

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

August 7, 2024

Members Present: Doug Crow, Chairman  
Chris Contento  
Timothy Stroth

Alternate Member: Chelsea Root  
William Heidt

Absent/ Excused: Jeanne Beiter  
Norm Merriman  
Angela Griffis  
Laurie Kutina

Also Present: Richard Mund  
Rich Miga, Code Enforcement Officer  
Paul Ernst, Chairman ZBA  
Rod Simeone, ZBA member

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.

**Tim Stroth made a motion to accept the minutes of the June 5<sup>th</sup> 2024, meeting.  
Seconded by William Heidt. Motion carried.**

ADMINISTRATIVE BUSINESS:

- a. Chairman, Doug Crow acknowledges Chelsea Root and William Heidt as voting members
- b. Chairman, Doug Crow, addresses the topic of weather events of flooding. It was suggested that it may be advantageous to meet with Highway Superintendent, Dave Gunner, to discuss what areas he knows of have long term persistent problems. That could help the Planning Board when approving other developments. Dave had two proposals. The first would be for him to attend a Planning Board meeting for a discussion and to answer questions. The second option which he would prefer, would be to arrange to drive with him as a group to the location of future major projects he is planning to do. We could use that as context perspective to talk about the issues.

Tim Stroth acknowledges that site visits have always been more effective.

Chairman, Doug Crow states he will speak with Dave and work out a game plan. Following up with Board members in advance of scheduling a date.

OLD BUSINESS:

None

NEW BUSINESS:

**Referral from Town Board for review and recommendation of a Open Development Area, Site Plan and a Special Use Permit for a self-storage facility, at 196 Ellicott Rd. as presented by Richard Mund.**

Chairman, Doug Crow provides a history of Mr. Munds request to build a second self-storage unit at 196 Ellicott Road. September 2023 the Planning Board review Mr. Munds request. We were unable to make variances to the setback requirement that are in the code. Mr. Mund presented his request to the Zoning Board. The Zoning Board recently approved the front, side, and the area variances so they comply with the provisions of the ODA code.

Mr. Mund states he met with the Zoning Board on site and had a discussion. They returned for the hearing. They approved the variances based on the area it is in.

Mr. Mund states his intent is to build a 40 x 120-foot self-storage building with twelve units on each side which would match the existing building. He also states that there are four tractor trailer, trailers left behind by previous owners. They are being utilized for storage by their family members. Once the new building is constructed, they will be renting units from Mr. Mund, and those trailers will be removed from the property.

Tim Stroth inquires about other trailers and truck bodies on the south side of the property.

Mr. Mund states those too will be removed from the property. Also, the intention is to fence the north, south, and west perimeters at a future date. He will not be gating the front; however, cameras will be installed to monitor incoming and outgoing traffic.

Multiple people talking about fence variances.

Chairman, Doug Crow states the most frequent requests for an ODA are homes on flag lots. The storage building is not the typical structure for this request. Also, the roadway is a private road. How is that maintained?

Mr. Mund states various local individuals on the private road help to maintain it.

Tim Stroth is asking Mr. Mund to reconfirm that the concrete slab would be 2" above the grade of the property to maintain grading away from building.

Mr. Mund reconfirms that is correct.

Chelsae Root asks about the present building security.

Mr. Mund states he has set up a business account with Verizon and will install standalone cellular cameras once the project is complete. At the present time the East Aurora Police Department periodically drives through and monitors the property. He has previously been contacted by the department to inquire about people on said property.

William Heidt asks about gravel area and pile of millings in the staging area.

Mr. Mund states those millings and more will be distributed around the new building twenty to thirty feet outside of the building. To the north will be grass to tree line which is where the drainage is. Once millings are moved that area will be cleaned up creating more green space as well.

Tim Stroth asked about the surrounding neighbors' thoughts on the project.

Mr. Mund states there has been no opposition from them.

Multiple people talking.

