

**MINUTES OF A MEETING OF THE
VILLAGE OF AVON PLANNING BOARD
TUESDAY, MARCH 16, 2021
7:00 PM; VILLAGE HALL**

I. ATTENDANCE

Paul M. Drozdziel, Chairman
Marilyn Borkhuis
John Gibson
Robert C. Hayes

ABSENT

William Wall

GUESTS

J. Douglas McCarthy, 210 East Main Street
Elaine McCarthy, 310 East Main Street

STAFF

Andrew Anderson, Fire Marshal
Sherman Gittens, Civil Engineer I, MRB Group
Patrick McCormick, Trustee, Village Board Liaison
Gary Margiotta, Secretary

II. APPROVAL OF THE MINUTES

MOTION: Gibson moved for approval of the minutes of the meeting of February 16, 2021, seconded by Borkhuis. Voting in favor were: Drozdziel, Borkhuis, Gibson and Hayes. Voting against were: none.

CARRIED, 4 Ayes, 0 Nays



III. OLD BUSINESS

A. Craft Brewery

310 East Main Street, Parcel 34.7-1-40.11
Avon, NY 14414

J. Douglas & Elaine McCarthy
PO Box 204
Avon, NY 14414

The applicants had proposed converting a barn at 310 East Main Street, Parcel 34.7-1-40.11, a 29.97-acre parcel, into a craft brewery/coffee house. An overview had been sought to guide a more detailed zoning and planning evaluation. The property was in an Agricultural (AG) zoning district.

The craft brewery/coffee house had been in the works awhile, Elaine McCarthy related. The McCarthy's had raised the possibility at a July 16, 2019, meeting when they were in for a special use permit to operate a bed and breakfast on the property.

**Overview: "Good Fit" for the Village
Water and Sewer Capacity Not a Problem**

J. Douglas McCarthy estimated 10,000 to 15,000 cars passed their property daily. He thought the craft brewery would be a "good fit" in the Village of Avon – many people were excited about it. McCarthy told Board members they'd do it in phases as funds became available. Not many banks wanted to talk to business start-ups during this pandemic, he commented.

They had been approved by the federal government to brew beer, McCarthy continued, and they were working on their New York State licensing. They had a down payment for equipment, McCarthy said, and would begin with a 2-barrel system. Development would be done in stages and the first phase would be the basement.

They expected to operate April through November in the first phase, McCarthy continued. They'd like to have the brewery up and running by next summer, he told Board members. He had talked to Village water and sewer people and capacity wasn't a problem.

**Property Access
Up to State DOT**

They were looking for a “family atmosphere,” Elaine McCarthy said. The public would be allowed to bring in food before the McCarthy’s had their kitchen options available and they planned on live music as well, she added. The second phase of their plans called for winterization of the barn followed by the third phase, construction of a kitchen.

The McCarthy’s had two driveways exiting onto Routes 5&20, one directly opposite Pole Bridge Road and the other about 425 feet to the west.

Which driveway would you be using for access to the craft brewery? McCormick wondered.

