**Planning Board May 25, 2016 Regula Meeting Minutes**

The meeting was held at the Firehouse Meeting Room at 7:00 pm

**Present:** Chair Pat Bianconi, Pat Foser, Michele Murphy, Pam Sheradin, and Frank Zimdahl

**Others Present:** Village Clerk Ann Balloni, Village Attorney Tom Blair Esq., Village Code Enforcement Officer Patrick Doyle, Village Historian Dr. Linda Schwab, Village Engineer Ken Teter, Village Trustee Grace Bates (arrived at 7:10 and left at 8:10), Beardsley Architects representative Steve Moolin, Purcell Construction representative Jason McClullouch, Inns of Aurora representative Ted Kinder, Wells College representatives Brian Brown, John Calahan Esq., Jenn Michaels, and Brody Smith Esq., village resident G. Alan Clugston, and Kathy Kinder

**Call to Order:** Chairperson Bianconi called the meeting to order at 7:00 pm.

**Approval of Minutes:** On motion by Mr. Zimdahl, seconded by Ms. Murphy, the Planning Board voted to approve the April 27, 2016 minutes with the following correction (in bold):

“On motion by Ms. Foser, seconded by Ms. Sheradin, the Planning Board voted to postpone the public hearing **for Application #16-02 (Wells Dorm)** in order to have time to review materials received in the Village Office on April 26 & 27 from the New York State Historic Preservation Office, New York State Department of Environmental Conservation, Dr. Linda Schwab, and Beardsley Architects.”

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

NAYS: None

Motion carried unanimously.

**Changes to the Agenda:** On motion by Ms. Sheradin, seconded by Ms. Foser, the Planning Board voted to change the agenda to review Application #16-19 ahead of #16-02.

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

NAYS: None

Motion carried unanimously.

**Announcements:** No announcements

**Visitors:** Ms. Bianconi welcomed all visitors and there were no comments.

**New Business**

**Application #16-19 from the Inns of Aurora for a subdivision to widen Lafayette St.**

Inns of Aurora representative, Ted Kinder, noted that the subdivision is a condition of the Planning Board Site Plan approval for Application #15-42 and that widening Lafayette St will now conform to the 66’ standard for street specs.

The Planning Board reviewed the subdivision criteria set forth in Section 1003 B.1.a-s and B.2.a-I and Application #16-19 meets all requirements. Ms. Murphy questioned if the land is deeded to the village and Mr. Kinder, Mr. Doyle (Village Code Enforcement Officer), and Mr. Teter (Village Engineer) all replied that deeding the land to the village was a condition of the Planning Board Site Plan review for Application #15-42.

On motion by Ms. Sheradin, seconded by Mr. Zimdahl, the Planning Board voted to set the public hearing date for Application #16-19 on June 22, 2016 at 7:00 pm.

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

NAYS: None

Motion carried unanimously.

**Old Business**

**Application #16-02 from Wells College for a new dorm and extension of Woods Lot parking area at 170 Main St (Tax Map #182.17-1-53 & 193.05-1-1)**

The Planning Board continued their State Environmental Quality Review (SEQR) of part 2 of the Full Environmental Assessment Form (FEAF).

At the April 27, 2016 Planning Board meeting, the Planning Board and the applicant agreed to an extension for public comment regarding the SEQR with a deadline set for May 11, 2016. The applicant would receive copies of all comments received by the May 11, 2016 deadline and would have until May 18, 2016 to respond to the comments.

The Planning Board hired a botanist-consultant, F. Robert Wesley, to assess the proposed Woods Lot parking area expansion. Mr. Wesley conducted a site visit with Planning Board chairperson, Pat Bianconi, and Village Engineer, Ken Teter, on May 24, 2016. Mr. Wesley submitted his findings in a letter dated May 24, 2016 (attached) explaining his approval for the project as proposed with the understanding that further expansion of the surrounding area would be detrimental to the overall environment. Mr. Wesley further stated his appreciation for the opportunity that Wells has afforded their students and faculty by nurturing a “high quality” forest.

