

# **DRAFT**

**November 2, 2016 Minutes:**

**Planning Board State Environmental Quality Review (SEQR) and Public Hearing**

**Community Preservation Panel and Planning Board Joint Public Hearing**

**Community Preservation Panel Regular Meeting**

**Planning Board Special Meeting**

The meetings were held at the Aurora Firehouse meeting room beginning at 6:30 pm

## **Present**

**CPP:** Chairperson Chris MacCormick, Jeff Blum, Dan DiSanto, Ed Easter, and Claire Morehouse

**Planning Board:** Chairperson Pat Bianconi, Pat Foser, Michele Murphy, Pam Sheradin, and Frank Zimdahl

## **Others Present**

**Village Officials:** Clerk Ann Balloni, Attorney Tom Blair Esq., Code Enforcement Officer Patrick Doyle, Engineer Ken Teter, Historian Dr. Linda Schwab, Mayor Bonnie Bennett, Trustees Grace Bates & Alan Ominsky, ZBA members Karen Hindenlang, Laura Holland, and Jeri Vargo

**Inns of Aurora Representatives:** Matt Bianconi, Sue Edinger, Ted Kinder, Bruce King, Wendy Marsh Esq. and Alex Schloop

**Local Residents:** Anne Brodie, Tracy Leffingwell, John & Anne Marshall (7:00 pm), and Kelley Zabriskie

**Visitors:** Jeffrey Adkisson and Juan Bravo

**Call to Order:** Ms. Bianconi called the meeting to order at 6:30 pm.

## **SEQR**

**Application #16-40 from the Inns of Aurora to remove two houses and a garage at 457 & 459 Main St (Tax Map #181.12-1-7.1 & 181.12-1-7.2)**

Ms. Bianconi reminded those present that her son, Matt Bianconi, is employed by the Inns of Aurora.

The Planning Board proceeded to complete Part 2 of the Full Environmental Assessment Form (FEAF, attached) as follows:

1. Impact on Land – Yes
  - a. - h. - No, or small impact
2. Impact on Geological Features – No
3. Impacts on Surface Water – No
4. Impact on Groundwater – No
5. Impact on flooding – No
6. Impacts on Air – No
7. Impacts on Plants and Animals – No
8. Impact on Agricultural Resources – No
9. Impact on Aesthetic Resources – No
10. Impact on Historic and Archeological Resources – Yes
  - a. Tabled
  - b. No, or small impact
  - c. No, or small impact

Village Engineer, Ken Teter, noted that there is no indication of the project occurring near areas listed as archeologically sensitive.

Village Attorney, Tom Blair, discussed the history of the structures from the designation of the Village Historic District in 1980 to the present. The New York State Office of Recreation and Historic Preservation Office (SHPO) initially designated the properties as intrusions but later, in letters received from the agency on September 2, 2016, October 28, 2016, and November 1, 2016 (attached), the agency noted that the tech-built style buildings (designed by architect, Carl Koch) are now eligible for listing citing the pattern of development within the village. A recent update of village landmarks conducted by the Village Historian and the Community Preservation Panel did not include the tech-built structures and, when asked why, the explanation was that they decided to focus on 200 + year old buildings.

SHPO noted their approval of the project in a letter received on October 28, 2016 due to the plan for buildings to be removed and reassembled in Columbia County, as opposed to being demolished. In a follow up letter on November 1, 2016 SHPO did note that if any state funding was designated for the project that they would have additional concerns. The applicant confirmed that there is no state funding for the project.

Bruce King, representing the Inns of Aurora, presented their plan for removing the buildings and creating lake views between the Rowland House to the south, also owned by the Inns of Aurora, and the property to the north, owned by Michael Peter.

The Planning Board referenced the SEQR workbook for question 10.a. and discussed the following with the CPP:

- What merits historic designation
- SHPO opinion
- Previous applications for demolition
- Land/housing values

The Planning Board agreed to return to question 10.a. following the public hearing and move on with the FEAF.

