**Planning Board June 28, 2017 Meeting Minutes**

The meeting was held in the Aurora Firehouse Meeting room at 7:00 pm

**Present:** Deputy chairperson Frank Zimdahl, Pat Foser, and Michele Murphy

**Absent:** Pat Bianconi and Pam Sheradin

**Others Present:** Village Clerk Ann Balloni, Code Enforcement Officer Patrick Doyle, Community Preservation Panel members Jeff Blum & Chris MacCormick, Zoning Board of Appeals member Laura Holland, and members of the public Kathy Almeer and Michelle Miller

**Call to Order:** Mr. Zimdahl called the meeting to order at 7:00 pm.

**Changes to the Agenda:** No changes

**Approval of Minutes:** On motion by Ms. Murphy, seconded by Ms. Foser, the Planning Board voted to approve the May 24, 2017 minutes.

AYES: Foser, Murphy, and Zimdahl

NAYS: None

Motion carried unanimously.

**Visitor Recognition:**

Michelle Miller referred to a letter sent to the board by her client, Brian Dorfman, (attached) requesting clarification of the allowed commercial uses in the residential zone. Ms. Miller noted that certain “grandfathered” non-conforming buildings such as Shakeltons Hardware store are rumored to have to continue as the current use or revert to residential after one year of vacancy.

Ms. Miller is the real estate representative for Mr. Dorfman who is attempting to sell the property and, per his letter, has received misinformation regarding the allowed uses resulting in the loss of a sale.

Code Enforcement Officer, Patrick Doyle, and Mr. Zimdahl, referring to the Table of Uses (section 405) in the zoning law, clarified that Shakeltons Hardware store is no longer non-conforming as the current zoning law (Local Law #4 of 2016) allows for hardware stores in the residential zone. Officer Doyle noted, however, that all uses require a permit and some require a special use permit. Officer Doyle further noted that any buyer wishing to change the use would have to apply for a permit which includes the board review process.

**Old Business:** No old business was discussed.

**New Business**

**Application #16-38 from Kathy Almeer for a house demolition at 12 Cherry Ave. (Tax Map #182.13-1-20)**

Mr. Zimdahl asked Ms. Almeer for clarification of her plans for the lot if the house is demolished. Mr. Zimdahl noted that on the application, as well as the Environmental Assessment Form, that fruit trees will be planted. But, in a letter dated December 5, 2016, Ms. Almeer suggests building a bungalow on the lot. Ms. Almeer replied that she hasn’t decided yet, but is not expecting to build a new house on the lot anytime soon due to the cost. Ms. Almeer also noted that the current house is too costly to renovate due to the condition which is why she is applying for a demolition permit.

Mr. Zimdahl explained that a structural engineer will have to be hired to determine the condition of the house and, as the applicant, Ms. Almeer would bear the cost. Ms. Almeer indicated that she would have to see an estimate before agreeing to the structural engineer report.

Officer Doyle also noted that there is a garage on the property and the garage cannot be a primary structure on a residential lot. Mr. Doyle suggested that Ms. Almeer could merge the lot with her neighboring property if she decides to plant fruit trees. However, if Ms. Almeer decided to build a new house in the future, she would have to apply for a subdivision.

**SEQR Part 1:** The Planning Board reviewed part 1 of the Full Environmental Assessment Form (FEAF, attached), beginning the State Environmental Quality Review (SEQR) process. Corrections are as follows and Ms. Almeer initialed and dated all changes.

* Questions B. e-h were not answered. Ms. Almeer checked “NO” for each one.
* Question D.2.r. change to “NO”.
* Question E.2.d. answer “Unknown”
* Question E.3.c. change to “NO”
* Question E.3.e add “the building is a contributing structure in the historic district”
* Question E.3.f & g – clarify with the State Historic Preservation Office (clerk will do)

Ms. Almeer noted that she is out of town until the end of August and would prefer that the public hearing be scheduled for the August Planning Board meeting on the 23rd. Mr. Zimdahl explained that she would have to agree to extend the 45-day time-line for site plan review if the meeting is put off to August 23rd. Ms. Almeer agreed and she and Mr. Zimdahl both signed the agreement (attached) and Ms. Almeer was given a copy.

On motion by Ms. Foser, seconded by Ms. Murphy, the Planning Board voted to deem Application #16-38 complete.

AYES: Foser, Murphy, and Zimdahl

NAYS: None

Motion carried unanimously.

On motion by Ms. Murphy, seconded by Ms. Foser, the Planning Board voted to declare itself lead agency for the coordinated State Environmental Quality Review.

AYES: Foser, Murphy, and Zimdahl

NAYS: None

Motion carried unanimously.

**PB Resolution #17-08: For Review of Application #16-38 from Kathy Almeer for a Demolition at 12 Cherry Ave.**

**WHEREAS:** The Village of Aurora Planning Board deems Application #16-38 from Kathy Almeer to be complete, as of June 28, 2017; and

**WHEREAS:** The Planning Board has determined that the proposed action is a Type I action as defined under SEQR section 617.4(b)(9), as the Project is located within or contiguous to a historic site/district; declares itself Lead Agency for the coordinated SEQR; and

**WHEREAS:** The Planning Board and Community Preservation Panel will hold a joint public hearing following the State Environmental Quality Review on August 23, 2017 at approximately 7:00 pm; and

**WHEREAS:** The Community Preservation Panel will hold a special meeting to consider a Certificate of Appropriateness for Application #16-38 following the joint public hearing; and

**WHEREAS:** The Planning Board will hold an additional Public Hearing for consideration of a Special Use Permit and conduct a Site Plan review for Application #16-38; and

**WHEREAS:** The Planning Board instructs the Village Clerk to notify all involved and interested agencies of the Coordinated Review; and

**WHEREAS:** Application #16-38 does not require Cayuga County Planning Board 239 review per the agreement between the Village of Aurora and Cayuga County Planning Board dated June 25, 2014;

**NOW THEREFORE BE IT RESOLVED:** that the Planning Board deem Application #16-38 complete, declares itself Lead Agency, notifies all involved and interested agencies, schedules a joint Public Hearing with the Community Preservation Panel for SEQRA coordinated review, a public hearing for a Special Use Permit, and conduct a Site Plan review on August 23, 2017 beginning at 7:00 pm.

FIRST: Foser

SECOND: Murphy

AYES: Foser, Murphy, and Zimdahl

NAYS: None

Carried unanimously.

**Adjournment:** On motion by Ms. Murphy, seconded by Ms. Foser, the Planning Board voted to adjourn the meeting at 8:10 pm.

AYES: Foser, Murphy, and Zimdahl

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni

Village Clerk