The applicant reviewed the additional materials (attached) for the SEQR, submitted by Dr. Linda Schwab (Professor Emerita of Chemistry, Wells College), Dr. Margaret Flowers (Professor Emerita of Biology, Wells College), Ashleigh Gingeleski (Wells College student), and David Bimber (New York State Department of Conservation) and made the following amendments to part 1 of the FEAF:

* Two Kentucky Coffee Trees will be moved as a condition of Site Plan Review
* No trees will be cut between October 1 and March 31 so as not to interfere with bat nesting

Dr. Schwab questioned if the removal of trees for the expanded parking area is clearcutting. Mr. Doyle and Mr. Teter responded that the element of magnitude of the project does not meet the criteria of clearcutting.

Village Attorney, Tom Blair, questioned Mr. Doyle, Mr. Teter, and members of the Planning Board if they needed to address any sections on the FEAF besides section 7 which was tabled at the April 27, 2016 Planning Board meeting. All replied “No”. Mr. Blair proceeded to work through section 7 of part 2 of the FEAF with the Planning Board.

**Question 7 Impact on Plants and Animals**

Upon consultation of the SEQR workbook and reviewing submissions from Environmental Design and Research (EDR), Mr. Wesley, Dr. Schwab, Dr. Flowers, and Ms. Gingeleski; the Planning Board concluded the following:

a. & b. - There are no threatened or endangered species in the area listed by New York State or the Federal Government.

On motion by Ms. Sheradin, seconded by Ms. Foser, the Planning Board determined that there is “No, or small impact” for Section 7 a & b of the FEAF siting Mr. Wesley’s report, letters from experts, and following the criteria outlined in the SEQR workbook.

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

NAYS: None

Motion carried unanimously.

c. & d. -

* Any potential impact on the flora or fauna is mitigated by the applicant agreeing to relocate 2 Kentucky Coffee trees and by limiting tree removal October 1 – March 31 so as not to disturb nesting bats.
* The impact area is insignificant in scope and scale

On motion by Ms. Murphy, seconded by Ms. Sheradin, the Planning Board determined that there is “No, or small impact” for Section 7 c & d of the FEAF upon review of the SEQR workbook criteria and siting Mr. Wesley’s report.

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

NAYS: None

Motion carried unanimously.

e. – j. – No, to small impact

**SEQR Part 3**

On motion by Ms. Sheradin, seconded by Ms. Murphy, the Planning Board determined that Application #16-02 from Wells College to build a new dorm and expand Woods Lot parking area will not have a significant impact on the environment and issued a negative declarartion. (see attached resolution)

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

NAYS: None

Motion carried unanimously.

On motion by Ms. Foser, seconded by Mr. Zimdahl, the Planning Board voted to authorize Ms. Bianconi to complete the SEQR process.

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

NAYS: None

Motion carried unanimously.

**Site Plan Review**

The Planning Board reviewed the Site Plan checklist from Section 903.C.1.a-s, 2.a-f of the Village Zoning Law for Application #16-02 and discussed the following:

* The project meets area setback and height requirements
* Drainage and grading concerns are addressed in the Stormwater Pollution Prevention Plan (SWPP) submitted by the applicant on March 14, 2016
* Parking concerns on Wells Road
* Construction vehicles on Wells Road
* Lighting and buffer concerns for residents of Wells Road
* Cayuga County 239 review and recommendations

On motion by Ms. Foser, seconded by Ms. Sheradin, the Planning Board voted to accept the recommendations of the Cayuga County 239 committee that the applicant implement New York State Department of Environmental Conservation redevelopment standards for runoff.

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

NAYS: None

Motion carried unanimously.

Members of the Planning Board expressed concern that students will continue to park on Wells Road despite the expansion of the Woods Lot due to the closer proximity to the dorms. Mr. Smith remarked that the applicant has no authority to enforce parking rules on Wells Road as it is a village road and that the project complies with all parking regulations outlined in the village zoning law.

Members also voiced objections to routing construction vehicles to the site via Wells Road due to safety concerns for families who live there, as well as wear and tear on the road from the heavy equipment. Using the north entrance of the campus was suggested as an alternative and noted that that was the route used for past construction projects. Mr. Brown remarked that public roads are being used for the construction project and that their responsibility is to the safety of their students and Mr. Moolin added that the campus has a higher density of pedestrians than Wells Road.

Ms. Bianconi polled her board to determine if conditions for Site Plan approval should be considered regarding no parking on Wells Road:

Bianconi – “No”

Foser: “Safety is my concern”

Murphy – “No”

Sheradin – “No”

Zimdahl – “No”

Ms. Bianconi then asked if there were any comments from the public regarding the SEQR and limited all speakers to two minutes.

