

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

March 4th, 2026

Members Present: Chairman Doug Crow
Norm Merriman
Chris Contento
Tim Stroth

Alternate Member: Ben Garvey

Absent/ Excused: Chris Contento
Laurie Katina
Angela Griffis
Chelsea Root
William Heidt

Also Present: Peter Sorgi, Hopkins, Sorgi & McCarthy, PLLC
Danielle Johnson, Crafted Concepts
Daniel LaPietra, Carmina Wood Design
Rich Miga, Assistant Code Enforcement Officer

Chairman Doug Crow presided over the meeting, which began at 7:00 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:

Chairman Doug Crow asked the board if anyone would like to make a motion on the minutes from last month.

Tim Stroth made a motion to approve the February 4th, 2026, meeting minutes.

Second by Ben Garvey

Upon a vote being taken:

Ayes- 5

Noes- 0

Motion carried

Chairman Doug Crow stated that there are five (5) voting members present, and all were voting members. With a possible sixth member, but the member is running late, and as long as four members vote in favor, it will pass.

Chairman Doug Crow stated that the following application on the agenda is large and would like to split it out to ensure that people who want to speak can be heard. He noted the Planning Board is a recommendation board, and the Town Board will make the final decision after a public hearing.

NEW BUSINESS:

The Town Board made a referral to the Planning Board for the review and recommendation of a Site Plan and Special Use permit applications for 1196 Big Tree Road SBL# 165.00-1-28.21, as submitted by Carner Development Group Incorporated. The application is for the redevelopment of the present site for a campground with a wellness theme and customarily incidental accessory-use structures.

Chairman Doug Crow asked for an introduction of the applicant and a brief description of the project.

Peter Sorgi, protect attorney, from Hopkins, Sorgi & McCarthy, PLLC.

Daniel LaPietra, project civil engineer, from Carmina Wood Design.

Danielle Johnson, project architect, from Crafted Concepts.

Peter Sorgi stated that they are here for the board's review of their Site Plan and Special Use permit applications. This is under the definition of your zoning code, as a campground. Carner Development has two other campgrounds in western New York State, one on Seneca Lake and one on Heritage Lake. They also have other hospitality-oriented developments at Canisius Lake in Ellicottville and then of course The Bank and The Liberty buildings in East Aurora. The property itself is eighty-three acres.

Peter Sorgi then moved to the presentation boards and described the property with ariel renderings. He spoke of the conservation easement that will not be developed and the walking paths that are existing.

Chairman Doug Crow asked if there has been in contact with the people associated to the conversation easement?

Peter Sorgi replied, yes, and the group is the Genesee Valley Land Conservancy. He also noted that Rachael is not here tonight for a personal reason.

Peter Sorgi went on to say that existing main house is going to be renovated. They are working with New York State Historic Preservation on that because it is historic property. There will be no additions, but they will be improved in terms of general maintenance, windows, and roofing. The main building will be converted into seven sleeping quarters as well as being the administrative space for the property. There is an existing house behind this building that is called the farmhouse, that is proposed to be converted into two additional sleeping quarters.

Peter Sorgi then recited the definition of campground from the Town's zoning code and stated that they are proposing seven seasonal cottages and two tree houses. These seasonal structures are similar to the ones they have in the Town of Torre and Seneca Lake. These projects can be found on Carner Development's website. He

went on to describe one existing building that will be used as a wellness center, as they consider this project as more of an upscale campground, and another building that will be new construction that will be a lodge.

Chairman Doug Crow stated he saw the lodge was 2,400 square feet, but how big is the existing building that will be the wellness center?

Danielle Johnson replied that she does not know off hand.

Peter Sorgi stated that the main house would be greater as it has multiple floors.

Peter Sorgi went on to describe the submitted documents to include the SWPPPS and all the engineering and architectural plans needed for this submission and review. He noted that they will have to look at and may need to widen the access lanes for fire safety access. This would be fleshed out during the SEQR process and with the fire company comments with the Town Board.

Chairman Doug Crow agreed and noted hard packed lanes.

Daniel LaPietra also noted that the fire access width would need to be 20 feet and there will be a need for turnarounds in a few spots.

Peter Sorgi continued to state that they are looking to only impact an acre of land, and the big picture is to help preserve the historical property. Like the Knox estate, it's not ideal for a single-family home as it would cost too much to maintain and repair. This included the managing of the slate roof. This property is very unique, and the Town is lucky that the zoning code allows for this type of use.

