rd as presented by Nicholas and Carl DiPietro with the following conditions:

1. The Short Environmental Assessment Form question 12b be revised to indicate the project site, per comments from GHD, is located in an archeological sensitive area.

2. The Town consult with NYSOPRHP, per comments from GHD, to determine if further site investigation is required to determine the presence of cultural resources at the site.
3. No storage of bulk fuel.

Seconded by Dave Librock.

Upon a vote being taken:

ayes – five

noes – none

Motion Carried.

**Preliminary/concept review plan for the Rural Outreach Center (ROC) 730 Olean Rd. as presented by the ROC and Fontanese Folts Aubrecht and Ernst, architects.**

Frank Cerny, with the ROC, begins by discussing the history of the ROC and the fact that their need and outreach has increased by over 400% in the last 4 years and especially recently this year because of the pandemic. Their mission to help support people on their path to independence has increased, as has their need for a facility to provide vital resources to those they support.

Ray Murphy (with Fontanese Folts Aubrecht and Ernst) begins by discussing the proposed site layout including the proposed building with multi-use space, septic requirements, storm water retention, etc. The building will be mixed use office space and multi-purpose space for their programs. There will also be space for future Code Blue program and open space for camping type summer programs.

Don Aubrecht continues to explain the site that they have planned, including parking plan, the slope of the property and the soil that's there, etc.

Bill Kramer states that the current ROC building was allowed because it was part of a church. The current use isn't an allowable use if the church is not the main use. There has to be some clarification on the main use of the property. The ROC building was supposed to be an accessory use with the church built in the back of the property but that didn't happen and the church is not the main use at this point.

Discussion continues regarding zoning, current zoning across the street at Masterson's Garden Center and what would the correct zoning district would be.

Jerry Thompson brings up drainage and retention pond need or possibility.

Discussion continues about water and drainage.

Dave Librock asks if the existing trailer building will be reused?

Mr. Cerny states that they will most likely remove it because its lifespan (being a re-used FEMA building) is coming to an end.

Richard Glover asks about the culvert at the road/driveway.

Discussion about the existing culvert and more discussion about water sheeting across Olean Rd.

Jerry Thompson reiterates that the major item to look at first is the zoning district and the zoning/use of the property. Then the drainage would also need to be looked at and figured out.

Mr. Aubrecht asks Mr. Cerny if the church will still be part of the space.

Mr. Cerny answers that yes, the planned multi-purpose room is also slated for worship.

Bill Kramer reiterates that needs to be looked at.

Doug Crow agrees that there needs to be distinction between primary and secondary use.

Mr. Cerny reiterates the evolution of the church and the ROC. As the project originally moved along over the years, they were made aware that some major donors would not participate and give money to the church so they had to separate the church and the ROC. So the ROC is a separate 501C3.

Bill Kramer notes that something needs to be clear in the presentation to make the distinction of use.

Mr. Aubrecht asks if it would be appropriate to ask for re-zoning of the property?

Jerry Thompson suggests that would be the place to start, re-zone based on what the operation will be. Since there is an Industrial zone across the street it may be easier to change. It just needs to be done correctly, the right way for the use.

Discussion regarding zoning and agreement that zoning would need to be determined first and done the right way. Further agreement between board members that the ROC is an important part of the community.

Davie Librock brings up his concern with Olean Rd. being one of the most dangerous roads in the Town. He suggests taking a good look at ingress and egress.

Further discussion of the driveway and Olean Rd.

Mr. Cerny asks the board about spending money from a donor they have who requires them to do actual work, not planning in order to use the money.

Board members agree that they can do work to the site and work on the ingress and egress to use that money productively.

Continuing discussion on the tiered parking plan and water retention.

Agreement between board members that zoning of the property should be discussed and figured out first. Board suggests to talk to Bill Kramer to figure out the zoning.

### **Request from Town Board for review and recommendation/thoughts of the use of public hearing signs**

(Councilman Wochensky will not be attending due to quarantine)

Bill Kramer begins by explaining the sign that is currently used in the Village to notify the public of public hearings. He discusses the sign in the photo that was included in the packet.

Richard Glover asks who is responsible for the setup of the signs?

Bill Kramer responds that Liz Cassidy places the signs in the Village when required. There are approximately six signs that the Village purchased to use.

Doug Crow explains that Luke Wochensky is proposing to use the similar signs in the Town in addition to the required publication in the paper.

Bill Kramer mentions that they (the signs) do get noticed in the Village. It could be helpful on some project that impact the community (such as the ROC project seen before the board today)

Doug Crow suggests that if the signs are used, only use them for certain circumstances where a potential project effects the community as a whole rather than just neighbors.

Jerry Thompson states that sometimes the required 500' radius isn't sufficient, depending on the location and project. so the sign could serve for anyone who drives by. When it's in the paper it could be difficult to figure out the location, etc.

Richard Glover begins to discuss the number of signs. He feels putting it in the paper and sending notices is sufficient.

Dave Librock agrees and asks where the line is drawn. Putting a notice in the paper and sending via mail should be sufficient. Even if the signs are used, there will still be people who do not know about the project.

Bill Kramer states that if the signs are used it should be selective to certain types of projects (ie. development plans not necessarily ZBA).

Further discussion about the signs and notification and discussion about “sign pollution” and the idea that the use in the Village is helpful because of the walkability of the Village.

Richard Glover moved to recommend that the Town Board does not approve the use of public hearing signs in the Town. Planning Board members agree that no additional notification is needed for public hearings and the use of the signs in the Town would be less effective because they would be hard to read on Town roads with higher speed limits and less walkability.

Seconded by Jerry Thompson.

Upon a vote being taken:

eyes – five

noes – none

Motion Carried.

Tony Rosati briefly explains the farmland grant program and the reason Luke would like to discuss it.

Further discussion about farmland in the town, promotions of farmland, solar, etc.

The remaining Agenda items will not be discussed until Luke can attend a meeting again.

**OLD BUSINESS:** None

**PUBLIC COMMENTS:** None

**CORRESPONDENCE:** None

A motion was made by Doug Crow and seconded by Norm Merriman to adjourn at 8:51

**THE NEXT SCHEDULED MEETING WILL BE WEDNESDAY November 4<sup>th</sup> AT 7:00 P.M. AT THE TOWN HALL, 575 OAKWOOD AVENUE, EAST AURORA, NEW YORK**