

**VILLAGE OF AURORA  
SEQRA/SPECIAL USE PERMIT/SITE PLAN RESOLUTION  
FOR THE CONSTRUCTION/EXCAVATION FOR A SEAWALL AT 281 MAIN STREET, AURORA, NEW YORK**

**SEPTEMBER 13, 2023**

**WHEREAS**, an application (#23-16) was made by Dr. Robert Arleo on or about June 23, 2023 for the approval of plans for the construction of a seawall at 281 Main Street, Aurora, New York; and

**WHEREAS**, the Project's application materials include an Application for a building permit, 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 August 9, 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 August 11, 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**, Cayuga County GML 239-l, m, & n Review committee found no intermunicipal concerns for the project at their August 17, 2023 meeting; and

**WHEREAS**, on September 6, 2023, the Village of Aurora Community Preservation Panel ("CPP") issued a Certificate of Appropriateness for the construction, contingent upon a SEQRA negative declaration determination by the Planning Board; and

**WHEREAS**, the Planning Board, during its September 13, 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 September 13, 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 September 13, 2023, the Planning Board also conducted a review of the Special Use Permit application and Site Plan Checklist; 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 September 13, 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, 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 seawall construction at 281 Main Street, Village of Aurora, New York, is ~~likely~~ is not likely to have significant adverse environmental impacts such that an environmental impact statement ~~shall~~/shall not be required, and as such a ~~positive~~/negative declaration is hereby issued.

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

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

1. That construction 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.
3. Initiate securing a utility easement in conjunction with the village clerk and engineer
4. Applicant shall provide the Planning Board with a Schedule of Completion prior to the commencement of any site preparation activities or construction activities.

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

1. The Applicant shall obtain any other necessary permits or approvals required by local, state or federal law.
2. That no debris from the construction be allowed to enter Cayuga Lake.
3. There shall be no night or evening exterior lighting at the construction site.
4. Applicant shall comply with the reasonable requests of the Village Engineer to prevent drainage and/or erosion problems on site as a result of construction activities.
5. Applicant shall immediately stop work upon the finding of any apparent artifact(s) during excavation activities and report the same to the agencies having applicable jurisdiction over the same.
6. The secured utility easement with the Village of Aurora is filed with the Cayuga County Clerk's Office
7. All references to "Applicant" shall include the Applicant's successors and assigns.