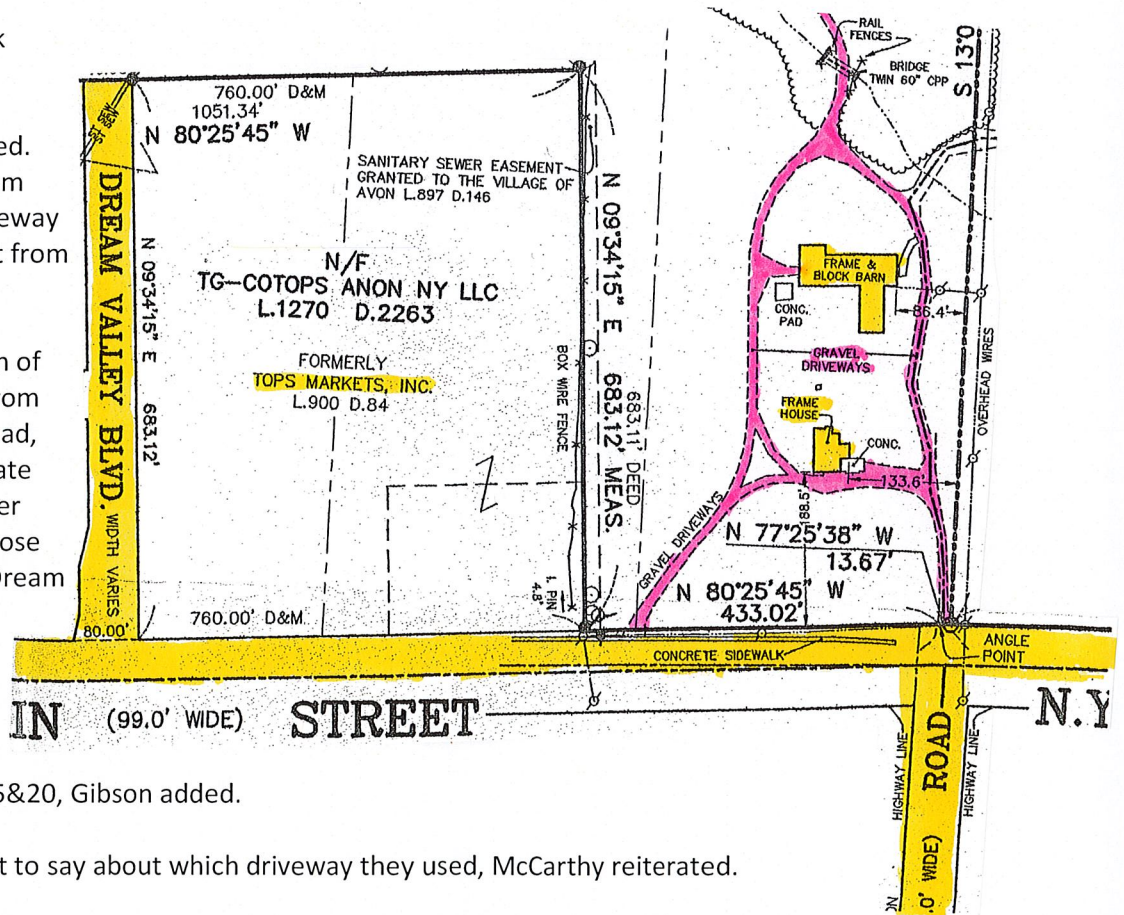
Depends on the New York State Department of Transportation (DOT), Elaine McCarthy responded. Patrons could come in from the Pole Bridge Road driveway then loop around and exit from the lower driveway.

There had been discussion of creating a left-turn lane from 5&20 onto Pole Bridge Road, Gibson remarked. The State wouldn’t authorize another signalized light there so close to the signal on 5&20 at Dream Valley Boulevard.

There had also been talk of extending the Village’s 30 mph speed limit out 200 to 300 yards east on 5&20, Gibson added.

The State would have a lot to say about which driveway they used, McCarthy reiterated.

Their property was zoned Agricultural (AG), Drozdziel noted, and the McCarthy’s weren’t looking to subdivide, but to continue operating as one parcel.



**Special Use Permit
The Starting Point**

The McCarthy’s had gotten a special use permit for their bed and breakfast in 2019. The Village’s Special Use Regulations were spelled out nicely on the Village’s website, Drozdziel noted. Chapter 30, Zoning, Article 61, covered Special Use Regulations.

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Application requirements were in Section 30.64, which allowed the Planning Board to seek the opinion of legal, engineer, design or other such professionals to review the application with the applicant reimbursing the Village for the cost. Drozdziel "strongly" suggested the McCarthy's review that section of the Village Code.

Gittens also advised the McCarthy's to provide the Planning Board with a traffic analysis and sewer and water capacity estimates.

The McCarthy's submitted a "Trip Generation Letter" from SRF Associates, a transportation planning, engineering and design firm from Rochester that had been generated last June.

Gittens requested a "statement of operations." The McCarthy's had run through their start-up phases in the material they had submitted, but how many employees did they anticipate hiring, how many bathrooms would they need, what other events would be held at the brewery and bed and breakfast and how would they handle them. Gittens also mentioned site plans.

The Special Use Regulations on the Village's website spelled out what was needed, Drozdziel reiterated.

Site Plan Costly (Village Code Chpt. 30, Art. XII)

Assurance of Approval Sought

A site plan would cost \$5,000, Elaine McCarthy declared. Was there an interest in their project? She said they didn't want to spend \$5,000, if they were just going to be told, "no."

Drozdziel advised the McCarthy's to get on the Village Board agenda for Monday, April 5. The Village Board had the final say, he told them, adding the Planning Board was just an advisory body. What the McCarthy's had presented was good, but it should be presented to the Village Board and, if they had any objections, they would tell them.

The Planning Board wasn't interested in the McCarthy's spending a lot of money, if they were going to be turned down, either, Drozdziel said. He gave the McCarthy's a copy of the Village's Special Use Regulations, saying they were pretty "straight-forward."

A number of the craft breweries in the area were "farm breweries," Drozdziel remarked.

That's what we would be, J. Douglas McCarthy responded.

