

**MINUTES OF A MEETING OF THE
VILLAGE OF AVON PLANNING BOARD
TUESDAY, AUGUST 20, 2019
7:00 PM; VILLAGE HALL**

I. ATTENDANCE

Paul M. Drozdziel, Chairman
John Gibson
Patrick McCormick

ABSENT

Marilyn Borkhuis
William Wall

QUORUM, 3 Present, 2 Absent

STAFF

Anthony Cappello, Code Enforcement Officer
Gary Margiotta, Deputy Clerk

ABSENT

Andy Anderson, Fire Marshal
Lance Brabant, Planning & Environmental Svc, MRB
Robert Hayes, Trustee, Village Board Liaison

II. APPROVAL OF THE MINUTES

MOTION: Gibson moved for approval of the minutes of the regular meeting of July 16, 2019, seconded by McCormick. Voting in favor were: Drozdziel, Gibson and McCormick. Voting against were: none.

CARRIED, 3 Ayes, 0 Nays

III. OLD BUSINESS

Nothing pending.

IV. NEW BUSINESS

Lot Line Adjustment Proposal
Municipal Code
Chapter 31, Subdivision Regulations

Lance Brabant, Planning & Environmental Svcs Director
MRB Group, Rochester

- * For lot line adjustments, no additional lots shall be created; all resulting lots shall be of sufficient area and dimension to meet minimum requirements for zoning and building purposes.
- * Submitted plats for lot line adjustments shall show information as required with Preliminary Subdivision & Final Subdivision requirements.
- * The purpose for the lone line adjustment shall be shown on the plat and described in the deeds.

We don't have lot line adjustment in the Municipal Code? McCormick asked.

We'd like to draft verbiage for it and present it to the Village Board and Village Atty. Reid Whiting, Drozdziel responded.

The proposal Brabant had submitted would not be for creating new lots, the Chairman stressed. They'd have to examine Brabant's second provision in greater detail before submitting it to the Village Board but, once adopted, lot line adjustments would eliminate the need for some public hearings, Drozdziel noted.

The Board had examined Lot Line Adjustment legislation from the Towns of Canandaigua, Milford and Victor in January of 2015.

70 West Main Street Demolition

August 1 Deadline per Cappello
Vacant apartment building

JTS Management, LLC

600 Fishers Station Drive, Ste. 200
Victor, NY 14564

JTS Management owned neighboring properties at 72 and 90 West Main Street and had purchased the vacant apartment building at 70 West Main Street for \$21,000 at a Livingston County Foreclosed Real Property Tax Auction July 26, 2018. Asbestos abatement had been a concern, but Cappello had told Board members at their June 18 meeting the deadline for demolition was supposed to be August 1.

At the August 20 meeting, Cappello told Board members the demolition contractor had backed-out. The owners did agree to cut the grass and paint, if necessary, until they got an acceptable bid. There hadn't been any further mention of asbestos abatement, Cappello added.

**Special Use Permit Responsibility
Prompts Consideration of Increasing
The Size of the Planning Board**

Special use permit applications were reviewed by the Planning Board then forwarded to the Zoning Board of Appeals (ZBA) with their recommendation for approval or denial. The ZBA would follow-up, review the materials submitted, conduct a public hearing then hand down a decision.

But, the Village Board was considering shifting issuance authority solely to the Planning Board. The Village Board planned to conduct a public hearing on that proposal at 6:00 PM Monday, September 9, in the Whitney Room here at Village Hall.

With the increased responsibility, there had also been talk of returning the Planning Board to seven members. The Board had had seven members, but had been trimmed down to five in 2016. Cappello wondered if anyone else had heard the talk of going back to seven.

They could barely get enough members to show-up with five, Drozdziel protested. He suggested fine-tuning the process instead, making the issuance of special use permits the joint responsibility of both the Planning and Zoning Boards.

