

**MINUTES OF A MEETING OF THE  
VILLAGE OF AVON PLANNING BOARD  
TUESDAY, MAY 21, 2019  
7:00PM; VILLAGE HALL**

**I. ATTENDANCE**

Paul M. Drozdziel, Chairman  
Marilyn Borkhuis  
John Gibson  
Patrick McCormick

**ABSENT**

William Wall

**QUORUM**, 4 Present, 1 Absent

**GUESTS**

Molly B. Gaudioso, Barton & Loguidice  
John Steinmetz, Barton & Loguidice

**STAFF**

Lance Brabant, Sr. Planning Associate, MRB  
Anthony Cappello, Code Enforcement Officer  
Gary Margiotta, Deputy Clerk

**ABSENT**

Robert Hayes, Trustee, Village Board Liaison

**IV. NEW BUSINESS**

Welcome new Board member John Gibson

Gibson had been appointed at the April 15, 2019, Village Board meeting, succeeding Kevin O’Donoghue, who had moved from the Village. Gibson had taught middle and high school business in the Warsaw Central School District for 20 years, was now retired and had been doing dealer trades for area auto dealers. Gibson had grown-up on Temple Street and now lived on Clinton Street.

**III. OLD BUSINESS**

.Zoning Code Update

**Timeline**

The Village had retained the Steinmetz Planning Group of Rochester for a Zoning Code update in January, 2018. The firm had started in April with the Planned Residential Development District (PRDD) then drafted a new Mixed Residential (MR) District.

Barton & LoGuidice of Syracuse acquired the Steinmetz Planning Group in September, 2018, and the Village followed-up in December with an agreement to have that firm finish the Zoning Code update. A “*refresher*” meeting followed January 8 then a Public Open House March 13 with attendees given the opportunity to review and comment on the draft zoning districts and map before they were put before the Village Board for adoption.

Outstanding issues included:

**119 Genesee Street**

**VB or VR?**

Christine Martin owned 119 Genesee Street, a house in a VR, Village Residential District. But, Martin wanted the house considered as part of the adjoining Village Business District. The house had been rented as apartments for years, Cappello noted. But, it could become an office, Gaudioso speculated.

**Alexander Crossing**

**Agricultural or Planned Residential Development District?**

Alexander Crossing had been a 40-acre, 59-lot subdivision off Pole Bridge Road just north of Lake Road. Mark Alexander had owned it, but the property sold to Trakrub Holdings LLC (Joseph Burkart) of Fairport at a county "Foreclosed Real Property Tax Auction" July 24, 2014.

Since then, the property had reverted to agricultural use, but had it officially been re-classified as agricultural or was it still considered residential? Gaudioso wondered.

The owner, Burkart, had come before the Village and Planning Boards and asked to have it re-classified as agricultural, Drozdziel recalled.

But, Burkart did want to build on it eventually, Cappello remarked.

But, for now, the property should appear on the new zoning map as A, Agricultural, Gaudioso clarified.

**188 West Main Street**

**Residential or Light Industrial?**

Patrick Driscoll owned 1.2 acres of land at 188 West Main Street, half of which was zoned VR, Village Residential, and the other half as L-I, Light Industrial, Gaudioso continued. Barton & LoGuidice had it identified the property as residential, but Gaudioso said she would leave the final determination up to the Board.

I think residential, Cappello volunteered.

Village Residential, Drozdziel concurred.

**Avon Inn, 55 East Main Street:**

**Village Business District or Combination Business District?**

The purpose of the VB, Village Business District, was to maintain and enhance the historic character and vibrancy of the Village's multi-story, mixed-use 19<sup>th</sup> Century Main Street. The VB was characterized by sidewalk connectivity, traditional architecture and a dense concentration of activity with a high degree of amenities, creating an inviting streetscape for visitors arriving on foot, bicycle or motor vehicle. Existing historically significant structures should be preserved to the greatest extent practicable and the restoration or rehabilitation of structures for re-use would be highly encouraged.

Meanwhile . . .

The CB, Combination Business District, was intended to implement the recommendations of the Village's Comprehensive Plan and provide for increased economic development opportunities in neighborhoods where the provision of low-impact commercial, office and light industrial uses was desired. Furthermore, the intent was to permit the continuation and protection of residential uses in combination with small-scale, limited commercial and industrial uses.

James Schillinger, Jr., owned a row building at 65 East Main Street, next door to the Inn. That building housed two businesses and three apartments. Whatever zoning classification was deemed appropriate for the Avon Inn

should be considered the same for Schillinger’s property, Gaudioso said. Limiting density of use should be a consideration.

McCormick suggested CB for the Avon Inn. Gaudioso felt Schillinger’s property should likewise be zoned CB.