Chairman Doug Crow noted he found the square footage of 3,400 square feet for the wellness center in the parking calculations.

Chairman Doug Crow asked whether the parking calculations are required for each use even though the accessory uses are used by the occupants for the sleeping units, is that correct?

Peter Sorgi replied that you must look at the situation and determine what the parking is going to be. He went on to describe a scenario in the Village.

Asst. CEO Richard Miga interjected that parking will be calculated based on the intent use of the structure and then what the zoning code table establishes for that use. This can be by square footage or by spaces per guestroom.

Peter Sorgi stated that he thought the Town code may allow the Town Board to waive those types of requirements.

Chairman Doug Crow replied that would be a variance requirement.

Asst. CEO Richard Miga concurred with that statement.

Peter Sorgi stated they will comply without variance.

Chairman Doug Crow inquired about the SHPO.

Peter Sorgi stated that SHPO signed off on the archaeological, and that they are working with them on the basic maintenance improvements.

Chairman Doug Crow requested clarification that this property is eligible for historic but is not historical yet.

Peter Sorgi confirmed it is eligible and they hired Clinton Brown to help facilitate this.

Chairman Doug Crow asked Asst. CEO as to whether fire hydrant(s) will be required.

Asst. CEO Richard Miga stated that would depend on the specific requirements of each structure and whether fire protection system is required. These units would be considered transient units. That is a hotel and motel, and those aspects may incur having a sprinkler system, but we would have to go through a code analysis.

Peter Sorgi noted that DEC issued permits for campgrounds and they will have their own set of requirements.

Chairman Doug Crow asked the board if they had any questions.

Chris Contento asked whether there is an intent for RV spots.

Peter Sorgi said no.

Tim Stroth asked whether the main house will be seasonal or not.

Peter Sorgi responded that the main house will be year-round and the cottages and treehouses as seasonal. He then recited the campground definition.

Tim Stroth questioned whether the main house was in the Rural Residential (RR) or the Agriculture (Ag) zoning district.

Peter Sorgi noted that the zoning district line goes right through the building and the building is mostly in the Ag district. He stated he has a discussion regarding this with Ms. Liz Cassidy of the Building Department.

Tim Stroth asked if that is an official interpretation from the building department regarding the main building being considered in the Ag district?

Asst. CEO Richard Miga confirmed that Liz's interpretation is the interpretation of our office.

Peter Sorgi noted that the board having the application in front of you is the Building Department's approval of the application.

Tim Stroth inquired about the reference to a hotel earlier in the meeting.

Peter Sorgi stated that this came from the Assist CEO and regarding the parking calculations as campground does not have defined criteria in the parking table.

Tim Stroth asked for a description of the lodge.

Peter Sorgi replied that the lodge was going to be used for activities at the campground. They are also looking to keep the existing pool and repurpose the existing tennis courts into a recreational surface.

Tim Stroth asked if the lodge would have tables and chairs or for standing rooms, or both and what will be the occupancy?

Multiple people talking.

Peter Sorgi stated that the space will be used for a variety of things, but it is not defined.

Danielle Johnson noted that the owner shows the style of the lodge based on the previous greenhouse that was on the property. She stated that the greenhouse is gone but the pad remains.

Tim Stroth inquired about a traffic study by Passaro Associate that was done under the previous application and whether they concluded that there wouldn't be any impact?

Peter Sorgi said that is correct and it was based on it on a New York State highway and the size of 20A.

Tim Stroth asked if the board could get a copy of that report.

Peter Sorgi said they can provide, but it was apart of the use variance application. They will need to adjust it based on the uses of the current plan.

Chairman Doug Crow open the floor to public comments. The chairman noted that this is not a public hearing and a public hearing will be schedule by the Town Board.

Taylor Quinn of 1224 Big Tree Road voiced her family's opposition to this project that is described as a campground with a wellness theme and customary incidental accessory-uses because it seems to be a repackaging with different terminology of what was previously proposed in the commercial rezoning application that was denied. Ms. Quinn brought up numerous questions regarding parking, a campground verses a resort, wedding events, and public notification of this meeting.

Megan Quinn of 1224 Big Tree Road spoke regarding the short environmental assessment form (SEAF) noting the proposed action was permitted under zoning and consistent with the existing building and landscape, but this proposal suggests otherwise. She requested that the traffic study be made available and verified with NYSDOT, as the SEAF indicated no impact. She raised concern over stormwater and the change in the rural

character of the area. She and her family are opposed to the application and asked the board to look at the long-term effects of this application.