11. Impact on Open Space and Recreation – No
12. Impact on Critical Environment Areas – No
13. Impact on Transportation – No
14. Impact on Energy – No
15. Impact on Noise, Odor, and Light – No
16. Impact on Human Health – Yes
  - a. – I. – No, or small impact
  - m. other impacts – the Planning Board noted the removal of asbestos at the project per standard regulations and declared No, or small impact.
17. Consistency with Community plans – Yes
  - a. The Planning Board discussed if the project was “in sharp contrast to the current surrounding land use patterns”. The members referred to the SEQR workbook and debated the significance of the buildings and lot dimensions regarding impact. Ms. Bianconi asked for a roll call vote of each member’s determination on 17.a.:

Bianconi – No, or small impact  
Foser – Moderate to large impact  
Murphy – No, or small impact  
Sheradin – No, or small  
Zimdahl – No, or small  
The vote is 4-1 in favor of “No, or small impact”

b. – g. No, or small impact

18. Consistency with Community Character - Yes

- a. The Planning Board members discussed the significance of the change in the visual character of the project and the historic importance of the buildings to the community. The members agreed to table “a.” and move on.
- b. – No, or small impact
- c. The members discussed how to define “affordable housing” in relation to the project and referenced the SEQR workbook regarding increase in housing price points and gentrification.

Ms. Bianconi asked for a roll call vote of each member’s determination on 18.c.:

Bianconi – No, or small impact  
Foser – Abstain  
Murphy – No, or small impact  
Sheradin – No, or small impact  
Zimdahl – No, or small impact  
The vote is 4-0 in favor of No, or small impact

d. – f. No, or small impacts

Discussion of 10.a. and 18.a. was tabled until after the public hearing.

On motion by Mr. Zimdahl, seconded by Ms. Foser, the Planning Board voted to open the SEQR public hearing at 7:43 pm.

AYES: Bianconi, Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

Ms. Bianconi asked that the Inns of Aurora to give a brief presentation.

Mr. King referred to the initial map designating the historic district, emphasizing that the buildings are designated as intrusions. Mr. King opined that the buildings in question do not fit the character of the neighborhood as there are several large structures with open space in between and the buildings are out of place with the neighboring structures. Mr. King also noted that the merit of the structures is how they were built, not where they are located and the Village did not deem them worthy of listing in the most recent update.

Members of both the Planning Board and CPP remarked on the buildings uniqueness as contributing to the character of the village. Mr. MacCormick noted that the CPP appreciates the differing housing styles

in the village because they represent different timeframes during the village history. Specifically, the tech-built houses exemplify the housing development needs of Wells College employees in the 1950s and 1960s. Mr. MacCormick reiterated that the most recent update to the list of landmarks focused solely on those structures that were 200 years old or greater and Village Historian, Dr. Schwab, added that the 200-year mark was intended as a starting point of a continuing review.

Ms. Foser noted that only adding the mansions to the landmark list is not an accurate reflection of the economic diversity and the random development of the Village throughout its history.

### **Public Comment**

**Anne Brodie & Jeri Vargo:** Ms. Brodie and Ms. Vargo questioned the “due diligence” of the boards regarding the connection of the houses to the village history. They informed the board members that Carl Koch, who created the tech-built style, had a sister who was a Wells Collage alum and trustee. Ms. Koch lived in one of the houses that is slated for removal.

**Grace Bates:** Ms. Bates questioned if there were other examples of the tech-built style houses in Aurora. Dr. Schwab noted that SHPO lists five examples of tech-built houses and they are treated as a unit.

Ms. Foser referred to the October 28, 2016 and November 1, 2016 letters from SHPO, reiterating the evolving status of the buildings.

On motion by Mr. Zimdahl, seconded by Ms. Sheradin, the Planning Board voted to close the public hearing at 8:15 pm.

