

**MINUTES OF A MEETING OF THE
VILLAGE OF AVONG PLANNING BOARD
TUESDAY, APRIL 20, 2021
7:00 PM; VILLAGE HALL**

I. ATTENDANCE

Paul M. Drozdziel, Chairman
Marilyn Borkhuis
John Gibson

ABSENT

Robert C. Hayes
William Wall

STAFF

Anthony Cappello, Code Enforcement Officer
Patrick McCormick, Village Board Liaison
Gary Margiotta, Secretary

II. APPROVAL OF THE MINUTES

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

CARRIED, 3 Ayes, 0 Nays

III. OLD BUSINESS

A. Crooked Barn Craft Brewery/Coffee House
310 East Main Street, Parcel 34.7-1-40.11
Avon, NY 14414

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

The applicants had proposed converting a barn at their 310 East Main Street property into a craft brewery/coffee house. The property was zoned Agricultural (AG).

**Change the Code to Allow
Craft Breweries in AG Districts**

Lance Brabant, a Senior Planning Associate with the MRB Group, and Jake Whiting, the Village's Attorney, had agreed the Village could issue a special use permit, but a craft brewery wasn't a permitted use in an Agricultural district. The Code could be amended but that would open Agricultural districts up to craft breweries. The Village had Agricultural districts on the west sides of River Street and Pole Bridge Road.

**. . . or Change the Zoning from
Agriculture to General Business**

McCarthy's property could also be rezoned from Agricultural to General Business (GB). Both sides of East Main Street were zoned General Business from Peppermints Family Restaurant to the Village line EXCEPT for the McCarthy's property.

Would the zoning change be for McCarthy's entire 29.97-acre parcel? McCormick wondered.

Drozdziel thought so unless their parcel could be divided. He asked Cappello if that would be possible.

Cappello didn't think so.

Mayor Thomas W. Freeman had been looking for some sort of recommendation from the Planning Board, Drozdziel instructed Board members.

Was there any ordinance prohibiting a brewery within so many feet of residential housing? Gibson asked.

Cappello said, no, there was no ordinance covering anything like that.

Drozdziel had suggested McCarthy talk to Assessor Tami Snyder and see if changing the zoning of his property from Agricultural to General Business would affect his taxes.

Any Preference for Changing the Code or Changing McCarthy's Zoning?

Did Board members have any preference for changing the Code or changing the McCarthy's zoning, Drozdziel asked.

Borkhuis didn't have strong feelings either way, she said.

A letter, outlining their options, should be sent to the McCarthy's, Drozdziel said.

B. Uses for Vacant Lot On Rochester Street

Joseph Montesano of Avon-Geneseo Road owned a vacant lot, 100-feet X 206-feet, on the corner of Rochester Street and Barilla Drive, Cappello told Board members. The lot was zoned Combination Business (CB) and Cappello said he'd been asked what sort of business could go there. One person, he continued, had asked about putting up a 20-foot X 30-foot building to work on classic cars.

According to Chapter 30, Section 31 "District Purpose Statements," the intent of the CB district was to permit the continuation and protection of residential uses in combination with small scale, limited commercial and industrial uses. The next property to the north of Montesano's lot was R&R Enterprises, a landscaping business with a house on the property, while the next property to the south was a multiple dwelling.



**C. 52 West Main Street
Condemned 2-Family House**

Jesse R. Driscoll Jr. and Susan Lochner of 4695 Littleville Road owned a 2-family house at 52 West Main Street that had been condemned. Driscoll wanted to remodel the house, but Cappello had told him he couldn't, that the house couldn't be brought up to Code.

A certified carpenter would have to be brought in to review conditions and say the house could be saved before remodeling would be permitted, Cappello continued.

Perhaps, something from a structural engineer, Drozdziel added.

Once the work was started, Cappello said, everything would have to be done.



**D. 97 Genesee Street
Status Inquiry**

The Village had demolished a 2-story home with detached garage at 97 Genesee Street. Gibson asked where the Village stood with now vacant lot.

Plans hadn't been finalized, Trustee McCormick said. Talks had been for an access road to the municipal parking lot behind Genesee Street buildings.

Ann Younger of 93 High Street had been renovating the Avon Park Theater, LLC, at 71 Genesee Street and when Younger opened the theater parking would be needed, Trustee McCormick said.

IV. NEW BUSINESS

Nothing pending.

V. ADJOURNMENT

MOTION: Borkhuis moved for adjournment at 7:28 PM, seconded by Gibson. Voting in favor were: Drozdziel, Borkhuis and Gibson. Voting against were: none.

CARRIED, 3 Ayes, 0 Nays

Gary Margiotta
Secretary