Rod Simeon of 85 Byeberry Court raised concerns regarding the zoning of the lot and the districts of RR and Ag, as it pertains to the definition of a campground. He asked whether campground and camp are one of the same.

Chairman Doug Crow replied that the board's understanding is that the camp/campground is based on the agriculture zoning district on the lot and the wellness site is apart of the accessory-use of the camp/campground, and that camp/campground in the agriculture zoning district are synonymous.

Asst. CEO Richard Miga interjected in agreement with the Chairman's reply.

Rod Simeon states that under Rural Residential section 116-8.4A(6), the wellness center is not permitted use based on the application exceeding the allowable limit for employees.

Chairman Doug Crow replied that the board's understanding is that the application is considered under the agriculture (116-8.5) for the proposed application to include the main building where the building is in both the RR and Ag districts.

Peter Sorgi responded that their intent and interpretation is that this application is solely in the Ag district and the aspects of permitted use under RR are not applicable.

Rod Simeon then questioned how the wellness center is to be defined, if it is not seasonal and exceeding the permitted allotment of employees.

Peter Sorgi responded, by reiterating that the application was compliance with the code because the application is presented to the board for review, and the wellness center is considered in the Ag district and customary incidental accessory-use(s).

Rod Simeon then stated that the board during their deliberation that they should seek Town's council before voting.

Courtney, of 1289 Main Street (Big Tree Road) stated that she seconds the points that were made in the public comments and is concerned that this application is a play on words, and that a year-round camping facility that is within a house is not considered a hotel.

Dan Quinn of 1224 Big Tree Road stated concerns of the intent of this large financial investment being achievable as a campground if other things not clearly defined in the application are sought to get a return on the investment. He then stated an example of the closest campground, Three-Valley Campground in Holland, that is 460 acres as a comparison.

Chairman Doug Crow asks in closing the public comment asked if Peter Sorgi has any closing comments.

Peter Sorgi responded, by reiterating that the application was compliance with the code and not a play on words. He also clarified the public comment that indicated the previous application was for a use variance that was denied and not a rezoning application. He also stated that they did their due diligence with the application, SWPPP, stormwater, and septic. In closing he stated that if the application did not meet the code, it should be denied, otherwise a recommended approval should be rendered, and the Town attorney does not have legal authority to interpret the code, that is the position of the Code Enforcement Officer, and the application is before you so we are past that.

Tim Stroth made a point of clarification that there was a rezoning application request from last June 4th that the board reviewed.

Peter Sorgi agreed, and that it was withdrawn and not denied.

Tim Stroth questioned whether item 18 on the site plan checklist was completed as members of the audience were not notified.

Asst. CEO Richard Miga responded that public hearing notification will be through the Town Clerks office once scheduled and our office will work with the Town Clerk with that.

Tim Stroth reiterated the aspect of the application regarding the zoning districts and then questioned the year-round and seasonal uses of the customary accessory uses and structures as being a camp use.

Peter Sorgi responded that some are year-round and some will be seasonal, and the code allows for year-round campground. He stated that there will be nine sleeping units that will be year-round and nine that will be seasonal. He noted that they all could be year-round if they decide to winterize the seasonal units. He stated as well that the conservation easement does allow certain things like cross country skiing and walking paths, which is encourage, so people can enjoy the beautiful area.

Tim Stroth asked for clarification that there will be no impact to the conservation easement.

Peter Sorgi responded that they will not violate the law and will not impact on the conservation easement as there would be fines involved.

Norm Merriman asked if the wellness center will only be for the campers or will it at some point be open to people outside of the campground?

Peter Sorgi responded that he believes it will be for the campers, but he does not really know the answer to that. It is not intended to be a standalone entity.

Chairman Doug Crow states that they should move to discussion among the board.

Tim Stroth asked Asst. CEO if there are any existing variances on the property?

Asst. CEO Richard Miga responded that there is a variance #1293 for professional practice in an accessory building on the premises.

Chairman Doug Crow asked whether the variance expired with the change in ownership?

Asst. CEO Richard Miga responded that the variance stays with the property unless the owner relinquishes it to the Town's Zoning Board of Appeals.

Tim Stroth asked if we received any feedback from the Town engineer.

Asst. CEO Richard Miga responded that at this time we have not. We also have not received feedback from Erie County about the SEQR application that was submitted around February 18th, 2026.

Tim Stroth stated that the board received an email regarding this application, should the board interpret whether the points raised are valid?