Wells Road residents, Bill Roberts and Joanne Baum, echoed board members concerns about Wells Road siting:

* Small children in the vicinity
* Quiet, residential street
* Access to and from the Community Medical Center
* The impact on Peachtown Elementary School
* Increased noise 5-6 days per week, 7:30 am – 4:30 pm
* Past construction projects used access via the north entrance

The Planning Board and the applicant continued discussing construction access and the applicant acknowledged that both access roads would probably be used and Mr. Teter remarked that he would consult with the village superintendent of public works regarding the potential impact of the construction vehicles on Wells Road.

Dr. Linda Schwab addressed the expansion of the Woods Lot parking area noting:

* Not all plants in the area had sprouted when the site visit was conducted
* Requests mitigation if plants not noted on the survey are found during construction
* Questioned when and where the applicant is moving the Kentucky Coffee trees
* Will there be another expansion?
* Reiterated that Wells College has a responsibility for its resources

**Special Use Permit Public Hearing**

On motion by Ms. Foser, seconded by Mr. Zimdahl, the Planning Board voted to open the public hearing of Application #16-02 for a special use permit for excavation at 9:25 pm.

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

NAYS: None

Motion carried unanimously.

Ms. Bianconi asked if there was any public comment and no one requested to speak.

On motion by Ms. Foser, seconded by Ms. Sheradin, the Planning Board voted to close the public hearing for Application #16-02 at 9:26 pm.

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

NAYS: None

Motion carried unanimously.

On motion by Ms. Sheradin, seconded by Mr. Zimdahl, the Planning Board voted to approve the Special Use Permit for Application #16-02 from Wells College for excavation of a new dorm and expansion of Woods Lot parking area, per Site Plan and SWPP standard conditions between the Village and the applicant.

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

NAYS: None

Motion carried unanimously.

On motion by Ms. Murphy, seconded by Ms. Sheradin, the Planning Board voted to accept the current version of Application #16-02 with the following conditions and resolutions executed by village attorney, Tom Blair, to be approved at the next Planning Board meeting. (see attached resolution)

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

NAYS: None

Motion carried unanimously.

On motion by Ms. Foser, seconded by Ms. Murphy, the Planning Board voted to adjourn the meeting at 10:35 pm.

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

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni

Village Clerk

**VILLAGE OF AURORA, CAYUGA COUNTY**

**SEQRA RESOLUTION #16-05**

**WELLS COLLEGE PROPOSED NEW STUDENT RESIDENCE HALL**

**May 25, 2016**

A regular meeting of the Village of Aurora Planning Board (“Planning Board”) was convened at approximately 7:00 p.m. on May 25, 2016 in Village Hall located at 456 Main Street, Aurora, New York. The meeting was called to order by the Chair, and roll being duly called, the following members were present: Chairwoman Patricia Bianconi, Pat Foser, Michele Murphy, Pam Sheradin and Frank Zimdahl.

The following persons were also present: *See attached attendance list provided as part of* ***Exhibit “A”****.*

This proposed Resolution was offered by Planning Board Member Sheradin and

seconded by Member Murphy.

**WHEREAS**,

1. In accordance with the New York State Environmental Quality Review Act (“SEQR”) 6 NYCRR Part 617, the Planning Board of the Village of Aurora (“Planning Board”) announced its intent to serve as Lead agency on March 23, 2016, to conduct an environmental review of a proposed Wells College (“Applicant”) New Student Residence Hall to be located on Applicant’s campus. The proposed action will result in the construction of a 4-story, approximately 32,000 square foot dormitory building which will provide: 100+ beds, student supportive common areas, laundry rooms, restroom and shower facilities, cooking facilities, and a campus mail center (the “Building”); the expansion and improvement of Applicant’s existing parking lot known as “Woods Lot”; together with new parking arrangements, recreational features for students, curbing, landscaping, lighting, storm sewers, and related infrastructure at and/or abutting the Building and Woods Lot (collectively, the “Action”); and
2. 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; and
3. The Planning Board, as lead agency has caused to be prepared an environmental assessment of the significance of potential environmental impact(s) likely to be caused by the Action. The Applicant submitted to the Planning Board site plans, renderings, engineering studies and supportive materials (the “Project Application”) together with an FEAF on March 14, 2016, and then provided revisions of the FEAF to the Planning Board on March 23 and 31, and April 4 and 27, 2016, and thereafter provided supplemental materials to the FEAF on April 26 and 27, 2016; and
4. A copy of the SEQR Full Environmental Assessment Form (“FEAF”), as completed, is attached hereto and made part of Exhibit **“A”**, hereto; and
5. On April 9, 2016 the Planning Board notified all potentially Involved and Interested Agencies of its intention to act as Lead Agency for the Project, and circulated the FEAF and supportive materials concerning the nature, scope, and scale of the Action. No other Agency asserted its desire, legal authority or jurisdiction to serve as lead agency; and
6. An extensive environmental record has been compiled including, but not limited to the Applicant’s Project Application with all supportive materials accompanying it to include site plans, renderings, drawings, and engineering reports and the FEAF as completed together with the below noted communications and/or materials (collectively, the “Environmental Record”), all of which is maintained in the Village Clerk’s office for public review:

