

### Planning Board May 10, 2023 Meeting Minutes

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

**Present:** Chairperson Pat Bianconi, Pat Foser, Laura Heslop (alternate), Tee-Ann Hunter, and Michele Murphy

**Absent:** Pam Sheradin

**Others Present:** Clerk Ann Balloni, Village Attorney Tom Blair, Kevin Fitzgerald, Trustee L. John Miller, and Mayor Jim Orman

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

**Changes to the Agenda:** No changes.

**Approval of Minutes:** On motion by Hunter, seconded by Foser, the Planning Board voted to approve the April 12, 2023 minutes.

AYES: Bianconi, Foser, Heslop, Hunter, and Murphy

NAYS: None

ABSENT: Pam Sheradin

Motion carried unanimously.

**Announcements:** Ms. Bianconi introduced Laura Heslop, recently appointed as the Planning Board alternate. Ms. Heslop confirmed that she reviewed all materials for the review of Application #23-04.

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

#### New Business

#### **#23-04 from Wells College/Kevin Fitzgerald for a demolition at 110 Main St, McGordon House (Tax Map #193.05-1-4)**

**SEQR:** The Planning Board completed Part 2 of the Short Environmental Assessment Form, SEAF, (attached) and found “no to small impacts” for all questions, though Pat Foser voted “moderate to large impacts” for question 2.

Ms. Hunter, referring to question 8, noted that the Planning Board was not allowed inside the building and requested that the history and contents of the building be well documented given the sentimental impact on the village. Mr. Fitzgerald responded that Wells College was concerned with liability of the condemned structure and agreed to fully document prior to demolition. Ms. Hunter further requested notification to the Planning Board if any artifacts are found on the site during the demo process. Mr. Blair noted that it is a State regulation to notify any agencies with applicable jurisdiction if artifacts are discovered.

Referring to question 9, Ms. Hunter requested that a condition be added to the resolution giving the village engineer review of the erosion plan.

**Special Use Permit:** The Planning Board reviewed the Special Use Permit criteria in section 901.A.1-6 of the village zoning law and agreed that Application #23-04 is compatible with the requirements.

**VILLAGE OF AURORA**  
**SEQRA/SPECIAL USE PERMIT RESOLUTION**  
**FOR THE PROPOSED DEMOLITION OF 110 MAIN STREET, AURORA, NEW YORK**  
**May 10, 2023**

**WHEREAS**, an application was made by Kevin Fitzgerald/Aurora Rt 90 Group, LLC (“Applicant”) as authorized agents of Wells College to the Planning Board of the Village of Aurora (“Planning Board”) on or about February 15, 2023 for the approval of plans for the demolition of an abandoned house located 110 Main Street, Aurora, New York (the “Building”); and

**WHEREAS**, the Project’s application materials include an Application for Demolition, a Special Use Permit application, and a Short Environmental Assessment Form (“SEAF”) pursuant to the New York State Environmental Quality Review Act (SEQRA)(collectively, the “Application”); and

**WHEREAS**, the Planning Board on March 8, 2023, deemed the Application to be sufficiently complete for review, asserted its intention to serve as Lead Agency, and determined the proposed Action to be an Unlisted Acton as defined under SEQRA §617; and

**WHEREAS**, on or about March 9 & 15, 2023, the Planning Board, as Lead Agency, notified all potentially Involved and Interested Agencies of its intention to act as Lead Agency for the Action and circulated the Application and its Short Environmental Assessment Form. No other Agency asserted legal authority or jurisdiction to serve as lead agency; and

**WHEREAS**, on April 5, 2023, the Village of Aurora Community Preservation Panel (“CPP”) held a joint public hearing with the Planning Board for the purposes of reviewing and considering the pending demolition Application, and on April 10, 2023, issued a Certificate of Appropriateness for the demolition; and

**WHEREAS**, the Planning Board, during its April 12, 2023, meeting opened and closed a properly advertised and convened public hearing pertaining to SEQRA and the Applicant’s proposed Special Use Permit application; and

**WHEREAS**, on May 10, 2023, during a regularly convened Planning Board meeting, the Planning Board completed its review and “hard look” at the Action’s potential environmental impacts under SEQRA; and

**WHEREAS**, during its regular meeting on May 10, 2023, the Planning Board also conducted a review of the Special Use Permit application; and

**WHEREAS**, The Planning Board has carefully considered the environmental record prepared for this Action, including any comments received from the interested and/or involved Agencies and parties commenting and/or submitting evidence during the Public Hearing conducted on April 12, 2023. This record is attached to the Determination of Significance to be annexed hereto and made part hereof.