Asst. CEO Richard Miga stated that email is no different than a person from the public coming up and speaking to you tonight.

Chairman Doug Crow asked the board if they had a chance to review the email.

Board members confirmed they did.

Chris Contento asked Asst. CEO whether the Zoning code has a definition of a sleeping room/unit, and a hotel or a season cottage?

Asst. CEO Richard Miga responded no regarding the sleeping unit definition.

Ben Garvey recited the definition of a hotel from the zoning code.

Asst. CEO Richard Miga stated that sleeping units are not defined and we would look at the state code for that.

Ben Garvey recited the definition of a campground from the Zoning code. He then states that there is ambiguity between whether it is a sleeping unit or a hotel dwelling unit, but if the main draw is to be able to provide access to property as a campground, he does not go to a hotel to hike.

Peter Sorgi noted that the rule of law in the state and he quotes "zoning ordinance because they're in derogation of the common law and must be strictly construed against the municipality that seeks to enforce it and in favor of the property owner. He states that he does believe the definition of campground is not ambiguous because the definition states "quarters of any kind".

Ben Garvey recited that the board under the previous rezoning application that there were concerns of future use and spot zoning, but the application was withdrawn.

Chairman Doug Crow noted that he considered the plans well done and thought was put into the character of the community and stated that he has no problem with the nine units in the back of the campground, and to a point the spa and lodge, but does regarding the other nine units in a building that is in two zoning districts. He states his opinion that it is a stretch to consider half the units in a non-seasonal location and not in the Ag district.

Tim Stroth stated that he does not fully understand the intent of the lodge but understands that there is a fine line between uses and the conceptual intent. The low-resolution picture looks like a greenhouse, but what does it include. We should infer use as we must for the Special Use permit. Considering this building, under the previous application it was proposed to be a wedding venue.

Chairman Doug Crow asked member Tim if he thinks he is against the applications or if it should be tabled.

Tim Stroth responded he did not know.

Multiple people talking.

Chairman Doug Crow asked member Ben for his thoughts.

Ben Garvey stated he struggles as well with the non-seasonal units. He believes that it fits into the criteria of what is being requested, but there is a tough line between the RR and Ag because it goes through the building.

Chairman Doug Crow asked member Chris for his thoughts.

Chris Contento stated he has no problem with the seasonal cottages and the treehouses. It is a good use of open space. He asked Asst. CEO Rich Miga whether if his house was in the Ag district, could he consider his house a camp and rent out sleeping quarters?

Asst. CEO Richard Miga responded that from your example, I would say no, it couldn't because it's a single-family dwelling. If you're going to change it and not live there and try to change it in a manner where you're going to make it an area of this application, then that interpretation could change.

Chris Contento asked if he has a treehouse on his property and lived there, can that be called sleeping quarters and treated as such?

Asst. CEO Richard Miga responded that the treehouse would be accessory to the primary building on the property, which is a single-family house, so no.

Chris Contento asked if a Special Use permit was to be considered, would there be any restrictions on events or social gatherings.

Chairman Doug Crow stated the board could add conditions.

Chris Contento stated in spirit of trying to please the project and the adjoining neighbors, concerns were brought about traffic, the outbuilding, noise, parking, and wastewater, if the Special Use permit were to be granted as submitted, are they having weddings with two hundred people?

Peter Sorgi noted that the occupant load will be based on the square footage and it is common to have condition on an application. He stated that he customized the applications to the code, but there can be conditions. New York State law allows conditions, and the Code Enforcement Officer must enforce them. Could they have a wedding, yes, but it would have to be accessory, and in his vision, the people who would be hosting the event would have to be staying there. Cannot be a standalone thing.

Chairman Doug Crow states that if for example that the sleeping units are being used by the family of the wedding, and hundred people show up, that would be accessory to the use.

Peter Sorgi noted that they reviewed a database of every campground in NYS and what accessory uses are allowed and events are common, but where it would go outside the scope of that is if it was rented out just for the event, then it would cease to be accessory.

Chairman Doug Crow asked member Norm for his thoughts.

Norm Merriman asked what is the risk if the Town engineer has not reviewed the application yet?

Chairman Doug Crow replied that the building department has not submitted it to the Town engineer.

Asst. CEO Richard Miga noted that the Town board will be reviewing a proposed fee for the Town engineer to review the SWPPP in the next Town board meeting.

Norm Merriman asked whether the SHPO review was complete.

Chairman Doug Crow reiterated that they received a positive declaration and that there were no archaeological issues. Pending the sign-off with no objections and getting their tax credits.

