

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

May 6th, 2026

Members Present: Chairman, Doug Crow
Norm Merriman
Angela Griffis
Laurie Kutina
Tim Stroth

Alternate Member: Ben Garvey
William Heidt

Absent/ Excused: Chris Contento
Chelsea Root

Also Present: Rich Miga, Assistant Code Enforcement Officer
Paul Ernst, Chair Town ZBA
Rod Simeone, ZBA Member
Peter Sorgi, Hopkins, Sorgi & McCarthy, PLLC
Rachel Krawjewski, Owner, Carner Development Group
Danelle Johnson, Crafted Concepts
Daniel LaPietra, Carmina Wood Design
Dan Garvey, Director of Hospitality, Carner Development Group
Damien Parker, owner, 1627 Bailey Road
Neil Hopkins, owner, 298 Ellicott Road
10 members of public

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.

Laurie Kutina makes a motion to approve April 1st, 2026, minutes.

Second by Tim Stroth

Upon a vote being taken:

Ayes- 6

Noes- 0

Motion carried

Chairman, Doug Crow states Ben Garvey and William Heidt are voting members tonight.

ADMINISTRATIVE BUSINESS:

South Towns Working Group: Tim Stroth states there was a quarterly meeting on April 27th, which he was unable to attend. Therefore, there are no updates.

OLD BUSINESS:

The Town Board referral of a Site Plan and SUP application for 1196 Big Tree Road, SBL #165.00-1-28.21, as presented by Peter Sorgi, representing Carner Development Group Inc.

Peter Sorgi, Hopkins, Sorgi & McCarthy, PLLC
Rachel Krawjewski, Owner, Carner Development Group
Danelle Johnson, Crafted Concepts
Daniel LaPietra, Carmina Wood Design
Dan Garvey, Director of Hospitality, Carner Development
All here on behalf of 1196 Big Tree Road.

Peter Sorgi reviews the property of the historical, Twin Elms Estate. There is a total of eighty-three acres. Sixty-nine of these acres are on a conservation easement. They cannot be built upon but can be used for walking trails. There are fourteen buildable acres on site. Only a small number of them will be impacted by this project.

- 1) There have been changes made to the previous submission of a closed 2400 sq ft “lodge” building, due to public concerns about it becoming a large wedding venue. Currently, we are requesting a 1200 sq ft open-air pavilion with a capacity of sixty to seventy people.
- 2) When a parking calculation was performed, the required spaces are 51. Fortunately, we found a provision in the code that allows the Town Board to waive the parking code to 30 spaces, which is what we are requesting. This will also be saving green space.

In the fall, there was an informal review of three options for the use of this property. What we are proposing at this time seemed to have been preferred. An upscale camping area with a wellness theme. The use of the wellness spa is considered incidental. Carner Development is familiar with this type of business. They presently have three other campgrounds in the finger lake area. This would be the third major, local, historical development by Carner Development Group in the Town of Aurora and Village of East Aurora. There can be seven occupants in the main house, two in the existing farmhouse, which is allowed. There will be seven cabins and two tree houses to be built in the rear. That is 18 allowable rooms. The pavilion is to be used for smaller gatherings such as family reunions, small intimate weddings, and to be used by the people staying on premises. A traffic study has been performed as well.

Chairman, Doug Crow acknowledged the traffic study, and it was determined there would be minimal impact on the traffic in this area, indicating no significant impact to the area.

William Heidt asks how to define the line between Rural Residential versus Agricultural zoning. He questions the accuracy of the three-hundred-foot line identified on the Site Plan

Peter Sorgi emphasizes the importance of the definition for this project.

Chairman, Doug Crow states that part of the issue is that Mr. Sorgi has one interpretation which is shown on the plan. The Building Department has another interpretation. The differences make a substantial difference on whether the southern one third of the building is within the Rural Residential, or not. Code interpretation is not the Planning Boards call. It is the Building Departments job. If the Planning Board can get comfortable with

making a recommendation with a contingency, upon the final determination, we can move forward. If the applicant disagrees with the determination made by the Building Department, they have the right to appeal the decision with the Zoning Board of Appeals. To provide the applicant with a recommendation with options today, they will not have to return to the Planning Board phase.

