**Planning Board October 25, 2017 meeting minutes**

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

**Present:** Chairperson Pat Bianconi, Pat Foser, Michele Murphy and Frank Zimdahl

**Absent:** Pam Sheradin

**Others Present**

**Village Officials:** Clerk Ann Balloni, Attorney Tom Blair, Code Enforcement Officer Patrick Doyle, Engineer Ken Teter, Historian Dr. Linda Schwab, Trustees Grace Bates & Janet Murphy, and ZBA member Laura Holland

**Inns of Aurora Representatives:** General Manager Sue Edinger, Project Manager Ted Kinder, Architect Bruce King, Engineer Ron Seeley and Attorney Wendy Marsh

**Members of the Public:** Kathy Kinder, Tracy Leffingwell, Thea Miller and Todd Smith

**Call to Order:** Ms Bianconi called the meeting to order at 7:05 pm.

**Changes to the Agenda:**  On motion by Mr. Zimdahl, seconded by Ms. Foser, the Planning Board voted to move New Business, Application #17-50 review, first on the agenda.

AYES: Bianconi, Foser, Murphy and Zimdahl

NAYS: None

Motion carried unanimously.

**Approval of Minutes:** On motion by Ms. Murphy, seconded by Ms. Foser, the Planning Board voted to approve the September 27, 2017 minutes.

AYES: Bianconi, Foser, Murphy and Zimdahl

NAYS: None

Motion carried unanimously.

**Announcements:**  Ms. Bianconi reminded the board of the upcoming training at BOCES in Auburn on November 15, 2017. Also, the Ithaca Housing Authority gave a presentation to the Village Board of Trustees earlier today on potential future development in the village.

**Visitor Welcome:** Ms. Bianconi welcomed all visitors and there were no comments.

**New Business**

**Application #17-50 from Donald Bryant for a handicap ramp at 514 Main St (Tax Map #181.08-1-19.1)**

Todd Smith, representing Mr. Bryant (see attached letter of authorization), presented plans for a wooden wheelchair ramp from the front door of the house, over the sidewalk to the driveway. The dimensions are 34’ x 12’ x 8’. Mr. Doyle remarked that the ramp meets all code requirements.

Ms. Bianconi noted that the project is a Type 2 Action under the State Environmental Quality Review Act (SEQRA) requiring no further environmental review.

On motion by Ms. Foser, seconded by Mr. Zimdahl, the Planning Board voted to declare Application #17-50 complete.

AYES: Bianconi, Foser, Murphy and Zimdahl

NAYS: None

Motion carried unanimously.

The Planning Board reviewed the site plan check list in section 903.C of the village zoning law and had no questions or concerns.

On motion by Ms. Murphy, seconded by Ms. Foser, the Planning Board voted to approve Application #17-50 as submitted contingent upon Community Preservation Panel approval.

AYES: Bianconi, Foser, Murphy and Zimdahl

NAYS: None

Motion carried unanimously.

Mr. Smith was reminded that his application is on the agenda for the Community Preservation Panel meeting on November 1, 2017.

**Public Hearing**

**Planning Board consideration to revoke a Special Use Permit issued to Grace Bates for a Bed & Breakfast at 444 Main St (Tax Map #181.12-1-22)**

On motion by Mr. Zimdahl, seconded by Ms. Murphy, the Planning Board voted to open the public hearing for Application #10-04 at 7:12 pm.

AYES: Bianconi, Foser, Murphy and Zimdahl

NAYS: None

Motion carried unanimously.

Ms. Bianconi read a letter from Mr. Doyle (attached) requesting that the Planning Board revoke the Special Use Permit issued to Ms. Bates due to non-compliance. Ms. Bates permit was issued to her and her mother as a home occupation to rent out two second floor guest rooms to one party with Ms. Bates mother occupying the first floor. No one has been living in the house and Ms. Bates has consistently rented rooms on both the first floor and second floor for several years.

Ms. Bates described a successful venture since 2011 that provided lodging for over 1000 guests who, in turn, supported area businesses.

Ms. Bianconi then read a letter from Ms. Bates (attached) requesting that the Planning Board let her retain her permit if she meets the zoning requirements by having a tenant live on the first floor.

**Public Comment:** Ms. Balloni relayed two verbal comments received in the village office from Ms. Bates neighbors on either side of 444 Main St, Peggy Dupee and Mary Rafferty, expressing support for Ms. Bates Bed & Breakfast.

On motion by Ms. Foser, seconded by Ms. Murphy, the Planning Board voted to close the public hearing for Application #10-04 at 7:17 pm.

