

Planning Board November 23, 2020 Regular Meeting and Public Hearing Minutes

The meeting was held via Zoom at 6:00 pm

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

Others Present:

Village Officials: Clerk Ann Balloni, Mayor Bonnie Apgar Bennett, Code Enforcement Officer Patrick Doyle, ZBA members Karen Hindenlang and Laura Holland, and Village Engineer Ken Teter

Members of the Public: Virgil Farlow, MRB Engineer Tom Fromberger, CJ Koepp, and Steven Zabriskie

Public Hearing Call to Order: On motion by Mr. Zimdahl, seconded by Ms. Foser, the Planning Board voted to call the Public Hearing to order for the amendment to Application 06-07 for a Special Use Permit for excavation of a drainage pipe at 6:00 pm.

AYES: Bianconi, Foser, Murphy, Sheradin and Zimdahl

NAYS: None

Motion carried unanimously.

Public Comment

Jim Kirkwood: Ms. Bianconi read an email (attached) from Mr. Kirkwood stating that he is in favor of the project.

Steven Zabriskie: Mr. Zabriskie, speaking on behalf of the Aurora Masonic Center, spoke in favor of the project.

On motion by Ms. Foser, seconded by Ms. Sheradin, the Planning Board voted to close the Public Hearing for the amendment to Application #06-07 at 6:05 pm.

AYES: Bianconi, Foser, Murphy, Sheradin and Zimdahl

NAYS: None

Motion carried unanimously.

Ms. Bianconi called the regular meeting to order at 6:06 pm.

Changes to the Agenda: No changes

Approval of Minutes: On motion by Ms. Sheradin, seconded by Ms. Murphy, the Planning Board voted to approve the September 23, 2020 minutes.

AYES: Bianconi, Foser, Murphy, Sheradin and Zimdahl

NAYS: None

Motion carried unanimously.

Announcements: The December Planning Board meeting is moved from Wednesday, December 23 to Tuesday, December 22.

Old Business

Application #-06-07 (amendment) from Cynthia Koepp and John Place for a Special Use Permit for excavation of a drainage pipe at 327 Main St (Tax Map #181.16-1-26).

On motion by Ms. Foser, seconded by Mr. Zimdahl, the Planning Board voted to deem the amendment to Application #06-07 complete.

AYES: Bianconi, Foser, Murphy, Sheradin and Zimdahl

NAYS: None

Motion carried unanimously.

Ms. Bianconi noted that a Full State Environmental Quality Review was completed for the project in 2006.

Mr. Doyle explained that the 36" drainage pipe follows the same location as sited in the original plan except there is now only one turn with the pipe leading straight to Cayuga Lake.

Mr. Fromberger added that the New York State Department of Transportation sized the 36" pipe to connect to their pipe under State route 90.

Mr. Teter acknowledged that the project resolves the flooding on the village sidewalk and the drainage intel caps, along with a newly constructed swale, will capture surface runoff. Removal of landscaping along the south boundary will also prevent the runoff onto neighboring properties. Mr. Teter added that he will be on-site periodically throughout the project.

The Planning Board reviewed the site plan checklist in section 903 of the Village Zoning Law and had no comments or questions.

The Planning Board reviewed the Special Use Permit criteria in section 803 of the Village Zoning Law and had no comments or questions.

**VILLAGE OF AURORA
RESOLUTION AFFIRMING APPROVAL OF AMENDED SITE PLAN
Application #06-07**

A regular meeting of the Village of Aurora Planning Board ("Planning Board") was convened at approximately 6:00 p.m. on November 23, 2020 via Zoom due to the Coronavirus pandemic. The meeting was called to order by the Chair, and roll being duly called, the following members were present:

Pat Foser
Michele Murphy
Pam Sheradin
Frank Zimdahl
Patricia Bianconi

WHEREAS, application was made to the Planning Board by Cynthia Koepp (the "Applicant") for the construction and installation of certain storm water drainage facilities relating to real property located within the Village which she owns as is identified as 327 Main Street, Village of Aurora (Tax Map No. 181.16-1-26) (hereinafter, the "Property"); and

WHEREAS, the Project application was initially reviewed by the Planning board during duly convened meetings occurring in 2006 through 2020; and

WHEREAS, the Planning Board granted approval for the construction and installation of certain drainage facilities at the property on or about November 8, 2006; and

WHEREAS, the drainage improvements were not made thereafter due to an ongoing course of negotiations with the New York State Department of Transportation (“NYSDOT”); and