Peter Sorgi states a request has been made to the Building Department for a definitive interpretation of the code.

CEO, Rich Miga, states a formal interpretation was requested by the Building Department at 1:44 pm on today, May 6th, in which we will do our due diligence.

William Heidt expresses additional concerns being asked to review an incomplete concept plan, due to insufficient information regarding fire safety access, sprinklers, hydrants, undersized water lines, etc.

Danielle Johnson states they are aware and assures us that the project will be in compliance with all building codes. Many of the listed items are already in process.

Tim Stroth states he feels there is miscommunication. He reiterates that the Planning Board has a checklist to be used for a Site Plan review. It states clearly boundaries survey with Site Plan shows proposal outlines. Right Of Way boundaries shown on your drawing. So, it clearly does not provide three hundred feet from that ROW. Another is the location and design of all utilities, proposed and existing. Including, but not limited to gas, electric, water, cable, etc. These are some of the items on a Site Plan Review checklist we use to ensure we are reviewing a “complete” Site Plan application. Tim asks CEO, Rich Miga if the things he has stated are correct.

CEO, Rich Miga, confirms all statements to be correct pertaining to the checklist.

Tim Stroth also asks if there has been any talk or opinions from the Town Engineers that is relevant to any of this conversation.

CEO, Rich Miga states the Town Engineers will be reviewing the SWPPP.

Peter Sorgi states his feeling that once the application was reviewed and submitted to the Planning Board, it was deemed complete.

Chairman, Doug Crow states that he does not feel we should hold up the project.

Peter Sorgi reiterates the purpose of this whole project is to restore an historic building, preserve a lot of green space. The Town does not want to have dilapidated buildings with unkept property.

Chairman, Doug Crow is anyone else on the board has any questions or concerns.

Angela Griffis asks if there will be any changes to the main house to support the septic.

Rachel Krawjewski states the number of bathrooms will not change. They are just being moved. There will be no additions being added. The Westinghouse family, that resided at the residence for many years, had 13 children. So, there will be no need for modifications to the septic.

Chairman, Doug Crow asks Rachel Krawjewski what her vision is for the lodge.

Rachel Krawjewski states it was never meant to be just a large wedding venue or convention center. The whole property is to be historically restored, not just one building. This is in hopes of being on the National Historical Registry. After conversations with SHPO, she envisioned a "Georgian Revival". The addition of a large gazebo by the pool seemed to fit into the scheme of things. A gathering area for small functions as well as being available to campground visitors. Carner Development owns "The Bank" on Main Street. It is a wedding venue with short-term rentals. So, this project is just another arm of hospitality in the East Aurora area.

Angela Griffis asks about the lighting.

Rachel Krawjewski states that New York States has separate campground laws. They have a whole department under DOH that handles that. They will go through and determine lighting. Because it is near a highway there are other specific requirements for the campground. On each building it is necessary to have a front and exit light for the cottages. Typically, we do pathway lighting, mostly using solar lighting. In a wellness setting it is more desirable to not have excess bright lighting.

Chairman, Doug Crow asks for additional questions.

Norm Merriman wishes to make a statement. He has been in the business dealing with Right of Ways and surveys for approximately fifty years. He has always considered the ROW to be owned by the public, and the ROW line is synonymous with the property line. It is not referred to by the edge of the road or the white line.

Laurie Kutina discusses the original intention of the three hundred foot Rural Residential, in the community were for single family dwellings on smaller lots. It is not pertinent to this application. She feels the motion should be made; we get it to the letter of the law. That is what the Town will want, and then, it moves forward.

Tim Stroth asks, upon approval, what is the projected timeline for operation to commence?

Rachel Krawjewski states it depends on how quickly DOH will give the approval, because it is a campground. It depends on what the impact is, because DOH really looks at that to make sure everything is correct. Some of the treehouses have taken three years, others only three months. Then you have monthly testing depending on what the usage is. Our intention is that entire project happens all at the same time.

