

**MINUTES OF A MEETING OF THE
VILLAGE OF AVON PLANNING BOARD
TUESDAY, DECEMBER 20, 2022
7:00 PM; VILLAGE HALL**

I. ATTENDANCE

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

STAFF

Patrick McCormick, Village Board Liaison
Gary Margiotta, Secretary

QUORUM, 5 Present, 0 Absent

II. APPROVAL OF THE MINUTES

MOTION: Gibson moved for approval of the minutes of the meeting of November 15, 2022. Seconded by Tonra. Voting in favor were: Drozdziel, Borkhuis, Gibson, Hayes and Tonra. Voting against were: none.

CARRIED, 5 Ayes, 0 Nays

III. OLD BUSINESS

A. Solar Projects

Drafting legislation

Gibson, Committee Chairman

The Village Board had extended the moratorium on ground-mounted solar projects and battery storage through October 3, 2023. The Planning Board had been charged with drafting legislation governing solar projects.

Form a Committee

To Draft Legislation

Should we form a committee, with representatives from the public, to draft solar legislation? Drozdziel asked.

Gibson said he had been looking for model legislation from when Rob Richardson, Clean Energy Communities Coordinator for the Genesee/Finger Lakes Regional Planning Council had addressed them, but hadn't been able to find it.

How do we want to proceed? Drozdziel asked.

Tonra suggested inviting some people from the public.

Put an advertisement in the Penny Saver? Drozdziel asked, open the topic for discussion.

Tonra said she would be interested in hearing from more people.

How could they come to some conclusions, define the structure, fill the positions from the public, Drozdziel inquired.

How had the Town gone about this? Hayes asked.

They had created a committee that advised the Town Board – the process had taken a year, Drozdziel responded.

Did the Town’s committee write the code? Gibson wondered.

The Town had had their consulting engineers, the MRB Group, involved along with the Town Attorney, Drozdziel recalled. The Town Attorney had been “*pivotal.*” It had taken a time commitment, you’d meet as often as you needed to.

The Village had 10 months to get legislation in place, Tonra said. If they formed a committee in February, nine months.

Committee Structure

Tonra & Gibson to Co-Chair

The Town had had:

- Two committee members from the Town Board
- One from the Planning Board
- One from the Zoning Board of Appeals; and
- A couple from the public

Trustee McCormick volunteered to sit on the committee. Gibson offered as well.

Scheduling a meeting with Mary Underhill from the Livingston County Planning Department might help, Drozdziel offered, not many other villages in the county had solar legislation, possibly Dansville.

Who would like to chair? Drozdziel asked.

Tonra volunteered and Gibson offered to co-chair.

With two members from the public? Tonra asked.

And are we looking to the Zoning Board of Appeals? Gibson followed-up.

Flesh it out with a core group, Drozdziel advised.

Not more than eight members, Tonra said.

Keep the membership at an odd number, Drozdziel recommended. Contact Daniel Freeman, Chairman of the Zoning Board of Appeals (ZBA) and let them come up with someone. ZBA included: Freeman with Christopher Conine, James Gerace, Richard Hite and Ernest Wiard as members.

As for the committee members from the public, Tonra asked if they should advertise in the Penny Saver.

Drozdziel said he could come up with a copy of the ad the Town had used, applicants would have to be Village residents. They could ask applicants to E-mail the Village office a letter of interest.

January 15 should be the deadline for letters of interest then the next Planning Board meeting would follow January 17, Tonra suggested.

They could select by the *"bingo method,"* Drozdziel suggested, put qualified applications in a hat and draw out two.

**August 1 Deadline
For Recommendations**

Do we have an outline of what we'll cover? Tonra wondered.

The Village of Avon is looking to better define a solar law, Drozdziel answered. Suggestions will be used to formulate a local law then the Village Board will conduct a public hearing on the local law.

The committee would just come up with an overview, Trustee McCormick clarified, Village Att. Jake Whiting would write the law.

And that's where MRB would come into play, Drozdziel said, adding they should start with the resources that don't cost the Village any money . . . like Mary Underhill.

Should the committee meet once or twice a month? Tonra asked.

Make it user friendly, Trustee McCormick advised, make it one time per month.

Drozdziel thought the opposite. They needed a deadline. The law would have to be drafted and a public hearing scheduled – you'd want those things in the hopper by the end of July, August 1, the Chairman said. It wouldn't be advisable to extend the moratorium a second time.

So, the committee would have to present their recommendations to the Village Board? Tonra asked.

Present them then the Village Board would have to conduct a public hearing then adopt the law, Drozdziel said. He'd try to get Tonra a copy of the advertisement the Town had used

Streetlights Coming

Trustee McCormick said new streetlights were going up on Genesee, Spring, River, Linden and Oak Street so far.

Tonra, who lived at 33 Spring Street, had walked to the meeting and said she'd never been able to see the sidewalk before walking to Village Hall.

Drozdziel asked about the lights strung between poles downtown.

They were here to stay, Trustee McCormick responded.

More of a seasonal thing? Drozdziel followed-up.

I think they'll be there year-round, Trustee McCormick said.

Storage Facilities

Downtown

Jeremy and Keegan Fisher of Rochester Properties Real Estate at 95 Allens Creek Road, Ste 314; Rochester owned Assemblywoman Marjorie Byrnes offices at 79 Genesee Street. They were apparently putting storage units in the basement of the building.

IV. NEW BUSINESS

Nothing pending.

V. ADJOURNMENT

MOTION: Borkhuis moved for adjournment at 7:56 PM, seconded by Hayes. Voting in favor were: Drozdziel, Borkhuis, Gibson, Hayes and Tonra. Voting against were: none.

CARRIED, 5 Ayes, 0 Nays

Gary Margiotta
Secretary