- Preliminary Engineering and Due Diligence Report, Beardsely, March 14, 2016

- Email, Dr. Linda Schwab, April 6, 2016

- Email, Dr. Linda Schwab, April 7, 2016

- Email, NYDEC David Bimber, April 27, 2016

- Letter, NYSHPO Laurie Klenkel, April 27, 2016

- Email, Dr. Linda Schwab, April 27, 2016

- Letter, William and Laurie Roberts, May 10, 2016

- Letter Joanne Baum, May 10, 2016

- Letter, Margaret Flowers, May 11, 2016

- Email, Ashley Gingeleski, May 11, 2016

- Letter, Dr. Linda Schwab, May 11, 2016

- Letter, EDR John Hecklau, May 13, 2016

- Letter Beardsley Steve Moolin, May 18, 2016

- Summary Report, F. Robert Wesley, May 24, 2016

- Email, NYDEC David Bimber, May 25, 2016

- Undated 2-page Letter, Dr. Linda Schwab

1. Each member of the Planning Board visited the site(s) of the proposed Action to consider the site, the proposed Action, and the existing environment in light of the Environmental Record; and
2. The Planning Board retained the services of an independent botanist, F. Robert Wesley, Professor of Botany, Cornell University, to assist and guide the board in better understanding the land affected by the proposed Action, with special consideration being given to habitats and species of trees, flora and fauna on and/or abutting the Woods Lot; and
3. Consequently, Professor Wesley conducted an in person site visit to examine the Woods Lot and abutting areas on May 23, 2016 and thereafter examined Applicant’s FEAF with supporting materials and the Environmental Record before issuing a summary report to the Planning Board dated May 24, 2016, which detailed his professional opinion there was not a significant environmental reason to further study, delay, or re-examine Applicant’s Action and proposed clearing plan, as abutting areas of forest were noted to be of much greater value than the areas proposed to be cleared, and only the presence of two (2) Kentucky Coffee Trees located on areas abutting the Woods Lot were of particular environmental concern as the species of tree is deemed rare in nature under certain circumstances; and
4. Professor Wesley determined that the two (2) trees identified as Kentucky Coffee trees, however, were not likely naturally occurring on the area of land abutting Woods Lot, and thus, should not be deemed rare or endangered as they were likely planted landscaping features that can be safely removed and relocated; and
5. On March 23, April 27, and May 25, 2016 the Planning Board met during properly noticed regular meetings to discuss and thorough analyze all facets of the Action and the Environmental Record to consider the potential environmental impacts; and
6. Pertaining to FEAF Part Two ¶7 considerable discussion and evidentiary data was gathered, analyzed and considered by the Planning Board pertaining to the clearing of certain trees, flora and fauna located adjacent to the existing Wells College Woods Lot (hereinafter, “Woods Lot Expansion Area”) to create an additional 61 parking spaces to accommodate the loss of a similar number of spaces on an area of campus where the Building will be constructed. Specifically, evidence pertaining to the loss of natural habitat for animals, currently thriving trees including the Kentucky Coffee tree, and many other species of flora and fauna, was received and studied in great deal with the Planning Board determining the proposed clearing of trees, saplings, shrubs, flora, fauna and grasses to be a small impact rather than a moderate to large impact for the reasons that follow:
7. The potential loss of buckthorn (*Rhamnus cathartica*) which may help to protect against deer and other animal pressures levied on young species of hickories (*Cara ovata* [shagbark] and *Carya glabra* [pignut] and oaks was deemed to be a small environmental impact rather than moderate to large, as none of the involved species were identified as being on the New York State Department of Environmental Conservation’s (“DEC”) rare or endangered species list. Further, examples of healthy buckthorn growth was noted nearby and on other areas of the Applicant’s campus in close proximity to oak and hickory growth.