Chairman, Doug Crow asks for public comments.

Joe Quinn is a direct neighbor. He states he has canvased the surrounding area, Reiter Road, Lapham Road, Cook Road, and East Main, speaking with residents regarding the proposed project, as well as Dave Socha, the property adjacent to the west. There is much opposition. The proposed use of the property has changed multiple times. There is much opposition from many. Mr. Quinn provides drawings of where the property meets the

roadway and states it is not straight. There is a significant curve which will affect measurements. He also provides a letter from the direct property owner to the west, along with pages of neighbors in opposition. He also mentions Cardea Health, that operates a business there, who was originally in agreement, would be living on premises. She no longer does, which is a code violation. He discusses his concerns regarding parking, times of operation for a campground, as well as the increase of traffic from, campers, wellness center, deliveries, and employees.

Chris Welch addresses the Board. He resides at twenty Glenridge. He is in favor of the project and reflects on the history of the developers. Take into consideration their work with the bank shot and the sheer amount of money they spent just to preserve it the way that it is. I think that the project that they're proposing is going to be greatly beneficial to East Aurora from the standpoint that most people who can afford to go to these glamping sites are the exact type of people that turn East Aurora into the tourist town that keeps a lot of our mom and pops businesses afloat. These aren't pop-up tents where you can stay there for 20 bucks. When you have the financial resources to stay at a facility like this, you're going to eat at Ricks on Maine. You're going to go to Vidler's and how cute it is and you're going to spend money there. They're going to go to all the other little shops. So, I think it's going to have a huge ancillary benefit just on the local East Aurora economy. I think a facility like this is not the best financial use for the people creating it. But I do think it is one of the best financial uses to continue to preserve East Aurora the way it is because there are some other completely code compliant alternatives that will not be as good for the community of East Aurora, nor for the financial stability of East Aurora. I aggressively promote East Aurora and all the things that I do from the charity I run here in the village, to help the small businesses, to just my day-to-day life. I really hope this project gets approved simply because I'm excited for the financial impact it will have on some of these small businesses that are currently struggling, that are currently looking for additional hospitality, that are looking for ways to generate additional income for themselves without having to spend their own money. I am all for Carter Development spending their money to help all the other businesses make more money.

Taylor Quinn states we're neighbors. We're not talking about does this benefits the town or not. How does it benefit us? We live here. Her main question is about what a special use is. At what point does the scale of multiple lodging types, a large gathering space, lodge, hotel, and a wellness center, putting those altogether, as a SOW. At what point does that exceed what's appropriate for a special use permit? It's a multi-use commercial development. Looking at the site plans they're adding a driveway that loops around the main house. We're going to have headlights at our home. Special Use Permit standards talk about what is the impact on neighboring and surrounding properties. Parking will be an issue. You need to have adequate parking, whether they have 50, or 30 spots. So realistically, you put all the lodging units, staff, wellness center users, deliveries, any other event activity. If the lodge can hold up to 70 people and then there's people in this wellness center. Where is the overflow car parking going to be? So that's not minimal impact. I think it's clearly out of scope and doesn't matter if it benefits the town. It's not zoned for commercial development, and I think that should be seriously considered. This isn't just a campground, it's a resort.

Rachel Krawjewski requested to make her closing statement. There's going to be a public information meeting next week. It has been posted and anybody who lives within one mile from 1196 Big Tree Road has been sent a postcard. Also, she lives 400 ft from the property. So, although she doesn't live directly on the property, she lives within a stone's throw. The entire property has been posted, and security cameras have been added to

prohibit trespassers. Also, it is her mother and herself that own the development company. They've lived here for 30 years. She states, we're not big developers, but they do big things. East Aurora is very important to her. There are also petitions in support of over 20 of our neighbors within one mile. The zone allows them to do this. They have followed the code. It's their right. They live here. They want to operate here and are committed to East Aurora.

Chairman, Doug Crow asks for any discussion. He feels the Board should recommend with contingencies that the Board feels are important. Such as, in relation to the rural residential 300-foot line.

William Heidt is concerned for the safety of the transient visitors at a property they don't know and respects to the neighbors.

