

Village of Aurora Board of Trustees February 10, 2021 Public Hearing and Special Meeting Minutes

The meeting was held at 6:00 p.m. via ZOOM video conference due to the Coronavirus Pandemic.

Present: Mayor Bennett, Trustees Grace Bates, Matt Bianconi, Thea Miller, and Janet Murphy

Others Present

Village Officials: Village Clerk Ann Balloni, Village Attorney Thomas Blair, Planning Board members Pat Bianconi, Pat Foser and Pam Sheradin, ZBA member Laura Holland

Inns of Aurora: Accountant Jodi Bennett, General Manager Sue Edinger and Attorney Wendy Marsh

Wells College: Attorney John Callahan

Local Residents: Jacci Farlow, Sandy & Mike Groth

Call to Order: Mayor Bennett called the meeting to order at 6:00 p.m.

Public Hearing

On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to open the Public Hearing for Local Law #1 of 2021 at 6:02 p.m.

AYES: Bennett, Bates, Bianconi, Miller, and Murphy

NAYS: None

Motion carried unanimously.

Mayor Bennett read the meeting procedures for public comment (attached).

Public Comment

Wendy Marsh: Ms. Marsh agrees that the Village should update the Master Plan and Zoning Law but feels the Moratorium Law is too restrictive. Ms. Marsh questioned why the Village can't do the updates without the moratorium and is concerned with a pending application submitted to the village in October and revised February 10, 2021.

Sue Edinger: Ms. Edinger echoed Ms. Marsh and added that Inns of Aurora employee's jobs are in jeopardy if the Moratorium Law is passed. Ms. Edinger also spoke to the pending application for a permanent tent, kitchen, and additional bathrooms.

John Callahan: Mr. Callahan agrees with Ms. Marsh that the law is "overly restrictive". Mr. Callahan referred to Wells current financial challenges and their desire to subdivide certain properties to potentially sell. The moratorium will curtail their plan for nine months.

Pat Bianconi: Ms. Bianconi referred to a letter (attached) that she submitted to the Board of Trustees in favor of the moratorium.

Pat Foser: Ms. Foser referred to a letter (attached) from the Village Planning Board, submitted to the Board of Trustees in favor of the moratorium.

Jacci Farlow: Ms. Farlow spoke against the Moratorium Law in support of the Inns of Aurora and Wells College.

Sandy Groth: Ms. Groth voiced concern of continued “encroachment” into residential neighborhoods by the Inns of Aurora.

Mike Groth: Mr. Groth agrees with the intent of the Moratorium Law and advised the Board of Trustees to “proceed thoughtfully”.

Mayor Bennett read letters (all attached) from the Village of Aurora Planning Board, Alan Ominsky, Jim Burkett, Nancy Gil, Bill & Laurie Roberts, and Jim Orman; all in favor of the Moratorium Law.

Mayor Bennett asked if anyone had additional comments.

Wendy Marsh: Ms. Marsh requested that the pending application remain separate from the moratorium, noting that the Inns of Aurora prefer to avoid the hardship appeal process granted in the law.

Sue Edinger: Ms. Edinger reiterated the importance of updating the Village Master Plan and Zoning Law. Ms. Edinger added that the Inns of Aurora and its employees are as much a part of the community as village residents. The pending application was submitted on the instruction of the Code Enforcement Officer at the time, Patrick Doyle, and should be allowed to proceed.

Mr. Blair noted a typo on page 6, section 5.F of the Moratorium Law and corrected it to say (in bold) “In the event the Village Board does not grant a **variance to** an application submitted pursuant to this section within forty-five (45) days of receipt, the application shall be deemed denied.”

On motion by Trustee Murphy, seconded by Trustee Bates, the Village Board voted to close the Public Hearing for Local Law #1 of 2021 at 6:30 p.m.

AYES: Bennett, Bates, Bianconi, Miller, and Murphy

NAYS: None

Motion carried unanimously.

Mayor Bennett thanked everyone for their comments and noted that the goal is to complete the updates ahead of the 9-month deadline. Mayor Bennett reminded everyone that the moratorium is for non-residential zoning districts, but any projects that only require Community Preservation Panel review may move forward during the moratorium.

VILLAGE OF AURORA RESOLUTION ENACTING LOCAL LAW # 1 OF 2021

Introduced by: Trustee Murphy

Seconded by: Trustee Bates

Dated: February 10, 2021

WHEREAS, on January 20, 2021 the Village Board of Trustees of the Village of Aurora (“Village Board”) introduced proposed Local Law #1 of 2021, which law establishes a nine (9) month moratorium on the filing, acceptance and/or, approval of applications for non-residential rezoning, special and conditional use permits, use variances, site plan, subdivisions, certain area variances, and alterations or extensions of non-conforming uses by the Planning Board, the Zoning Board of Appeals, Community Preservation

Panel, the Building Inspector/Code Enforcement Officer or the Village Board of Trustees, as the case may be, within the Village of Aurora; and

WHEREAS, following the introduction of the proposed Local Law #1 of 2021, a properly noticed public hearing was conducted by the Village Board on February 10, 2021, during which public input was received and reviewed; and

WHEREAS, the proposed Local Law was duly referred to the Cayuga County Planning Board for review and comment pursuant to New York State General Municipal Law §239(l-m); and

WHEREAS, there were no significant comments on the proposed Local Law provided to the Village Board by the Cayuga County Planning Board which resulted in revisions to the proposed Local Law; and

WHEREAS, a public hearing having been held on proposed Local Law #1 of 2021 by the Village Board and proof of publication of notice of same, as required by law, has been submitted and filed, and all persons desiring to be heard in connection with said proposed Local Law having been heard, and said Local Law having been in the possession of the members of the Village of Aurora Board of Trustees in its final form in the manner required by Section 20 of the Municipal Home Rule Law of the State of New York; and

WHEREAS, the enactment of proposed Local Law #1 of 2021 has previously been determined to be a Type II Action under the State Environmental Quality Review Act regulations and is thus, not subject to further environmental review; and

WHEREAS, it is in the public interest to enact proposed Local Law #1 of 2021.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The Village of Aurora Board of Trustees finds and determines that it has properly noticed and convened a public hearing on proposed Local Law #1 of 2021 on February 10, 2021, and that sufficient consideration has been given to all comments (if any) received during the public hearing.
2. Proposed Local Law #1 of 2021 is a Type II action under SEQRA §617.5(c)(30) and thus requires no environmental review.
3. Local Law #1 of 2021, as set forth in its entirety as attached hereto, is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.
4. Blair Law Firm, as counsel for the Village, is hereby authorized and directed to file a copy of said Local Law #1 of 2021 with the Secretary of State.

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

Trustee Janet Murphy	AYE
Trustee Matt Bianconi	AYE
Trustee Grace Bates	AYE
Trustee Thea Miller	AYE

Mayor Bonnie Apgar Bennett AYE

Vote: Resolution carried by a vote of 5 to 0.

Adjournment: On motion by Trustee Miller, seconded by Trustee Murphy, the Village Board voted to adjourn the meeting at 6:40 p.m.

AYES: Bennett, Bates, Bianconi, Miller, and Murphy

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni
Village Clerk