**VILLAGE OF AURORA PLANNING BOARD REGULAR MEETING MINUTES**

**December 29, 2014**

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

**Others Present:** Village Clerk Ann Balloni, Village Zoning Inspector Patrick Doyle, Christopher Grant, Tom Gunderson, and Laura Holland

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

**Approval of Minutes:** On motion by Foser, seconded by Murphy, the Planning Board voted to approve the November 24, 2014 minutes.

AYES: Bianconi, Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

**Announcements:** Cayuga County training dates are included in the board packets and the clerk reminded the board members of an upcoming Planning Federation conference in April.

**Old Business**

**Application #13-35 from Robert Cerza for a house addition at 13 Main St (Tax map #193.09-1-5.321)**

The Planning Board reviewed Part 1 of the short form SEQR, completed by Mr. Cerza. A few minor corrections were noted, changed, and dated. Chair Bianconi will notify Mr. Cerza that he must initial the changes before a permit can be issued.

The Planning Board declared that the application is a Type II Action requiring no further SEQR review.

On motion by Zimdahl, seconded by Foser, the Planning Board voted to approve Application #13-35 as submitted.

AYES: Bianconi, Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

**New Business**

**Application #14-39 from David Mumm and JD Starman for a Home Occupation at 331 Main St (Tax Map #181.16-1-25)**

As Mr. Mumm and Mr. Starman were unable to attend the meeting, Mr. Starman submitted a letter of authorization permitting Christopher Grant to represent them.

Chair Bianconi instructed Mr. Grant to correct Application #14-39 to read that the property owner to the west is Susanne Holland, not Laura Holland. Mr. Grant made the correction and dated and initialed the change.

The applicants are applying for a home occupation to operate a brain fitness center. They plan on 1-2 clients at a time, but may occasionally hold small classes. There will be no signs and 4 parking spaces are designated on the application.

At the Village Zoning Inspector’s request, the owner of the property, Todd Zwigard, confirmed that he is no longer operating a home occupation at 331 Main St.

Planning Board concerns included:

* The actual number of parking spaces for clients, not including parking for the occupants
* The driveway is shared with the neighbor to the south and there is currently a home occupation there, as well
* As the applicants are not the homeowners, what is the length of the lease agreement

In consultation with the Village Zoning Inspector, Patrick Doyle, the Planning Board determined that the project requires a Special Use Permit which necessitates a public hearing.

On motion by Foser, seconded by Sheradin, the Planning Board voted to schedule a public hearing for January 28, 2015 for a Special Use Permit and SEQR review of Application #14-39.

AYES: Bianconi, Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

Mr. Doyle informed Mr. Grant that he would make a site visit to verify that the home occupation does not exceed 25% of the first floor per Village Zoning Law Section 901.B.1.f.

Ms. Bianconi gave Mr. Grant a copy of Part 1 of the short Environmental Assessment Form (EAF) for the applicants to complete as part of the mandated New York State Environmental Quality Review (SEQR). Mr. Grant was also instructed by Mr. Doyle to supply a copy of the easement for the shared driveway, as well as a copy of the lease agreement. Clerk Balloni informed Mr. Grant that all requested paperwork should be in the village office at least 10 days prior to the January 28th public hearing.

Mr. Doyle then informed Mr. Grant that the Village of Aurora Board of Trustees is considering adopting a local law instituting a six month moratorium on zoning permits and the public hearing to adopt the local law is January 21, 2015. If the law is adopted, there is the possibility that any applications not already approved would be delayed. Mr. Grant understood and will notify the applicants.

**Sketch Plan Conference**

**Application #14-43 from Tom Gunderson for an Excavation for Placement of a Caboose at 287 Main St (Tax Map #182.17-1-4.2)**

Mr. Gunderson presented preliminary plans to place a Lehigh Valley Railroad caboose on his property as an adjoining structure to the renovated railway station. The caboose would be used as additional sleeping space for visiting friends and family members. The caboose would be equipped with a bathroom, but not kitchen facilities, and Mr. Gunderson stated that the only plan is for personal use, not as a rental. Mr. Gunderson presented three possible site locations, depending on setbacks, grading and placement.

The Planning Board acknowledged that the application is unique, and discussion ensued on how, or if, the plan could be applied to the village zoning law. Mr. Gunderson noted on the application that the caboose would be a “seasonal residence”, but was instructed to change, date, and initial on the application that it would be considered an accessory structure. Mr. Gunderson agreed.

The Planning Board noted that the height, 13 ‘, meets the requirement for an accessory structure and the floor area does not exceed the 20% limit, but the placing, depending on the location, may require an area variance. There is also the question of getting the caboose to the property via an existing easement with the neighboring property owner to the north.

The Planning Board instructed Mr. Gunderson to submit additional plans with scale drawings and setbacks. Mr. Zimdahl noted that, as the property does not front on a street, the lakeside could be considered the front which requires a 30’ setback as opposed to 10’ for side and rear setbacks. Mr. Doyle agreed to research, but noted that, in similar situations he was familiar with, the 10’ setback applied.

Mr. Gunderson was also made aware that his application would most likely be delayed if the moratorium goes into effect. As the cost of purchasing, transporting, and renovating the caboose is substantial, and there is no guarantee of approval for the project, Mr. Gunderson is weighing his options, but plans on discussing the project with the Community Preservation Panel at their January 7, 2015 meeting.

**Adjournment:** On motion by Murphy, seconded by Foser, the Planning Board voted to adjourn the meeting at 8:30 pm.

AYES: Bianconi, Foser, Murphy, Sheradin, and Zimdahl

NAYS: None

Motion carried unanimously.

**Next Meeting:** January 28, 2015

Respectfully submitted,

Ann Balloni

Village Clerk