Chairman, Doug Crow also question if the parking should be lowered, is the right thing to do. There is possibility of additional occupancy, and where would they park.

Tim Stroth has concerns about the 300-foot line. IS it appropriate to hold this up based on a line. He states he has a consideration for the neighbors, but also of the property owns, who have rights also.

Laurie Kutina acknowledges the concessions being made by the applicant. They originally had other plans that didn't work. They return with an alternative plan to make this a viable and beautiful property. The applicant is conceding a lot and that should be acknowledged. It is a business that wants to continue doing business in East Aurora, in the Town of Aurora, and trying to do it as responsibly as possible within laws. It's about doing what we can for the community. The applicant is trying to concede with us, and work with us to develop something that is acceptable.

Tim Stroth acknowledges there is a lot of passion in the room. That passion is good thing on all sides. It means we all care about our community and our properties. We're not always going to agree to disagree, but at the end of the day, we're all neighbors and fellow Aurorans who care about our community.

Chairman, Doug Crow makes a motion to the Planning Board to recommend to the Town Board that they approve the site plan as proposed with the following three conditions.

- 1) That any units in the primary building, formerly the house, are deemed to be in the resident rural residential zone after the 300 ft line has been finalized by the building department and/or zoning board be excluded from this project.
- 2) That any changes that are needed to make this project compliant to the fire code be made including roads, fire hydrants, sprinklers, etc.
- 3) That the required parking by the town be reduced as the applicant has proposed to 30 spaces.

Tim Stroth requests an amendment to the motion made by Chairman, Doug Crow.

- 1) A resolution of the zoning.
- 2) Those considerations are made for all regulatory requirements and are not limited to fire safety.
- 3) The consideration of the roadway, parking, and headlights, and the impact of adjoining properties.

There was some discussion regarding Cardea Health and the number of employees.

Peter Sorgi states Cardea Health received a variance from the ZBA for the number of employees. It is being classified as a home occupation. When this goes through, they will remain that accessory use except to a different primary use of the campground.

Chairman, Doug Crow asks for a second to the motion.

Seconded by: Tim Stroth

Upon a vote being taken:

Ayes- six

Noes- None

Abstained- One (Ben Garvey)

Motion Carried

Chairman, Doug Crow move to the Special Use Permit, stating the same three conditions should be added to the proposed application.

William Heidt inquires if times of operation, and quiet time should be considered. Also, the topic of screening should be addressed. Although the property has a lot of trees, half of the year there are no leaves present. A fence might be a consideration to be included.

Rachel Krawjewski states the intention is to put up a fence along the entire property line once the plans are approved.

Chairman, Doug Crow asks the Board if that is something that be put in as part of the discussion.

Laurie Kutina states there will be other discussions in the future.

Tim Stroth adds consideration of roadway and parking impacts on adjoining properties stating there will be multiple discussions regarding what it is and is okay keeping it general and letting the Town Board decide.

Chairman, Doug Crow makes a motion to the Planning Board to recommend to the Town Board that they approve the Special Use Permit as proposed with the following three adjustments.

- 1) That any use in the main building that is deemed in the rural residential by the Building Department and/or Zoning Board, as appropriate will not be included in the project,
- 2) The considerations are made for all regulatory requirements and are not limited to fire safety, will be made prior to issuance of the building permit.
- 3) That the required parking by the town be reduced as the applicant has proposed to 30 spaces and consideration of necessary screening um be considered for minimizing disturbance of the neighbors.

Seconded by: Angela Griffis

Upon a vote being taken:

Ayes- six
Motion Carried

Noes- None

Abstained- One (Ben Garvey)

Multiple people talking regarding when the application will go in front of Town Board, and the proceedings

NEW BUSINESS:

The Town Board referral of a Site Plan application for 1627 Bailey Rd., SBL #200.00- 3-2, as submitted by property owner, Damien Parker.

Chairman, Doug Crow asks for a representative for 1627 Bailey Road, Site Plan application.