8. The potential loss of hickory and oak trees, saplings, wildflowers, grasses and 21 trees of at least 12-inch diameter, as proposed due to clearing, was deemed to be a small environmental impact rather than moderate to large, as none of the involved species were identified as being on the DEC’s rare or endangered species list and are fairly common in nature in this specific geographical area. Further the Planning Board found that existing forests and woodlands abutting the Woods Lot site and other areas of campus provided ample resources for ecological health for the above-reference species of concern, as well as others.
9. The proposed clearing would result of the removal of approximately 0.73 acres of non-rare wooded area within a larger contiguous wooded area and range of approximately 90 acres that is owned by the Applicant, thereby resulting in an estimated net loss of 0.8% of the woodland areas on campus, which is deemed to be very minor in scope and scale.
10. The proposed clearing would occur in a geographic area which does not include listing by DEC as a critical environmental area, and is not listed by the DEC as an area that is known to contain “Rare Plants and Rare Animals” or “Significant Natural Communities” according to the DEC Resource Mapper.
11. Although Applicant’s consultant Environmental Design & Research (“EDR”) disclosed that research of the United States Fish and Wildlife Service’s Information for Planning Conservation (“IPAC”) database and the DEC’s Environmental Resource Mapper uncovered that two bat species (the endangered Indiana bat [*Myotis sodalist*] and the threatened northern long-eared bat [*M. septentrionalis*]) may occur on campus wooded areas, primarily outside of the proposed Woods Lot Expansion Area, the Applicant has nonetheless committed to ensure that any proposed tree clearing would occur only between October 1 and March 31 in order to ensure no disruption in the nesting, feeding or breeding habits and/or habitats of either bat species, or other bats, which may occur on or around the site of the proposed Action.
12. While evidence compiled and analyzed suggests that the Woods Lot Expansion Area could be possible breeding and foraging habitat for the red headed woodpecker, which is currently identified by New York State as a species of special concern (rather than threatened or endangered), it was determined by the Planning Board that there exists ample habitat for this avian species on campus, including within closely contiguous woodlands.
13. Applicant has agreed to carefully remove and relocate two Kentucky Coffee trees that have been identified at the Woods Lot Expansion Area to other parts of campus that will provide the best chance for the health and vitality of these trees.
14. According to DEC’s New York Nature Explorer application, the Woods Lot Expansion Area does not demonstrate documented occurrences of rare or endangered species and significant wildlife habitats; and
15. The Village will continue to work with all Federal, State and local agencies until all necessary permits and approvals have been obtained as may pertain to the Action;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Planning Board of the Village of Aurora hereby determines that, based on the Environmental Record which has been thoroughly prepared, and carefully considered, the proposed Action will not have a significant adverse effect upon the environment and therefore an environmental impact statement will not be prepared. For these reasons, a Negative Declaration under SEQR is therefore issued for this Project; and

**IT IS FURTHER RESOLVED**, that the Village Planning Board Chair is authorized to sign the Full Environmental Assessment Form, file all necessary documents with the appropriate departments and agencies, and publish the Notice of Type I Negative Declaration in the Environmental Notice Bulletin.

The question of the foregoing Resolution was duly put to a vote and upon roll call was as

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| follows: |  |  |  |
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| Patricia Bianconi | Chair | Voted | YES |
| Pat Foser | Member | Voted | YES |
| Michele Murphy | Member | Voted | YES |
| Pam Sheradin | Member | Voted | YES |
| Frank Zimdahl | Member | Voted | YES |

The foregoing Resolution was thereupon declared duly adopted by a unanimous vote.

