

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

February 7, 2024

Members Present: Doug Crow, Chairman
Timothy Stroth
Laurie Kutina
Jeanne Beiter
Chris Contento
Norm Merriman

Alternate Member: Alice Brown

Absent/ Excused: Angela Griffis

Also Present: Liz Cassidy, Code Enforcement Officer
Steve Oubre
Julie Robinson
Gregory Schneider
Chelsea Root

Chairman Doug Crow presided over the meeting which began at 7:02 p.m. at the Town Hall, 575 Oakwood Avenue, East Aurora, NY. He led the recitation of the Pledge of Allegiance to the Flag.

Administrative Business:

- A. Alice Brown today, is a voting member.
- B. Reminder of the remaining open position on Planning Board.
- C. Acknowledgement of the 4.5 million dollar grant received from the state, for the Hamlet of West Falls.
- D. Three Applications are present today requesting a site plan review for BNB accommodations at their residence. This comes to our attention following the search of websites, by the code enforcement officer, for short term rentals in the village and town. There will be an undetermined number of additional applications to follow. An working group has been established to address the future possibilities of changes to the current code. The possibility of changing the process from Site Plan to Special Use Permits is also going to be a consideration, as well as redefining the code based

on various circumstances. Presently, the code stipulates the host remains on site when guests are staying. Input from the committee is welcome.

Chairman, Doug Crow addressed the following matters:

1. Requests a motion to approve the minutes from December 6th, 2023, Planning Board meeting.

Norm Merriman made a motion to accept the minutes of the December 6th, 2023, meeting. Seconded by Jeanne Beiter. Motion carried.

PUBLIC COMMENTS: None

OLD BUSINESS: None

NEW BUSINESS:

1. Site Plan request for 1309 Grover Road, SBL 186.00-2-19, owned by Julie Robinson to have BNB accommodations at her residence.

The property owner, Julie Robinson, states she is a long-time resident of East Aurora village, and now the town. She moved outside the village to be closer to family. When covid hit, the effects of it left her upside down in her home. Unknowingly, that it was a violation of codes, she rented a room in her home to guests. She extends her apologies, not knowing she was in violation of the town code. She felt it was beneficial to herself, as well as her guests to share, hers and the area's hospitality. Her guests may be attending a local wedding, Musicfest or just visiting the surrounding area. At times, when other accommodations are not available, people reach out to BNBs as another option.

Chairman, Doug Crow explains, the Planning Board makes recommendations to the Town Board, for their consideration.

Tim Stroth inquires about the number of rooms available to rent.

Julie Robinson states she has one room available, with a maximum of (2) guests, with shared kitchen space.

Chairman, Doug Crow acknowledges there is sufficient parking available.

Also, currently, the option of renting properties as Airbnb is not available. It is, however, an option for discussion for the future. They are separate categories, which would need more defined definitions and modifications to the Town codes would be required.

Julie Robinson asks if the current application monies could be rolled into future applications.

Chairman, Doug Crow states that would be a decision to be reviewed by Town Board.

Chairman, Doug Crow reiterates the process is lengthy. Presently, the committee is collecting information from multiple sources. Other towns and villages, comparable to ours. What works and what doesn't work. Following the collection of such information, multiple meetings to establish guidelines will be conducted, as well as public hearings. It will be a very lengthy process.

Tim Stroth reconfirms the request is a two-part request. A BNB now under current code. Also, as a short-term rental at which time the property owner would not be on premises.

Tim Stroth asks Julie for the location of her residence, and if it is rural residential.

Julie Robinson states it is on Grover Road and is in a rural residential district.

Chairman, Doug Crows asks for any additional questions.

Jeanne Beiter brings up the question of how the sites would be monitored? If the resident is staying on site.

Chairman, Doug Crow states the Building Department is the enforcement mechanism, and supplemented by public complaints. Also, site plan visits for various other situations, and noticed at that time.

Liz Cassidy states the intent for use is determined mainly by the publicized description, in their listing. Whether it be short term or residential rental boils down to, where do they receive their mail.

Norm Merriman directs a question to Liz Cassidy regarding safety requirements. Such as stair railings, fire safety alarms, carbon monoxide alarms, and such.