Norm Merriman stated it seems they respect the historical nature of the property and find the proposed applications as being harmless.

Tim Stroth interjected that, can we restrict events like bands?

Asst. CEO Richard Miga noted that they can add conditions to the special use permit for outdoor music, noise, etcetera, that you deem to be in consideration of the Town board's approval.

Chairman Doug Crow asks for a motion.

Tim Stroth asked if there are not four votes, then goes the application go down?

Chairman Doug Crow responded that basically means our recommendation to the Town Board is that they do not approve it.

Peter Sorgi asked if the board was a seven-person board?

Chairman Doug Crow and Tim Strouth both responded, yes.

Peter Sorgi noted he thought there were alternates and not a seven-person board.

Chairman Doug Crow and Tim Strouth both responded, seven member and two alternates.

Peter Sorgi stated that they were fine tabling this. It's a fair thing, but we would have to go through the whole presentation again, so whatever the board wants to do.

Chairman Doug Crow stated that we can make a motion for or against, and if against, the Town Board can decide whether they want to pursue or ask us to reconsider. Which has happened so we can articulate why.

Peter Sorgi asked where the 300 feet of the Rural Residential district started.

Asst. CEO Richard Miga replied that the district starts after the right-of-way (ROW). The ROW width is half the street width and is measured from the centerline of the street. After that width, the three hundred feet begins.

Chairman Doug Crow reiterated that the board should rule in favor or against as they owe it to the applicant to try, but it appears to be a split. The other alternative is to table it.

Norm Merriman stated that considering the property as it is now and has been for a while, let's face it, it's in decline, and believes it is a good way to use the property. It is harmless or nearly harmless to the whole community, and there seems to be a pledge that the property is going to be fixed up.

Norm Merriman made a motion to the Planning Board to recommend to the Town Board to approve the Site Plan request as submitted for 1196 Big Tree Road SBL# 165.00-1-28.21 as presented by Sorgi & McCarthy, PLLC, for the redevelopment of the present site for a campground with a wellness theme and customarily incidental accessory-use structures. It would be a good addition to that portion of the Town and is pretty harmless.

Ben Garvey amends the motion with the condition that the Building Department provide clarification that the main building is considered under the Agricultural zoning district for zoning ordinances and the rights thereof, and not in the Rural Residential zoning district.

Seconded by Ben Garvey

Upon a vote being taken:

Ayes- 3

Noes- 2

Motion denied.

Chairman Doug Crow stated the motion does not pass. The board could make a countermotion to recommend that they do not do it, but he does not believe that it will pass so it might be best suited to recommend this be tabled till our next meeting. We can move it to the Town Board and say we cannot make a decision, but they might not accept that and request that we try again with more people.

Peter Sorgi asked with regard to the Special Use permit motion.

Tim Stroth asked Asst. CEO Rich Miga, since the Site Plan did not pass, is there a need to go through the Special Use permit?

Asst. CEO Richard Miga replied, yes.

Norm Merriman made a motion to the Planning Board to recommend to the Town Board to approve the Special Use permit request as submitted for 1196 Big Tree Road SBL# 165.00-1-28.21 as presented by Sorgi & McCarthy, PLLC, for the redevelopment of the present site for a campground with a wellness theme and customarily incidental accessory-use structures.

Seconded by Ben Garvey with the same condition previously stated for the site plan application.

Upon a vote being taken

Ayes- 3

Noes- 2

Motion denied.

Chairman Doug Crow restated that after the motion, they did not have the needed four votes. The option to table the application is available, but this board is an advisory board, and the Town Board is the ultimate authority to schedule the public hearing or decide to send the applications back to this board to review with more members to achieve the four-member threshold.

Peter Sorgi responded that the Town Board would review this board's findings and decide whether to proceed or send it back to this board?

Chairman Doug Crow replied yes, and he has seen them do that.

Peter Sorgi said Thank you very much for your time.

PUBLIC COMMENTS: None.

OLD BUSINESS:

Chairman Doug Crow stated that, with member Chelsea Root not being present in tonight's meeting, the internal checklist she developed will not be reviewed and commented on tonight.

Chairman Doug Crow made a motion to adjourn

Seconded by: Tim Stroth

Upon a vote being taken:

Ayes- 5

Noes- 0

Motion carried.

Meeting adjourned at 8:48 pm

The next meeting scheduled will be Wednesday, April 1st, 7:00 p.m. at the Town Hall, 575 Oakwood Avenue, East Aurora, New York