AYES: Bianconi, Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

### **SEQR (continued)**

10.a. : Ms. Bianconi asked for a roll call vote of each member’s determination for 10.a.:

Bianconi – No, or small impact

Foser – Abstain

Murphy – No, or small impact

Sheradin – No, or small impact

Zimdahl – No, or small impact

The vote is 4-0 for No, or small impact

18.a. : Mr. Teter again referred the Planning Board to the SEQR workbook and advised them to consider the influence that the structures have on the character of the built environment.

The members discussed the evolving character of the village from the time of its historic designation to the present and noted that the village character continues to evolve.

Ms. Bianconi asked for a roll call vote of the member’s determination of 18.a.:

Bianconi – No, or small impact  
Foser – Moderate to large impact  
Murphy – No, or small impact  
Sheradin – No, or small impact  
Zimdahl – No, or small impact

The vote is 4-1 for No, or small impact

On motion by Mr. Zimdahl, seconded by Ms. Murphy, the Planning Board voted to issue a Negative Declaration and complete the SEQR process for Application #16-40.

AYES: Bianconi, Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

Mr. Blair requested that the Planning Board schedule a special meeting to finalize the SEQR resolution. Mr. Blair indicated to the Planning Board members that he will circulate a “clean copy” for review prior to the special meeting.

Ms. Marsh confirmed with the code enforcement officer that the applicant may begin the asbestos removal.

On motion by Ms. Sheradin, seconded by Ms. Murphy, the Planning Board voted to close the SEQR meeting at 8:35 pm.

AYES: Bianconi, Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

### **CPP/Planning Board Joint Demolition Public Hearing**

Mr. MacCormick called the public hearing to order at 8:36 pm. Ms. Bianconi noted that the Planning Board aspect of the public hearing was for consideration of a Special Use Permit.

Inns of Aurora General Manager, Sue Edinger, gave a brief synopsis of the evolving application for the removal of the tech-built houses. Originally, an application to build a spa on the properties was submitted on March 28, 2016 which included demolition of the houses. The Community Preservation Panel asked the Inns of Aurora to consider moving the houses to one of their vacant properties on Sherwood Road or Poplar Ridge Road, rather than demolish them. The application to build a spa was eventually withdrawn and a new application to remove the buildings and leave green space was submitted on August 25, 2016.

Ms. Edinger then invited architect Jeffrey Adkisson to speak on his plan to move the buildings to Columbia County. Mr. Adkisson is president of Chromatic Design, Inc. and is experienced with historic reuse of tech-built houses.

Mr. Adkisson discussed the dismantling of the buildings and re-constructing them in Columbia County as a very expensive labor of love. The basic frame of the houses will be retained, but windows, siding, and roofing are not salvageable and the buildings must be brought up to code.

Mr. Adkisson emphasized that it is not cost effective to try to bring the buildings up to code and that his interest in the tech-built style is unique.

Ms. Foser questioned how substantial the cost is and the Inns of Aurora Project manager, Ted Kinder, noted that the asbestos abatement alone will cost \$70,000.00.

### **Public Comment**

**Anne Brodie:** Ms. Brodie expressed concern that allowing the removal of the houses will set a precedent for future demolition applications. Ms. Brodie noted that the property between EB Morgan House and Rowland House, recently purchased by Ms. Rowland, is also considered an intrusion on the original historic district designation.

Ms. Brodie further remarked that less residents and less houses diminishes the community and questioned the effect the project will have on the tax rolls with the removal of the houses.

Discussion ensued regarding the tax assessment of the properties with the houses vs without the houses. Concerns were raised that the village tax revenue will decrease, though the applicant questioned that point of view due to the high assessment of other homeless lakefront properties within the village.

Ms. Marsh remarked that each application is unique and didn't see the decision as setting a precedent, though Mr. Blair indicated that it was possible.

**Matt Bianconi:** Mr. Bianconi introduced himself as an employee of the Inns of Aurora and commented that the configuration of the properties at 457 & 459 Main St is not conducive to houses.