Liz Cassidy states, yes. There are safety requirements in the code, such as defined exit signage, egress window exits. In two story residences with height over 14 feet, ladders are required, along with various other items which would be part of the inspection process.

Chairman, Doug Crow asks the board for anyone to make a motion.

Tim Stroth restates the term of the motion to recommend BNB applications with current town code.

Chris Contento makes a motion to recommend approval of a special use permit for a BNB at 1309 Grover Road in accordance with the current town code.

Jeanne Beiter seconds the motion.

A vote is taken.

ayes-7 noes-0 Motion carried.

2. Site Plan request for 686 Quaker Road, SBL 175.05-1-1.21, owned by Gregory Snyder to have BNB accommodations at his residence.

The property owner, Gregory Schneider states he is familiar with short term rental, which is compliant with BNB, owner occupied. His residence is an old farmhouse which provides its guests with a portion of the first floor consisting of separate entrances, a couple bedrooms, kitchen, laundry and living space. The front of the house serves as his business office. When there are guests, Mr. Schneider has living accommodation upstairs for himself. He screens the quality of his applicants. Usually snowbirds. His rental can sleep up to five, having 3 small bedrooms. He has a three-day minimum through a month. He does not rent in winter months. The property has sufficient parking and is kid and dog friendly.

He feels it is an asset to the community when there is a shortage of hotel accommodation. Those guests also bring revenue to local shops, restaurants, and other small businesses. As well as various community events. Musicfest, Borderland, and reunion weekend to name a few.

Chairman, Doug Crow asks for any additional questions.

Laurie Kutina reconfirms that presently Mr. Schneider's BNB is in accordance with the present code.

Gregory Schneider states his rental is cleaned thoroughly prior to guest arrival with fresh sheets, linens, and toiletries. He also adds that there are two exits, one of which is on the back porch which many of his guests enjoy. The rear property also gives the pleasure of long walks for his guests and dogs.

Laurie Kutina asks about dog guests.

Gregory Schneider does explain there is an additional charge for dogs of \$75.00 for necessary clean up following visit, etc...

Chairman, Doug Crow asks for a motion.

Tim Stroth makes a motion to recommend approval of a special use permit for a BNB at 686 Quaker Road in accordance with the current town code.

BNB applications with current town code for 686 Quaker Road.

Chairman, Doug Crow seconds the motion.

A vote is taken.

Ayes- 7 noes- 0 Motion carried.

3. Site Plan request for 1514 Mill Road, SBL 187.00-4-3, owned by Gretchen and Steve Oubre to have BNB accommodations at their residence.

The property owner, Steve Oubre, states he and his wife have rented out their son and daughter's bedrooms for a number of years. Usually between the months of May through October. He is asking for the definition between a BNB and an Airbnb.

Liz Cassidy reiterates that the town code indicates that the property is owner occupied at time of rental. An Airbnb is a platform to list rentals and options of such. Whether it be a room or entire house.

Chairman, Doug Crow reiterates once again, that the potential changes to codes would involve redefining in more detail, the differences between rental options. Presently owner-occupied short-term rentals and BNBs are both supported by the code we have today.

Steve Oubre states he is echoing the other applicants with very similar thoughts and ideas. He feels his own family has been enriched by the variety of guests they have hosted. His rental fills the niche for singles and couples seeking accommodations to attend various community events. They can enjoy sharing with their guests' recommendations of other things in our area, which they may otherwise not have been aware of. Most of his guests are "wowed" by our special village and town. They have two bedrooms which have been able to create a source of relatively passive income.

Chairman, Doug Crow asks for any additional questions.

Chris Contento asks if there is a criteria for their guests.

Steve Oubre states he is proud to be acknowledged as a super host with many favorable reviews. He and his wife interview potential guests, asking their intent for the visit, who's coming, etc.

Through those interviews and viewing the applicant's profile, security checks, they still have the ability to politely decline unfavorable applicants.

Tim Stroth asks if they are rated by Airbnb, for the viewing of potential guests as well.

Steve Oubre confirmed that.

Chairman, Doug Crow asks for any additional questions.