**NOW THEREFORE BE IT RESOLVED**, the Planning Board notes that the Village CPP, as part of its Certificate of Appropriate deliberations made certain factual findings, including but not limited to determining that the Building to be demolished is not included within the Aurora Village/Wells College Historic District boundaries, is not recognized as Village Landmark, and has been condemned by the

Village Code Enforcement Office due to structural deficiencies and unsafe conditions, and expressly confirms its agreement with and adoption of these factual findings, and acknowledges that the New York State Historic Preservation Office has determined that the Building is not eligible for listing in the State or National Historic Registries.

**NOW THEREFORE BE IT FURTHER RESOLVED**, the Planning Board, after a thorough and careful review of all materials and evidence before it, hereby issues its Determination of Significance under SEQRA expressly finding and determining that the proposed demolition of 110 Main Street, Village of Aurora, New York, is not likely to have significant adverse environmental impacts such that an environmental impact statement shall not be required, and as such a negative declaration is hereby issued.

**NOW THEREFORE BE IT FURTHER RESOLVED**, the Planning Board hereby approves the Applicant's Special Use Permit Application, subject to the following conditions:

- A. Before the issuance of a demolition permit, the following conditions shall apply:
  - 1. That demolition sequencing and workers hours, be submitted to and approved by the Planning Board Chair.
  - 2. That Applicant shall submit a Site Plan to the Planning Board in such form as is deemed acceptable by the Village Engineer and Planning Board Chair.
  
- B. After the issuance of a demolition permit the following conditions shall apply:
  - 1. All applicable permits and approvals must be obtained from the New York State Department of Transportation prior to the commencement of demolition activities within the respective right-of-way, as may be applicable.
  - 2. All applicable permits and approvals must be obtained from the New York State Department of Health, where applicable and/or appropriate.
  - 3. All applicable permits and approvals from the Cayuga County Department of Health must be obtained where applicable and/or appropriate.
  - 4. The Applicant shall obtain any other necessary permits or approvals required by local, state or federal law.
  - 5. That no debris from the demolition be allowed to enter the nearby gully.
  - 6. That clean fill shall be used to fill the site, as applicable, post demolition.
  - 7. There shall be no night or evening exterior lighting at the demolition site.
  - 8. Applicant shall provide the Planning Board with a Schedule of Completion prior to the commencement of any site preparation activities or demolition activities.
  - 9. Applicant shall comply with the reasonable requests of the Village Engineer to prevent drainage and/or erosion problems on site as a result of demolition activities.

10. Applicant shall immediately stop work upon the finding of any apparent artifact(s) during demolition and/or excavation activities and report the same to the agencies having applicable jurisdiction over the same.

11. All references to "Applicant" shall include the Applicant's successors and assigns.

**IT IS HEREBY FURTHER RESOLVED**, that the Planning Board Chair is hereby authorized to complete and sign any and all documents and forms necessary to give full effect to the findings made herein, and is authorized to utilize the services of counsel to the Village in order to accomplish the same promptly.

**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 AND FINALLY RESOLVED**, that this Resolution shall take effect immediately.

Now upon the Motion of Murphy, seconded by Heslop, a roll-call vote is tallied by the Village Clerk as follows:

Pat Foser: NAY  
Laura Heslop: AYE  
Tee-Ann Hunter: AYE  
Michele Murphy: AYE  
Pam Sheradin: ABSENT  
Patricia Bianconi, Chair: AYE

The Resolution was thereupon duly adopted.

**Adjournment:** On motion by Hunter, seconded by Foser, the Planning Board voted to adjourn the meeting at 7:55 p.m.

AYES: Bianconi, Foser, Heslop, Hunter, and Murphy

NAYS: None

ABSENT: Sheradin

Motion carried unanimously.

Respectfully submitted,

Ann Balloni  
Village Clerk