Chairman, Doug Crow asks for anyone wishing to make a motion regarding the Open Development Area request for 196 Ellicott Road.

Chairman, Doug Crow motions to the Town Board to approve the ODA as presented, given the variances that the ZBA approved to make it as being compliant as can be.

Chelsea Root seconds the motion.

Chairman, Doug Crow asks for further discussion.

William Heidt expresses his concern of the width of the north gravel driveway. It should be widened to twenty feet to be compliant with the fire code.

Tim Stroth adds that modification to widen the driveway be a hard pack drivable surface.

Tim Stroth amends that the motion includes the increased width of the driveway to the north of the primary building to twenty feet. It is to be made of a hardpack drivable surface.

Upon a vote being taken:

Ayes-five

noes-zero

Motion carried.

Chairman, Doug Crow asks the Planning Board for thoughts regarding the request for a Special Use Permit for 196 Ellicott Road.

Chairman, Doug Crow asks for a motion.

Chris Contento motions to the Town Board to approve the SUP as presented without conditions as a self-storage facility on the lot.

Tim Stroth seconds the motion.

Upon a vote being taken:

Ayes-five

noes-zero

Motion carried.

Chairman, Doug Crow leads into the discussion of the Site Plan for 196 Ellicott Road.

Chairman, Doug Crow has spoken with Norm Merriman who performed a site visit of the property. His feeling is that the present plans for grading will allow for sufficient and proper drainage.

Tim Stroth asks about any plans for future additional buildings on the site.

Mr. Mund replies he has no intentions.

Chairman, Doug Crow asks for a motion regarding the Site Plan request for 196 Ellicott Road.

Tim Stroth asks CEO, Rich Miga if it is necessary to repeat the conditions as the ODA.

CEO, Rich Miga states no. It would be redundant.

William Heidt motions to the Town Board to approve the Site Plan for 196 Ellicott Road provided the Site Plan be revised to clearly show the gravel changes around new building and the expansion of the driveway to the north of the property. And to clarify the use of hardpack drivable material.

Tim Stroth seconds the motion.

Tim Stroth would like to amend the motion to include the stipulation of the removal of trailers and truck beds within one year.

Mr. Mund states that is a reasonable amount of time to have trailers and truck beds removed.

Chairman Doug Crow asks for any further discussion. He states there is a motion on the table with two conditions.

Upon a vote being taken:

Ayes-five

noes-zero

Motion carried.

Chairman, Doug Crow advises Mr. Mund the Town Board will be advised of the recommended approvals. He is instructed to provide the amended Site Plan to the building department and get on the agenda with the Town Board.

#### PUBLIC COMMENTS:

None.

#### PLANNING BOARD APPROVAL PROCESS DISCUSSION:

Chairman Doug Crow opens the discussion asking what checklists exist that would be accessible to the applicants. Examples of all three applications have been provided to all members of the Planning Board. Unfortunately, some of the requirements are labeled "as required" or "as necessary", which is not always clear to the applicant. It is at the Building Department's discretion what to accept. The Planning Board must be comfortable making decisions with the information provide too them.

William Heidt references the extent of the project also is a factor on what requirements are needed.

Chairman Doug Crow references a previous discussion with Chris Contento regarding the transparency to the applicants, what they must do. Versus what they don't have to do.

Tim Stroth suggests the revision of the checklists. First grouping together all the "must do" mandatory requirements. Second grouping of "may" have to do. Third grouping of "only if it applies" to the project. When a SWPPP is required?

Chairman Doug Crow suggests the Planning Board take some time to think about possible suggestions and ideas to restructure the application process. He will contact each individually and a couple weeks for their ideas and suggestions. We will have further discussion at the next meeting.

Chairman, Doug Crown requested a motion to adjourn.

Tim Stroth made a motion to adjourn 8:11 p.m.

Seconded by Chairman, Chelsea Root

Upon taking a vote:

ayes-5

noes-0

Motion carried.

Motion carried.

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