Norm Merriman questions the occupancy of the available rooms. Also, he mentions that at time of his site visit, he noticed a nice area in the back with a planter and a nice sign for BNB parking, as well as a motor home. He inquires if that too is for guests.

Steve Oubre acknowledges the motor home as his own. The two rooms available, one having a double bed. The other is a queen-size bed. They can accommodate two couples.

Chairman, Doug Crow asks for any additional questions or comments. Would anyone like to make a motion at this time?

Tim Stroth makes a motion to recommend approval of a special use permit for a BNB at 1514 Mill Road in accordance with the current town code.

Laurie Kutina seconds the motion.

A vote is taken.

Ayes- 7 noes- 0 Motion carried.

Chairman, Doug Crow states all applicants will be notified when the recommendations of today's meeting go to the Town Board for public hearing.

4. Chairman, Doug Crow opened the floor for public comments.. None

Chairman, Doug Crow encourages anyone else with additional questions or comments which would be taken back to the working committee by himself and Tim Stroth.

Laurie Kutina agrees that small-scale, family oriented would be the way to go, to compliment our area.

Chairman, Doug Crow states on a personal note, he has experience with a large-scale rental. Hosting twenty to thirty family members in a four thousand square foot home. The town needs to consider that. Think about what you want to encourage.

Jeanne Beiter feels somethings, details need to be built into the code.

Chairman, Doug Crow states that the large-scale capacity gatherings are usually reunions of sorts. With that comes late night talking and catching up. Therefore, consideration to neighbors could be an issue.

Chris Contento brings up the possibilities of Airbnb pool rentals, boat rentals, trailers, etc.

Chairman, Doug Crow asks how we would define and the flexibility of such circumstances.

Tim Stroth reminds the board that we are bound by the administration to how we can change the codes and the cost involved. We need to be thorough and do all in one shot is of importance.

Chairman, Doug Crow states we can do things with definition and allowable uses with special use permits. We can narrow down in the approval process.

Public guest, Chelsea Root asks if we are trying to create a code vs. relying on what other towns do.

Chairman, Doug Crow states presently the working committee is looking at other towns, picking their brains. Compiling information of successes or negatives. As well as explaining their processes. Liz Cassidy has pulled together a dozen different towns' information for the group to read as homework. Return to the next meeting with thoughts, ideas, and recommendations. The process starts with multiple meetings of the working committee. From there, creating proposals to present to various boards for recommendations. There will be public hearings following where the public will be able to voice their opinions.

Tim Stroth reconfirms that the Planning Board is a volunteer position, although are passionate regarding the good of the town and village.

Laurie Kutina reiterates the uniqueness of our community, and the beauty. We all believe that is of great importance when making considerations and recommendations to the Town Board.

Chairman, Doug Crow states we have a lot of perspectives within our community. There is also a wide variety of perspectives within the membership of our board. When we have an open position, as we do now, we try to find a person who can add a new perspective. Different background, different career. Hopefully, we can get that open position resolved in the next couple of months.

Multiple people talking.

There is the question of how many others....?

Liz Cassidy has sent out sixteen notices. Most of which are in the village. A couple of which are looking to rent out their primary residence. Four or five from the town are considering their options.

Jeanne Beiter suggests refraining from using the term Airbnb so as not to confuse people.

Chairman, Doug Crow states there are probably more out there. The current town code definition just refers to refer to the state code. That is why we need our own code. Even if it is exactly the same as the state. It needs to be well defined with clarity.

Chairman, Doug Crow asks if we are in need of any further discussion at this time. He confirms the next working committee meeting is on February 15th at 2p.m. That group is made up of two members of each board and is an unadvertised meeting.

Chairman, Doug Crow thanks all who attended this evening's meeting. He asks for a motion to adjourn.

A motion was made by Tim Stroth makes a motion to adjourn.

Jeanne Beiter seconds the motion.

Motion carried.

Chairman, Doug Crow adjourns the meeting at 8:15 p.m.

THE NEXT SCHEDULED MEETING WILL BE WEDNESDAY March 6th, 2024, AT 7:00 P.M. AT THE TOWN HALL, 575 OAKWOOD AVENUE, EAST AURORA, NEW YORK