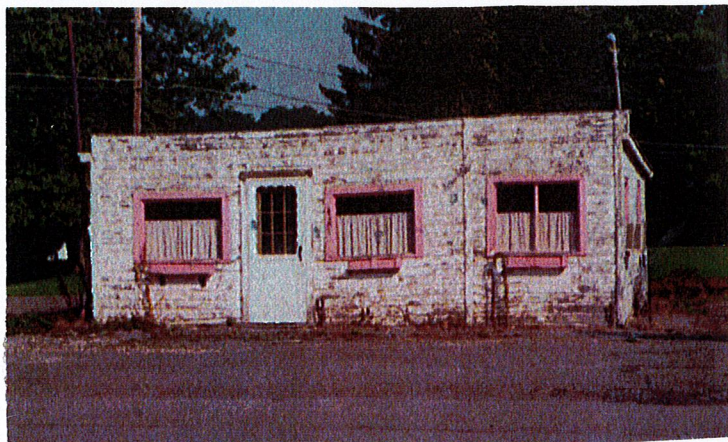
Don't change the size of the Planning Board, he implored, change the process. Schedule a joint meeting of the two Boards, let the applicant know what he must submit, ask him to attend the joint meeting then base the decision on the combined vote of both Boards.

McCormick agreed and the Board asked to have their minutes forwarded to the Village Board in time for them to consider all the alternatives before deciding the issue.

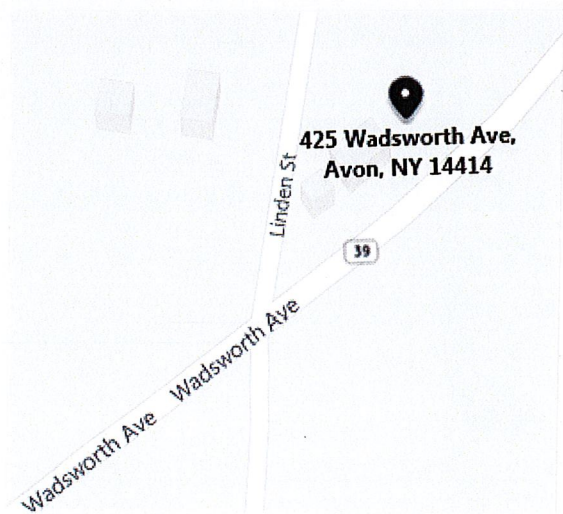
Vacant Gas Station & J & M Kitchen
425 Wadsworth Avenue, Avon, NY 14414
SBL: 34.13-1-21

Carol Lyttle & Ruby Greer
5256 Avon East Avon Road
Avon, NY 14414

The roof on the vacant gas station had collapsed, Cappello told Board members. There was a car and a snowmobile inside and the roof had come down on them. The County (and State Department of Environmental Conservation) may have to get involved because there were still gasoline storage tanks in the ground there, Cappello continued.



The vacant gas station was a safety hazard right now, Cappello told Board members. As for the diner, that has lead paint, he said.



PROPERTY OWNER:

Lyttle Carol
 Greer Ruby
 c/o Carol Greer
 5256 Avon-East Avon Rd
 Avon, NY 14414

PROPERTY INFORMATION:

TAX MAP #:242001 34.13-1-21
 DIMENSION: 370.00 X 230.00
 RS: 1 CLASS: Mult-use bld
 ADDRESS: 425 Wadsworth Ave

V. ADJOURNMENT

MOTION: McCormick moved for adjournment at 7:31 PM, seconded by Gibson. Voting in favor were: Drozdziel, Gibson and McCormick. Voting against were: none.

CARRIED, 3 Ayes, 0 Nays

Gary Margiotta
 Deputy Clerk

Lot Line Adjustment Proposal

Submitted by Lance Brabant, Director of Planning & Environmental Services with the MRB Group
for discussion by the Planning Board at the Board meeting of August 20, 2019

Under Subdivision Regulations (Chapter 31):

Lot Line Adjustments:

Plats for lot line adjustment shall be clearly identified as such and shall be submitted to the Village Building & Zoning Office for review and Planning Board Chair signature before being filed with the Office of Livingston County Clerk.

- * For lot line adjustments, no additional lots shall be created and all resulting lots shall be of sufficient area and dimension to meet minimum requirements for zoning and building purposes.
- * Submitted plats for lot line adjustments shall show information as required with Preliminary Subdivision & Final Subdivision requirements.
- * The purpose for the lone line adjustment shall be shown on the plat and described in the deeds.