**Zion Episcopal Church &  
St. Agnes Catholic Church**

Crossing the street, Cappello suggested the Zion Episcopal Church at 10 Park Place be zoned CB, too. Drozdziel agreed with that.

Gaudioso thought St. Agnes Church at 108 Prospect Street, along with the gully behind it, should be CB, too.

**Miscellaneous:**

**Barilla, South Ave, Clinton St**

**Barilla Drive** - the parcel the Village had annexed - north across Barilla Drive from Barilla - should be zoned L-I, Light Industrial , the same as Barilla, Gaudioso advised.

**South Avenue** – the apartment houses Christopher Masten, LLC, owned at 45 and 55 South Avenue should remain MFR, Multi-Family Residential; in contrast to the majority of South Avenue was VR, Village Residential, Gaudioso noted.

**Clinton Street** – likewise, Hunter Hall at 180 Clinton Street, owned by Timothy Borshoff, should also be zoned MFR, the surrounding properties there also being zoned VR, Gaudioso said.

**Residential Side Yard Setback**

Based on input at the March 13 Public Open House, Gaudioso said the side yard setback, for new developments only, should be increased to 15 feet as protection against fire, Gaudioso said.

**PRDD – Leave Minimum Area at 15 Acres**

The minimum area for a Planned Residential Development District (PRDD) should be 10 acres, Gaudioso began.

But, you’re allowing greater latitude in a PRDD, Drozdziel pointed out, adding he was all for leaving the minimum at 15 acres.

“That’s what I was thinking, too,” Borkhuis agreed.

**Country Hill Estates  
Pathstone Site East of Clinton Street**

The Pathstone Corporation, a Rochester-based real estate development firm, had proposed building a 60-unit, multi-family apartment complex on 12.2 acres of land owned by Richard Martin in 2015, that land being east of Clinton Street. The land was zoned A, Agricultural.

“I’m all for leaving it as is,” Drozdziel remarked.

If I wished to develop it, I'd want a PRDD, Planned Residential Development District, classification, Gaudioso said, adding MFR would limit density.

I like the better definition with MFR, Drozdziel reasoned.

If I were the landowner, I don't know if I'd like MFR being forced on me, Borkhuis said.

As far as the Country Hill Estates project coming back, it wasn't a matter of if, but of when, McCormick opined.

Steinmetz suggested discussing the matter with the Village Board, explaining the Planning Board had left it as A, Agricultural, but suggest that it could be mapped as MFR.

Drozdziel reiterated he was all for leaving the zoning classification as it was for now, but leaving room for discussion with the Village Board.

**Tower Heights**

The Barilla tower was 60 feet tall. How far back should such towers be from residential districts? The Barilla tower was 508 feet from the nearest house, Steinmetz noted.

Members discussed allowable distances of 200, 300, 320 and 350 feet, settling on 320 feet.

**Path to Adoption**

**Package to the Village Board**

Gaudioso said she could put together a package for the Village Board, perhaps by their Monday, June 17, meeting then the Board would have to follow-up by drafting a local law and advertising it for public hearing.

The Zoning Code update should be referred to the County Planning Board for their review, too, Drozdziel mentioned.

Perhaps that could be done then the public hearing scheduled for the Village Board's Monday, July 15, meeting, Gaudioso followed-up.

The Planning Board would want some dialogue with the Village Board first, Drozdziel said, adding, possibly at the Village Board's July 1 meeting.

**II. APPROVAL OF THE MINUTES**

**MOTION:** Borkhuis moved for approval of the minutes of the January 15 and March 19 meetings, seconded by Gibson. Voting in favor were: Drozdziel, Borkhuis, Gibson and McCormick. Voting against were: none.

**CARRIED, 4 Ayes, 0 Nays**

**IV. NEW BUSINESS**

**A. McDonald's Restaurant Re-Opening**

McDonald's Restaurant, 250 East Main Street, would be re-opening Friday, May 24, after a several weeks long remodel, Cappello noted.

**B. 70 West Main Street**

McCormick asked the status of the condemned building at 70 West Main Street.

Cappello said the owners, JTS Management LLC, were concerned about the asbestos abatement cost estimates.

**C. Anderson Meadows  
Commerce Drive**

The Village Board was concerned about completion of the next leg of Commerce Drive. Brabant would follow-up so they could give the Board a report, Drozdziel said.

**D. North Avenue Heights  
Sidewalks Going In**

Sidewalks would be going in on D'Angelo Parkway, the North Avenue Heights subdivision, Cappello told Board members. He didn't offer a time table.

**V. ADJOURNMENT**

**MOTION:** McCormick moved for adjournment at 8:30 PM, seconded by Gibson. Voting in favor were: Drozdziel, Borkhuis, Gibson and McCormick. Voting against were: none.

**CARRIED, 4 Ayes, 0 Nays**

Gary Margiotta  
Deputy Clerk