**Alex Schloop:** Mr. Schloop introduced himself as an employee of the Inns of Aurora and noted that he decided to stay in the village after graduating from Wells College partially due to the scenic views of the lake. Mr. Schloop further commented that he was happy that the tech-built houses would be preserved.

**Dr. Linda Schwab:** Dr. Schwab referenced her correspondence with SHPO and acknowledged that she informed them of the significance of the houses. Dr. Schwab reiterated SHPO's approval of the restoration of the houses, especially given the background of Mr. Adkisson. Dr. Schwab further acknowledged responsibility for the photographic documentation recommended by SHPO as documentation is also required of her as the Village Historian.

**Jeri Vargo:** Ms. Vargo reiterated the relevance to the village history of Carl Koch's sister and expressed that the village boards be careful of regretting any decisions.

Ms. Edinger and Mr. King remarked that uses for properties change and that the houses are being preserved and the lake views are being restored.

Mr. MacCormick questioned Ms. Edinger regarding a fence on the Rowland House property. Ms. Edinger replied that the fence will be removed and Mr. MacCormick reminded her that removing the fence requires a permit.

Mr. MacCormick then read a letter from Michael Peter (attached), who owns the neighboring property to the north, expressing his support for the applicant's project. Mr. MacCormick also read a letter from village resident, Jim Orman (attached), thanking the boards, the code enforcement officer, and the village historian for their cooperation and assistance with village projects.

On motion by Mr. DiSanto, seconded by Ms. Morehouse, the CPP and Planning board voted to close the public hearing at 9:08 pm.

AYES: CPP - MacCormick, Blum, DiSanto, Easter, and Morehouse  
Planning Board – Bianconi, Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

5 minute recess (World Series Game 7 update: Chicago Cubs vs Cleveland Indians, Chicago leading 3-1 in the top of the 4<sup>th</sup> inning)

### **Community Preservation Panel Regular Meeting**

**Call to Order:** Mr. MacCormick called the meeting to order at 9:15 pm.

**Changes to the Agenda:** No changes

**Announcements:** No announcements

**Approval of Minutes:** On motion by Ms. Morehouse, seconded by Mr. Blum, the CPP voted to approve the September 7, 2016 minutes.

AYES: MacCormick, Blum, Easter, and Morehouse

NAYS: None

ABSTAIN: DiSanto

Motion carried.

### **Application #16-40 from the Inns of Aurora for the removal of two houses and a garage at 457 & 459 Main St (Tax Map #181.12-1-7.1 & 181.12-1-7.2)**

Mr. MacCormick referred to Section 704.C.4 of the village zoning law which instructs the CPP to consider the following when deciding on a demolition application:

1. Present condition of the structure
2. Pertinent historical significance of the structure
3. The relationship of the affected parcel to its surrounding parcels
4. Economic viability of use alternate to demolition
5. Future plans for the property
6. Public comment and other local factors

The CPP considered each criterion individually:

1. The members discussed the deterioration of the one house (abandoned by the previous owner, Wells College) and the viability of the second house which was recently occupied. Mr. DiSanto and Mr. MacCormick echoed Mr. Adkisson's stance that, given the present condition of the buildings, they are not worth the cost of maintenance and code compliance. Members also discussed the possibility of preserving three empty buildings on two lots.

2. Mr. Blair referred to the duties of the CPP in Section 704.B.2 in the village zoning law. Members discussed if the buildings have historical significance. Ms. Morehouse noted that they are examples of post-World War II construction. Mr. DiSanto remarked that the style of the buildings does not make them historical. Mr. Easter questioned if it is the mission of the panel to preserve houses or community. Mr. MacCormick commented that the initiatives of the owners should be considered, but noted that the thought of becoming a reclusive community is concerning.
3. Mr. McCormick remarked on the demise of the cultural dichotomy of the area with regret, but believes the properties will mainly be enhanced by the project. Mr. Easter disagreed that the plan will enhance the properties.
4. Varying viewpoints from CPP and Planning Board members were discussed regarding the value of the land with and without the buildings. Mr. DiSanto argued that the land is more valuable without the buildings and Ms. Foser countered that that viewpoint is not reflected in the tax assessment rolls. Mr. Zimdahl remarked that trying to keep the houses in the village is unrealistic given the information received from Mr. Adkisson. Members also noted the amount of tax revenue brought to the Village by the applicant's additional properties.
5. Mr. MacCormick noted that the project does enhance neighboring views and is an enhancement to the property owners.
6. Mr. MacCormick expressed concern with future demolition applications coming before the boards.