WHEREAS, the NYSDOT has now consented to the Applicant connecting to the NYSDOT drainage system infrastructure located due east of the Property within the New York State right of way along state route 90; and

WHEREAS, the Applicant on June 1, 2020, submitted an Amended Site Plan application to reflect certain updates made to the proposed drainage facilities to be constructed and installed upon the Property, as are reflected in the MRB Group Site Plans # 2897.17001, dated July 24, 2020, with revision dates of August 19, 2020, September 2, 2020, November 17, 2020, and November 23, 2020 (“Amended Site Plan”); and

WHEREAS, the Amended Site Plan Application was deemed to be a complete application by the Planning Board during a properly convened meeting on November 23, 2020; and

WHEREAS, the Applicant on June 1, 2020, submitted an application letter with exhibits detailing Applicant’s request for a Special Use Permit (“SUP”) with respect to certain excavation requirements for the contemplated drainage work to be accomplished together with criteria and evidence relating thereto (the “SUP Application”); and

WHEREAS, the Planning Board, previously completed its obligations to take a “hard look” at the Project pursuant to the New York State Environmental Quality Review Act (“SEQR”), which resulted a negative declaration being issued on May 31, 2006; and

WHEREAS, the Application is exempt from General Municipal Law §239-l, m and n review by the Cayuga County Planning Board pursuant to an Intermunicipal Agreement dated June 15, 2014, between the Village of Aurora and the Cayuga County Planning Board; and

WHEREAS, the Planning Board, having opened and closed a properly advertised and convened Public Hearing on November 23, 2020, and having completed its careful review of Applicant’s original site plans, Amended Site Plan Application, and application for a Special Use Permit:

NOW, THEREFORE, BE IT RESOLVED, upon a motion made by Planning Board member Pat Foser and seconded by Planning Board Member Michele Murphy, and after an affirmative vote of a majority of the Members present, as is recorded below, the Village of Aurora Planning Board hereby **approves/disapproves** Applicant’s SUP Application; and

IT IS FURTHER RESOLVED, that the Amended Site Plan Application as detailed on MRB Group Site Plans # 2897.17001 dated July 24, 2020, with revision dates of August 19, 2020, September 2, 2020,

November 17, 2020, and November 23, 2020 is hereby **approved**/disapproved with the following conditions:

A. Before the issuance of a building permit, the following conditions shall apply:

1. Payment of all application, legal, engineering, and professional review fees incurred by the Village.
2. Receipt of documentation confirming the filing of an easement with the Cayuga County Clerk's Office related to the drainage facilities passing over, under, and/or through the lands of James Kirkwood, as per the MRB Group Site Plans last dated November 23, 2020.

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

1. That Site Plans dated July 24, 2020, and last revised on November 23, 2020, together with Applicant's conditional approval be complied with in all respects.
2. The Applicant shall obtain any other necessary permits or approvals required by local, state or federal law.
3. Applicant shall inform the Planning Board of any proposed changes to the approved site plans and if, in the opinion of the Planning Board, the proposed changes constitute substantial modifications to the existing project footprint, site design features, or site development improvements, the Applicant shall submit an application to the Planning Board for an amended site plan.
4. That the Site Plan Permit issued shall expire and terminate twelve (12) months from the date of issuance so long as authorized work is commenced within six (6) months from the date of issuance. If Applicant fails to comply with conditions stated herein or fails to commence authorized work within six (6) months of the issuance of the Site Plan Permit, said Site Plan Permit shall expire upon five (5) days written notice to Applicant.
5. 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 Amended Site Plan **satisfies**/does not satisfy (circle one) the requirements and goals set forth in the Village of Aurora's Comprehensive Plan, and **is**/is not (circle one) in the public's best interests, therefore the Amended Site Plans with a final revision date of November 23, 2020, as specified herein, are **approved**/disapproved.

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 Frank Zimdahl and seconded by Pat Foser, and duly put to a vote, which resulted as follows:

<u>Board Member</u>	<u>Yea</u>	<u>Nay</u>
Pat Foser	x	
Michele Murphy	x	
Pam Sheradin	x	
Frank Zimdahl	x	
Patricia Bianconi	x	

The Resolution was thereupon **adopted**/not adopted.

New Business: No New Business was discussed.

Adjournment: On motion by Ms. Murphy, seconded by Ms. Sheradin, the Planning Board voted to adjourn the meeting at 6:25 pm.

AYES: Bianconi, Foser, Murphy, Sheradin and Zimdahl

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni
Village Clerk