Damien Parker introduces himself as the owner of 1627 Bailey Road. He presently has a 24.2 kW dc roof mounted solar system. Over the winter, we had an excessive amount of snow on the roof. We did not have any electrical production for at least 4 months. He's decided it might be best to have the system on a ground mounted system. It would be easier to clear and maintain and will be less visible. He owns over 50 acres and much of the acreage backs up to wetlands. Damien Parker is requesting to amend his current permit.

Chairman, Doug Crow states it appears that there is at least 100 feet from where that goes to the east of your property, which creates a nice buffer. He also brings attention to the SEQR form. Question 13A, asking, is there any wetlands near the property. That should be marked yes. You do have wetlands on your property. "B" should say no, as it does not impact your property. Chairman, Doug Crow reiterates that this application requires a Site Plan because it is over 25 kilowatts and is ground mounted.

Laurie Kutina states that there is lot line requirement, which is double what the setback is. She would like to recommend in this case that requirement to is waived. There are many trees and an utility access there and it is different than a regular building.

CEO, Rich Miga state's accessory structure requires a 10-foot set back or the mean height, but a ground mounted solar can only be 15 ft high anyway.

William Heidt inquires if there is any battery storage proposed with the system?

Damien Parker states they have two. The chargers are being changed over also.

Laurie Kutina makes a motion to the Town Board to recommend to the Town Board to approve the Site Plan for 1627 Bailey Road as proposed.

Seconded by: Ben Garvey

Upon a vote being taken:

Ayes- 7

Noes- None

Motion carried.

CEO. Rich Miga states Damien Parker will need to talk to the Building Department, to revise the permit for the amendment that you're making for the ground mount. We will need the associated drawings with the plan of the structure and the panels on the ground.

The Town Board made a referral to the Planning Board for the review and recommendation of a revised SUP application for 298 Ellicott Road, SBL # 186.00-5-1, by Neil Hopkins, principal, on behalf of RNH 298 LLC, owner.

Chairman, Doug Crow welcomes Neil Hopkins back in front of the Board to present a revised SUP.

Neil Hopkins supplies the Board with a large, revised drawing of the proposed application. He states there are usually only four people at 298 Ellicott Road, mowing grass, making repairs and maintaining the grounds. After being approached by the Borderland planners, his intentions are to provide an area for Borderland weekend campers, and possibly some other events. Neil Hopkins made multiple attempts to contact the county before finally receiving an email. The email from the director of campgrounds stated no permit is required as the operational plan does not meet the definition of campground, based on the hours of operation. The recommendation was made to provide a minimum of two toilets, one for each sex, for every twenty-five campers. If the operating plan changes, recontact the department. Mr. Hopkins likes the flexibility of having other four-day events throughout the season, with 150-200 campers, that could be managed properly and safely.

Following a brief discussion of options for Mr. Hopins, Chairman, Doug Crow asks if anyone feels comfortable making a motion

Tim Stroth makes a motion to the Planning Board to recommend to the Town Board to approve the existing SUP with the following conditions.

- 1) The maximum occupancy is two hundred.
- 2) With the conditions and requirements set forth in the revised plan submitted.
- 3) Satisfying all the Department of Health requirements.

Seconded by: Chairman, Doug Crow

Chairman, Doug Crow adds that it maintains the rules from the existing requirements.

Upon a vote being taken:

Ayes- 7

Noes- none

Motion carried.

COMMENTS:

Tim Stroth made an acknowledgement. Angela Griffis has been honored as the Alumni with Distinguished Award by Immaculate Conception School. Also, congratulations to Ben Garvey, who has been appointed Councilman to the Town Board.

DISCUSSION:

None

CORRESPONDENCE:

None.

ADJOURNMENT:

Chairman, Doug Crow makes a motion to adjourn.

Seconded by: Tim Stroth

Upon a vote being taken:

Ayes- 7

Noes- 0

Motion carried.

Meeting adjourned at 9:47 pm

THE NEXT SCHEDULED MEETING WILL BE WEDNESDAY JUNE 3RD, at 7:00 P.M. AT THE TOWN HALL, 575 OAKWOOD AVENUE, EAST AURORA, NEW YORK