

Planning Board September 13, 2023 Public Hearing and Regular Meeting Minutes

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

Present: Acting Chairperson Michele Murphy, Laura Heslop, Pam Sheradin, and John Wade

Absent: Pat Bianconi

Others Present

Village Officials: Clerk Ann Balloni and Engineer Ken Teter

Members of the Public: Robert & Bettina Arleo, Tom & Maralee Gunderson, and Andrew Sciarabba

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

Public Hearing for Application #23-16 from Robert Arleo for construction of a seawall at 281 Main St (Tax Map #182.17-1-5)

On motion by Sheradin, seconded by Heslop, the Planning Board voted to open the public hearing for Application #23-16 at 7:01 p.m.

AYES: Heslop, Murphy, Sheradin, and Wade

NAYS: None

ABSENT: Bianconi

Motion carried.

Public Comment: No comments.

State Environmental Quality Review (SEQR): Ms. Murphy reviewed the SEQR process and discussed with the Planning Board question #6, "community character", on part 1 of the Short Environmental Assessment Form (SEAF), submitted by the applicant. Upon consultation of the SEQR workbook, the Board agreed that the applicant checking "YES" on the SEAF was correct.

Mr. Sciarabba, engineer for the applicant, noted that the Community Preservation Panel considered community character during their review and had no issues.

Mr. Teter went through part 2 of the SEAF (attached) with the Planning Board and all agreed that the answer to all questions was "no to small impact".

On motion by Sheradin, seconded by Heslop, the Planning Board voted to issue a negative declaration for application #23-26, concluding the SEQR process.

AYES: Heslop, Murphy, Sheradin, and Wade

NAYS: None

ABSENT: Bianconi

Motion carried.

Public Hearing Adjournment: On motion by Sheradin, seconded by Wade, the Planning Board voted to close the public hearing for Application #23-16 at 7:17 p.m.

AYES: Heslop, Murphy, Sheradin, and Wade

NAYS: None

ABSENT: Bianconi

Motion carried.

Regular Meeting

Approval of Minutes: On motion by Heslop, seconded by Wade, the Planning Board voted to approve the August 9, 2023 minutes.

AYES: Heslop, Murphy, Sheradin, and Wade

NAYS: None

ABSENT: Bianconi

Motion carried.

Changes to the Agenda: No changes.

Announcements: The zoning committee sent the completed, draft zoning law to the village attorney for his review and edits.

Old Business: No Old Business was discussed.

New Business

Application #23-16 from Robert Arleo for construction of a seawall at 281 Main St (Tax Map #182.17-1-5)

Special Use Permit: The Planning Board reviewed section 901.A.1-6 of the Village Zoning Law and all agreed that Application #23-16 met the criteria for a Special Use Permit.

On motion by Sheradin, seconded by Heslop, the Planning Board voted to issue a Special Use Permit for Application #23-16.

AYES: Heslop, Murphy, Sheradin, and Wade

NAYS: None

ABSENT: Bianconi

Motion carried.

Site Plan Review: The Planning Board reviewed section 903.C. 1&2, Site Plan Checklist, in the Village Zoning Law.

903.C.1.f: Mr. Teter noted that parking and loading is temporary during construction.

903.C.1.n.: The Planning Board confirmed that there will be no lighting at the site.

903.C.2.a&b.: Mr. Sciarabba submitted documentation for the file that no other approvals from Federal, State or County agencies are needed, including New York State Department of State, New York State Office of General Services, New York State Department of Environmental Conservation, and United States Army Corps of Engineers.

**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.

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 John Wade, seconded by Laura Heslop, a roll-call vote is tallied by the Village Clerk as follows:

Laura Heslop: AYE

Pam Sheradin: AYE

John Wade: AYE

Michele Murphy, Acting Chair: AYE

Pat Bianconi, Chair: ABSENT

The Resolution was thereupon duly adopted/~~not adopted~~

Adjournment: On motion by Sheradin, seconded by Heslop, the Planning Board voted to adjourn the meeting at 7:40 p.m.

AYES: Heslop, Murphy, Sheradin, and Wade

NAYS: None

ABSENT: Bianconi

Motion carried unanimously.

Respectfully submitted,

Ann Balloni
Village Clerk