Asked about his brewing experience, McCarthy said he had gotten a kit for Christmas one year and he had a 10-gallon pilot system in his basement now, brewing Scottish ale, amber ale and porter. If approved their Farm Brewer's license would authorize them to manufacture up to 75,000 barrels of New York State labeled beer and/or cider annually.

This year, McCarthy said they would locate their brewing equipment in their garage while work began on transforming the barn into a brewery. They'd start brewing beer for wholesale, for their bed and breakfast guests, for local farmers markets and for "pick-up and run."

**Traffic Safety
Of Primary Concern**

Of immediate concern is traffic safety, coming out of the McCarthy's property onto 5&20 with Pole Bridge Road right there . . . and with water use.

J. Douglas McCarthy said they had a 6-inch water main through the front of their house and a 4-inch line at the back. There was a private fire hydrant on the property, but McCarthy said it was shut off.

How much road frontage did they have beyond their east driveway? Gibson asked.

The east driveway was virtually on the property line.

J. Douglas McCarthy said they had had conversations with the management firm that handled TOPs Plaza about parking in the TOPs lot.

Directing people down the TOPs parking lot to Dream Valley Boulevard and the signalized light at 5&20 would be great," Drozdziel remarked.

Gittens said MRB looked at traffic analysis, but conceded DOT would have the final say.

Flooding issues? Drozdziel asked.

We're high and dry there, Elaine McCarthy assured.

Parking would be blacktopped (77 spots estimated)? McCormick inquired.

No, Elaine McCarthy said.

There was a house between the barn and 5&20, Anderson asked if they would be keeping it.

Yes, Elaine McCarthy said, they'd been remodeling the house for the past four years, but had just been a little slow about it. There was consideration to put an Air B&B in it.

Getting back to the Village Board, Drozdziel said meeting with the Trustees would be a "courtesy thing."

And, after the Village Board says yes, we'll deal with you? Elaine McCarthy asked.

We'll go through the process, Drozdziel responded.

We need actual numbers on water and sewer capacity needs, a statement of fact, Gittens said.

The barn was built in 1920, Elaine McCarthy estimated, adding it has a basement in it.

It begs to be turned into “something,” J. Douglas McCarthy added.

Ax Throwing Competitions

Goat Viewing & Gardens

According to the McCarthy’s, the basement of the barn would be secured and be rebuilt to hold the brewing equipment. The main floor would house a tasting room and bathrooms while the third floor would be reserved for ax throwing competitions and leagues. The barn would further be equipped with two large decks.

The McCarthy’s anticipated an occupancy of 75 patrons. The Village’s Special Use Regulations, Drozdziel noted, had occupancy classifications for public places of assembly and there were restrictions. And, there might be structural limitations for a second floor, he added.

Do you envision restaurant options? McCormick asked.

Food, but not a full-blown kitchen, Elaine McCarthy responded. The McCarthy’s had brought in 4-packs of Scottish ale, amber ale and porter. Elaine McCarthy had a printing company (No Other Impressions, Inc., 15 McArdle Street, Rochester) and she’d designed and printed labels she thought would work on their beers. They’d sell their beers at Farmers’ Markets, she added.



Elaine McCarthy

Doug McCarthy

The McCarthy’s craft Trail Town Program, initiative to connect attractions in the

brewery/coffee house might tie into the Hayes mentioned. The program was an hiking and biking trail enthusiasts with towns and villages they passed through.

In addition to the craft brewery/coffee house, the ax throwing competitions and leagues, the McCarthy’s hope to offer a goat pen and outdoor seating structure for viewing and a summer garden.



Drozdziel suggested the McCarthy’s contact the Livingston County Economic Development Department with regards to financing assistance.

The McCarthy’s departed at 8:15 PM with suggestions to review the Village’s Special Use Regulations and to contact the Village Board, as a courtesy, and the Livingston County Economic Development Department for financing assistance. The next step in the process would be a Special Use Permit application.

B. Solar Projects

The Board had asked Lance Brabant, a Senior Planning Associate with the MRB Group, to draft a solar projects moratorium for Village Board consideration. The Planning Board intended to follow-up by developing solar development restrictions according to zoning classification.

Drozdziel told Board members Brabant hadn’t yet drafted a letter for the Village Board to consider, but it was anticipated and they hoped to pick-up the topic again at the Tuesday, April 20, 2021 Planning Board meeting.

IV. NEW BUSINESS
Nothing pending.

V. ADJOURNMENT

MOTION: Borkhuis moved for adjournment at 8:25 PM, seconded by Gibson. Voting in favor were: Drozdzial, Borkhuis, Gibson and Hayes. Voting against were: none.

CARRIED, 4 Ayes, 0 Nays

Gary Margiotta
Secretary