**Dated: May 25, 2016**

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|  | **IN THE MATTER Of** | **RESOLUTION #16-06 AFFIRMING SITE PLAN APPROVAL** |
| **The Application of Wells College for Site Plan approval for a Proposed New Student Residence Hall, on campus, Aurora, New York** | |
|  |  |  |

The **VILLAGE PLANNING BOARD OF THE VILLAGE OF AURORA** (“Planning Board”),in the County of Cayuga, State of New York, met in regular session at the Village Hall in the Village of Aurora (“Village”), located at 456 Main Street in the Village of Aurora, County of Cayuga, State of New York, on the 25th day of May, 2016, at 7:00 p.m. The meeting was called to order by Chairwoman Pat Bianconi, and the board attendance was note as follows:

Patricia Bianconi Chair Present

Pat Foser Member Present

Michele Murphy Member Present

Pam Sheridan Member Present

Frank Zimdahl Member Present

**WHEREAS,** application was made to the Planning Board by Wells College (the "Applicant") to construct a new 4-story student residence hall building of approximately 32,000 square feet which shall provide 100 beds, student supportive common areas, laundry rooms, restroom and shower facilities, cooking facilities and a campus mail center (the “Building”), and to expand and improve upon parking at Applicant’s existing campus “Woods Lot” parking area (“New Parking Area”), all to include certain new parking arrangements, recreational features for students, curbing, landscaping, lighting, storm sewers, and related infrastructure (hereinafter, the “Project”) on or about January 25, 2016, and said Application having been revised on or about March 14, 2016, and deemed complete by the Planning Board on March 23, 2016; and

**WHEREAS,** the Project set forth on the Site Plans accompanying the Applicant’s site plan review application, as revised, is in the Institutional Zoning District in the Village of Aurora; and

**WHEREAS**, the Project would be located upon a parcel of land currently identified as Tax Map #182.17-1-53 & 193.05-1-1 with direct access to both New York State Route 90 and Wells Road in the Village of Aurora as is set forth on those certain Maps of Beardsley Architects + Engineers (“Beardsley”), dated January 4, 2016 with revision dates of January 22, 2016, March 14, 2016, April 26, 2016; and May 25, 2016.

**WHEREAS**, the Applicant, had for a period of approximately six (6) months prior to submitting its Application, engaged the Planning Board in the process of concept planning for the Project; and

**WHEREAS**, the Applicant has submitted an initial site plan, special permit, and zoning permit application dated January 26, 2016, (the “Application”) which plan was later modified and amended on revision dates of March 14, 2016, resulting in a final site plan(s) revisions dated May 25, 2016 as noted by Beardsley (collectively the “Final Site Plans”); and

**WHEREAS,** the Project application was referred by the Village on April 12, 2016 to the Cayuga County Department of Planning & Economic Development for General Municipal Law 239 (l)(m) and (n) review and comment and to the Village of Aurora Community Preservation Panel (“CPP”) for a Certificate of Appropriateness;

**WHEREAS,** theCayuga County Department of Planning & Economic Development, via April 21, 2016 letter, approved the proposed Project, with recommended changes to include that the applicant implement New York State Department of Environmental Conservation redevelopment standards for runoff; and

**WHEREAS**, the Applicant, and/or Applicant’s consultants have attended work sessions with the Village in December 2015 and January and February 2016 in order to clarify project parameters, installations, details, and to explore ways to lessen potential adverse Project impacts; and

**WHEREAS**, during work sessions with the Village, the Applicant was made aware that pursuant to Village of Aurora Zoning Law section 803(c) and Article IX, a Special Use Permit would be required for the Project due to certain exterior improvements, including excavation on site; and

**WHEREAS**, Final Site Plan(s) last dated May 4, 2016 were submitted for Community Preservation Panel (“CPP”) review, pursuant to Village of Aurora Zoning Law, Article VII, and the CPP held meetings on February 3 and April 6, 2016 to review the Project and Applicant was granted a Certificate of Appropriateness for the Project on April 6, 2016; and

**WHEREAS**, during its regular meeting on May 25, 2016 the Planning Board, after the conduct of a duly noticed public hearing, granted Applicant a conditioned Special Use Permit pertaining to excavation work on the Project, a copy of which is attached hereto; and

**WHEREAS**, during its May 25, 2016 meeting, the Planning Board unanimously approved the Cayuga County Department of Planning & Economic Development recommendations and comments (with said minutes being attached hereto and made part hereof); and

**WHEREAS**, during Planning Board meeting(s) on March 23rd, April 27th, and May 25, 2016, the Planning Board undertook a careful review of Applicant’s site plan application (“Application”) for the Project and conducted a thorough site plan review during which it elicited comments and input from the Applicant and members of the community, and during which Applicant supplemented its Application by providing a response to the village residents letters dated May 18, 2016; and