On motion by Mr. DiSanto, seconded by Ms. Morehouse, the CPP voted to approve Application #16-40 as submitted.

AYES: MacCormick, Blum, DiSanto, and Morehouse

NAYS: Easter

Motion carried.

Mr. MacCormick issued the applicant a Certificate of Appropriateness.

Ms. Edinger and Ms. Marsh thanked the panel for their thoughtful consideration.

**Application #16-51 from Brian Fitzgerald for a new shed at 536 Main St (Tax Map #181.08-1-10.1)**

The panel reviewed plans for a 20' x 16' shed. Information on materials for the shed was not noted in the file, but a picture was included and the applicant had indicated to the code enforcement officer that the shed would match the house.

On motion by Mr. DiSanto, seconded by Mr. Easter, the CPP voted to approve Application #16-51 as submitted, contingent upon the shed matching the picture that is included in the file.

AYES: MacCormick, Blum, DiSanto, Easter, and Morehouse

NAYS: None

Motion carried unanimously.

Mr. MacCormick issued the applicant a Certificate of Appropriateness.

**Adjournment:** On motion by Mr. Easter, seconded by Mr. Blum, the CPP voted to adjourn the meeting at 9:55 pm.

AYES: MacCormick, Blum, DiSanto, Easter, and Morehouse



NAYS: None  
Motion carried unanimously.

**Planning Board Special Meeting**

**Call to Order:** Ms. Bianconi called the meeting to order at 9:56 pm.

**Application #16-40 from the Inns of Aurora for the removal of two houses and a garage at 457 & 459 Main St (Tax Map #181.12-1-7.1 & 181.12-1-7.2)**

**Site Plan Review:** The Planning Board confirmed with the applicant that the only plan for the property following the removal of the buildings is for open space. Ms. Bianconi requested that the applicant clarify the open space on the site plan and initial and date the amendment. The applicant complied.

The Planning Board referred to the Site Plan Checklist in Section 903.C.1.a-s & 2.a-f. and the Special Use Permit criteria in Section 901.A.1-6 and read from the project narrative (attached) supplied by the applicant.

On motion by Mr. Zimdahl, seconded by Ms. Sheradin, the Planning Board voted to approve the Special Use Permit with conditions for Application #16-40

AYES: Bianconi, Murphy, Sheradin, and Zimdahl

NAYS: Foser

Motion carried.

On motion by Ms. Murphy, seconded by Ms. Sheradin, the Planning Board voted to approve the Site Plan with conditions for Application #16-40.

AYES: Bianconi, Murphy, Sheradin, and Zimdahl

NAYS: Foser

Motion carried.

**Resolution #16-10:** Mr. Blair reminded the Planning Board to schedule a special meeting to finalize Resolution #16-09 (SEQR) and #16-10 (Site Plan and Special Use Permit) once all attachments and conditions are included in one clean copy.

Ms. Marsh noted that final copies must be received by the applicant within 5 days.

On motion by Ms. Murphy, seconded by Ms. Sheradin, the Planning Board voted to schedule a special meeting on Monday, November 7, 2016 at 6:00 pm for final review of Resolution #16-09 and #16-10.

AYES: Bianconi, Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

**Adjournment:** On motion by Ms. Foser, seconded by Ms. Sheradin, the Planning Board voted to adjourn the special meeting at 10:15.

AYES: Bianconi, Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni  
Village Clerk