AYES: Bianconi, Foser, Murphy and Zimdahl

NAYS: None

Motion carried unanimously.

**Old Business**

**Planning Board consideration to revoke a Special Use Permit issued to Grace Bates for a Bed & Breakfast at 444 Main St (Tax Map #181.12-1-22)**

Ms. Bianconi reiterated the project narrative provided by Ms. Bates for Application #10-04 for a Bed & Breakfast run by herself and her mother who would be occupying the first floor.

Upon a motion to approve Resolution #17-12 to revoke the Special Use Permit for Application #10-04 by Ms. Foser, seconded by Ms. Murphy, discussion followed:

Mr. Zimdahl confirmed with Ms. Bates that there is no one living at 444 Main St. He then asked if the Planning Board had acted on a proposed zoning amendment for short term rentals that he presented last fall. Ms. Bianconi replied no.  Mr. Zimdahl also asked if the Village Board of Trustees had acted on a zoning amendment for short term rentals. Ms. Bianconi replied that she was not aware of any action.

**PB Resolution #17-12 to Revoke the Special Use Permit for Application #10-04**

**WHEREAS:** per the Village of Aurora zoning law (Local Law #4 of 2016) section 901.B.1 Home Occupation, “Home Occupation as understood in this local law is work undertaken in a dwelling for gain and that is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof”; and

**WHEREAS:** application #10-04 from Grace Bates to operate a Bed & Breakfast as a Home Occupation “for two upstairs bedrooms and a bathroom rented by one party”, with a family member occupying the first floor, at 444 Main St in the Village of Aurora was received on April 5, 2010; and

**WHEREAS:**  a Special Use Permit for a Home Occupation was issued for Application #10-04 on May 17, 2010; and

**WHEREAS:** the applicant has been operating444 Main St as Annie’s Guest House which advertises whole house or single room rentals on a nightly/weekly basis; and

**WHEREAS:** the residence is not owner occupied nor is there a family member residing in the house; and

**WHEREAS:**  the use of the residence is in violation of the village zoning law; and

**WHEREAS:**  the applicant was issued letters to comply/Orders to Remedy by the village code enforcement office on September 9, 2013; November 7, 2013; November 20, 2014 and November 3, 2015; and

**WHEREAS:** the Village Code Enforcement Officer requests that the Village Planning Board consider revoking the Special Use Permit for Application #10-04 in a letter dated September 27, 2017;

**NOW THEREFORE BE IT RESOLVED:** that the Village of Aurora Planning Board revokes the Special Use Permit issued for Application #10-04 due to lack of compliance by the applicant.

FIRST: Pat Foser

SECOND: Michele Murphy

AYES: Bianconi, Foser and Murphy

NAYS: Zimdahl

Motion carried.

Ms. Bianconi encouraged Ms. Bates to re-apply for a permit in accordance with the village zoning law.

**Application #17-43 from the Inns of Aurora to convert Shakelton Funeral Home to a hotel at 418 Main St (Tax Map #181.12-1-13)**

Ms. Bianconi reviewed Application #17-43 and noted that a Special Use Permit is required for the excavation, demolition of the port cochere & second story porches, and the change of use from a funeral home to a hotel.

Mr. Seeley submitted a revised site plan, per Mr. Doyle’s request, including dimensions of the relocated ice house and setbacks from property lines, setbacks from property lines of the proposed parking lot expansion, and the width of the driveway at the entrance from Lafayette St.

Mr. Zimdahl questioned the electric input. Mr. Kinder replied that it would feed from Main St via an underground transformer at 400 amp.

Mr. Teter questioned if any buffers are planned along the north patio as the location is in a residential neighborhood. Mr. Kinder replied that they will take it under consideration.

The Planning Board reviewed part 1 of the Full Environmental Assessment Form (FEAF - Attached) and requested the following additions/corrections:

* Page 2 B.f. change to “YES” and add Empire State Development Corporation
* Page 4 D.1.g. Mr. Teter questioned if the proposed parking area is considered a structure per the village zoning, but the applicant opted to keep the answer “NO”
* Page 4 D.2.a. Change to “YES” as excavation is included in the application and completed the remainder of the section
* Page 7 D.2.l.*i.* The applicant confirmed that 7:00 am – 3:30 pm are the hours of construction
* Page 11 E.2.d answered “+/- 7’”
* Page 12 E.2.m. answered “birds, deer, chipmunks, squirrels”
* Page 13 E.3.e.*iii* added “historic contributing structures in the village”

The applicant dated and initialed all changes. The Planning Board then considered Resolution #17-11.