**WHEREAS**, during the Planning Board meeting(s) on April 27th and May 25, 2016 the Planning Board undertook and extensive hard look at and analysis of the environmental record and environmental impacts potentially created by the Project, and as lead agency for purposes of the State Environmental Quality Review Act (“SEQR”), and issued a Negative Declaration for the Project on May 25, 2016;

**NOW, THEREFORE, BE IT RESOLVED**, upon a motion made by Planning Board Member Murphy and seconded by Planning Board Member Sheradin, and after an affirmative vote of a majority of the Members present, as is recorded below, the Village of Aurora Planning Board hereby approves the Final Site Plans submitted by the Applicant, Wells College, with the following conditions:

1. Before the issuance of a building permit, the following conditions shall apply:
2. That the Site Plan Permit issued shall expire and terminate twenty-six (26) month from the date of issuance so long as authorized work is commenced within one (1) year from the date of issuance. If Applicant fails to comply with conditions stated herein or fails to commence authorized work within one (1) year of the issuance of the Site Plan Permit, said Site Plan Permit shall expire upon five (5) days written notice to Applicant.
3. That the Applicant establish, and/or replenish its escrow account to such levels as is determined by the Village consistent with local law, and tender payment to the Village for all expenses incurred as a result of the Project within 15 days of receipt, including engineering and legal consultant professional review fees, in accordance with Village law.
4. That construction sequencing, scope, hours of construction, planned construction activities and stormwater plans be submitted to and approved by the Planning Board Chair and Village Engineer.
5. The Final Site Plans be reviewed and approved by the Aurora Volunteer Fire Department.

B. After the issuance of a building permit the following conditions shall apply:

1. That Site Plan #C-109, dated May 25, 2016, the narrative dated March 23, 2016; be complied with in all respects.
2. The exterior design of all structures shall be shown on the design plans and shall bear the seal of a New York State licensed and registered architect who created the designs, or had sufficient, direct knowledge of the requirements of this project and directed the design.
3. All plans shall bear the seal of a New York State licensed professional engineer or architect, as applicable.
4. Any additional signage not previously shown on plans submitted as part of Applicant’s site plan review application shall be presented to the Village Code Enforcement Officer, or other designated Enforcement Officer, for consideration and processing as a separate and distinct sign package application.
5. All applicable permits and approvals must be obtained from New York State Electric & Gas for electricity and natural gas supply.
6. All applicable permits and approvals must be obtained from the New York State Department of Transportation prior to the commencement of construction activities within the respective right-of-ways, as may be applicable.
7. All applicable permits and approvals must be obtained from the New York State Department of Health, where applicable and/or appropriate.
8. All applicable permits and approvals from the Cayuga County Department of Health must be obtained where applicable and/or appropriate.
9. Building design and finished construction must meet the requirements stated in the latest version of the Uniform Fire Prevention and Building Code (Uniform Code) and State Energy Conservation Construction Code (Energy Code) and receive building permit approval and inspection from the Village of Aurora Department of Building and Fire Code Enforcement.
10. Applicant shall obtain coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity and develop a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements in the General Permit for Stormwater Discharges from Construction Activity to be approved by the Village Engineer prior to and as a condition to any and all building permit(s).
11. The Applicant shall obtain any other necessary permits or approvals required by local, state or federal law.
12. Applicant shall inform the Village Engineer of any proposed changes to the Final Site Plans and if, in the opinion of the Village Engineer, the proposed changes constitute substantial modifications to the existing project footprint, site design features, or site development improvements, for example, modifications to planned stormwater facilities or parking areas, the Applicant shall submit an application to the Planning Board for an amended site plan.
13. Buffering is required as follows: (i) Applicant and landowner shall at all times protect and maintain existing and planted trees as reflected on the Final Site Plans and as otherwise set forth herein, and vegetation buffers; and (ii) Applicant and landowner shall locate, relocate and/or plant coniferous trees as included and indicated upon the site plans, landscape plans, or as set forth herein prior to and as a condition of the issuance of any Certificate of Compliance or Certificate of Occupancy for the Building. Applicant shall work directly with the Village Engineer on the quantity and location of screening and buffering installations and/or maintained trees, bushes, shrubs, and plants.
14. All existing or required vegetative buffers shall be maintained as healthy and natural, non-invasive vegetation designed to provide both visual and sound buffering. Emphasis shall be placed upon solid cover barriers, such as hedges and offset rows of evergreen trees, or densely placed deciduous trees with variable heights and interspersed with evergreens or other plants as provided for such cover. Buffers shall be properly maintained and any dead, diseased, or dying trees or plants shall be promptly replaced, and any tree or plants that, whether singularly or in combination, due to lack of growth, death, recession, disease, or other cause, cease to function as buffers shall be replaced in a manner as promotes the goal of such buffer as stated in the approved site plans.
15. That Applicant promptly provide security required by Village Code section 504 ensuring the future maintenance of the Buffer between the Project and the residences on Wells Road in the amount of $2,000.00.
16. Applicant shall provide the Planning Board with a Schedule of Completion and a Schedule of Values prior to the commencement of any site preparation activities or construction activities.
17. That the Site Plan Permit issued shall expire and terminate twenty-six (26) month from the date of issuance so long as authorized work is commenced within one (1) year from the date of issuance. If Applicant fails to comply with conditions stated herein or fails to commence authorized work within one (1) year of the issuance of the Site Plan Permit, said Site Plan Permit shall expire upon five (5) days written notice to Applicant.
18. That the Applicant establish, and/or replenish its escrow account to such levels as is determined by the Village consistent with local law, and tender payment to the Village for all expenses incurred as a result of the Project within 15 days of receipt, including engineering and legal consultant professional review fees, in accordance with Village law.
19. Applicant shall endeavor to use both Wells Road and Glenn Park Road jointly for construction vehicle access to the Project site with Wells Road being used on as needed basis only.
20. Any and all Kentucky Coffee trees located and discovered on site, including the two Kentucky Coffee trees identified prior to the Planning Board’s May 25, 2016 meeting, shall be appropriately and carefully removed and relocated in appropriate areas on campus that allow for the best chance of long term health and survivability. Coordination of the removal and relocation of said trees shall be undertaken with the direct assistance of a qualified botanist.
21. Applicant’s Wells Road campus safety and congestion issues pertaining to potential unauthorized student and/or staff vehicular parking on or along Wells Road shall be studied and then appropriately acted upon regarding the best methods for ameliorating said safety concerns as it pertains to the residents and tenants located along Wells Road. Any plans of action shall be clearly communicated to the Planning Board upon Applicant’s adoption of appropriate plans of action in adherence herewith.
22. All references to “Applicant” shall include the Applicant’s successors and assigns.

**IT IS HEREBY FURTHER RESOLVED**, based upon its review of all relevant information submitted by the Applicant and the Village’s consultants, the Planning Board finds that the proposed Site Plan satisfies the requirements and goals set forth the Village of Aurora’s Comprehensive Plan, and is in the public’s best interests, therefore the Final Site Plans with final revision dates of May 25,, 2016, as specified herein, are approved.

**IT IS HEREBY FURTHER RESOLVED**, that this Resolution will be filed in the Office of the Village Clerk in files that are readily accessible to the public and made available upon request, subject only to the limitations established by New York’s Freedom of Information Law.

**IT IS HEREBY FURTHER RESOLVED**, that this Resolution shall take effect immediately.

The adoption of the foregoing resolution was moved by Ms. Murphy and seconded by Ms. Sheradin, and duly put to vote, which resulted as follows:

**Record of Roll Call Vote** **Yes/No**

Chair Patricia Bianconi Present YES

Member Frank Zimdahl Present YES

Member Pat Foser Present YES

Member Michele Murphy Present YES

Member Pam Sheridan Present YES

The Resolution was thereupon duly adopted.

STATE OF NEW YORK )

)SS.:

COUNTY OF CAYUGA )

**I, ANN BALLONI,** Clerk of the Village of Aurora Planning Board, **DO HEREBY CERTIFY** that the preceding Resolution was duly adopted by the Village Planning Boardof the Village of Aurora at a regular meeting of the Board duly called and held on the 25th day of May 2016; that said Resolution is true and accurate and was entered in the minutes of said meeting.

**I HEREBY ALSO CERTIFY** that all members of said Board had due notice of said meeting.

**IN WITNESS WHEREOF,** I have hereunto set my hand and affixed the seal of the Village of Aurora, this 25th day of May, 2016.

DATED: May 25, 2016

Aurora, New York

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
 Ann Balloni  
 Clerk of the Village of Aurora  
 Planning Board  
 Cayuga County