**VILLAGE OF AURORA, CAYUGA COUNTY**

**RESOLUTION – INNS OF AURORA, LLC,**

**REGARDING THE PROPOSED SHAKELTON GUEST HOUSE PROJECT**

**October 25, 2017**

(PB Resolution #17-11; Application #17-43)

A regular meeting of the Village of Aurora Planning Board was convened at

approximately 7:00 p.m. on October 25, 2017 in Village Hall located at 456 Main Street,

Aurora, New York. The meeting was called to order by Chairperson Patricia Bianconi, and

roll being duly called, the following members were present: Pat Foser, Frank Zimdahl,

and Michele Murphy. Pam Sheradin was absent.

The following persons were also present: *See Exhibit* ***“A”***.

The following Resolution was offered by Frank Zimdahl and seconded by

Pat Foser.

**WHEREAS**,

1. The Village of Aurora Planning Board (“Planning Board”), on or about August 24, 2017, received various Site Plan Review and Zoning Permit application materials (attached as Exhibit **“B”**) from the Inns of Aurora, LLC (the “Applicant”) supporting the renovation, development, and construction of a proposed 12-room hotel use at the former Shakelton Funeral Home property owned by the Applicant at 418 Main Street, Village of Aurora, also known as Tax Map No. 181.12-1-13 (the “Property”).
2. The Planning Board subsequently received supplemental materials dated October 16, 2017 and October 25, 2017 from the Applicant, to include demolition and special permit applications, in support of the proposed project (also made part of Exhibit **“B”**).
3. The Planning Board acknowledges the Applicant has previously completed a sketch plan/concept plan stage wherein it attended Planning Board meetings and conferred with the Planning Board regarding the proposed project, its potential development and its uses.
4. A careful examination and review of the application(s) was conducted by the Planning Board as to the level of completeness of the materials presented.
5. The Planning Board also considered potential “lead agency” designation(s) and action classification pursuant to the New York State Environmental Quality Review Act (“SEQRA”).

**NOW THEREFORE BE IT RESOLVED:**

1. The Planning Board hereby deems the submitted applications substantially complete such that review of the applications may officially move forward; and

1. The Planning Board is deemed to be Lead Agency for purposes of SEQRA examination and coordinated review, with identified “involved agencies” being the Aurora Community Preservation Panel (“CPP”) and New York’s Empire State Development Corporation, and “interested agencies” being the New York State Historic Preservation Office (SHPO), Cayuga County Emergency Management Office, the Village of Aurora Department of Public Works, the Aurora Volunteer Fire Department, the Town of Ledyard, and the Cayuga County Planning and Economic Development Department; and that the classification of the proposed action is deemed to be “Type 1” for purposes of SEQRA under 6 NYCRR 617.4(b)(9); and
2. The Planning Board Chairperson, and/or or her designee, is hereby authorized and directed to undertake, prepare, and facilitate the Intent to Serve as Lead Agency notifications to all potentially involved agencies, the coordinated SEQRA review of the proposed action, and is hereby authorized to use available Planning Board consultants to assist in this process as needed; and
3. The Planning Board shall refer the Application, and all related materials, to the Cayuga County Planning and Economic Development Department for review and comment pursuant to Sections 239-l and 239-m of the New York State General Municipal Law; and
4. The Planning Board shall schedule and hold a properly noticed joint public hearing with the CPP on November 29, 2017, pertaining to Applicant’s demolition application; and
5. The Planning Board shall schedule and hold a properly noticed public hearing on November 29, 2017, pertaining to the Applicant’s special permit application; and
6. The Planning Board authorizes the Planning Board Chairperson, and or her designee, to prepare, advertise, circulate and or mail such notifications, notices, letters and referrals as are necessary to give full force and effect to each of the directives contained in this Resolution.

**BE IT 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 the Freedom of Information Law.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

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

**Record of Roll Call Vote** **Yes/No**

Chair Patricia Bianconi Present YES

Member Frank Zimdahl Present YES

Member Pat Foser Present YES

Member Michele Murphy Present YES

Member Pam Sheradin Absent n/a

The Resolution was thereupon duly adopted.

**Application #17-44 from the Inns of Aurora to convert Taylor House to a conference center/guest house at 396 Main St (Tax Map #181.16-1-7)**

Ms. Bianconi read a letter (attached) from Mr. Doyle denying Application #17-44 as the proposed primary use is not allowed in the residential zone.

**Adjournment:** On motion by Ms. Foser, seconded by Ms. Murphy, the Planning Board voted to adjourn the meeting at 8:00 pm.

AYES: Bianconi, Foser, Murphy and Zimdahl

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni

Village Clerk