

A meeting of the Board of Trustees of the Village of Avon was held in Conference Room B of Village Hall, 74 Genesee Street, Avon, New York, on January 22, 2024.

Present: Thomas Freeman, Mayor
 William Zhe, Trustee
 Tim Batzel, Trustee
 Amanda Hoffmann, Trustee
 Patrick McCormick, Trustee

Staff: Ken Farrell, DPW Supt.
 Joe Geer, Police Chief
 David Piampiano, Fire Chief
 Andy Anderson, Code Enforcement
 Robert Alexander, Code Enforcement
 Bill Davis, MRB
 Sherman Gittens, MRB
 Paul Drozdziel, Planning Board Chair
 Rob Hayes, Planning Board
 Marilyn Borkhuis, Planning Board
 John Gibson, Planning Board
 Kelley Tonra, Planning Board

Visitors: David Cox, Passero
 Jim Harrington, East Main Street
 George Brown, Genesee Street
 Edward Forsythe, Sackett Road
 Peter and Claire Prine, River Street
 Sarah Cope, High Street
 Kitty Bressington, Collins Street

Mayor Freeman called the meeting to order at 6:00pm and began with the Pledge of Allegiance.

VOUCHERS and MANUAL CHECKS:

Upon a motion made by Trustee Zhe, the vouchers and manual checks/electronic payments were approved for payment from the following funds:

#1-GENERAL FUND	\$41610.64
#4-SCHEDULE C	\$42501.21
#5-WATER	\$3885.75
#6-SEWER	\$29475.80
#TA00-TRUST & AGENCY	\$1081.80
#V000- DEBT SERVICE FUND	\$
#HH44-STORMWATER PROJECTS	\$142292.20

TOTAL	\$260847.40
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Electronic payments:

Fed/NYS Taxes	p/r 24-01	\$18864.81
Nationwide Retirement	p/r 24-04	\$2686.81
TOTAL:		\$21551.62

Manual Checks:

NYS Child Sup. Proc. Ctr	Child Support	\$525.00
TOTAL:		\$525.00

The motion was seconded by Trustee Batzel and carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

DPW UPDATE:

Supt. Farrell provided the following update to the Board:

DPW Activity – past weeks

1. Took down Holiday decorations.
2. Picked up trees/brush.
3. Finished putting ice rink together.
4. Picked up corn for deer harvest from Lefeber Farms.
5. Plowed & salted roads.
6. Replaced old check valve & boiler feed reducer for office, send letter to Boiler Safety Bureau
7. Repaired at prepped 2 trucks for NYS Inspection.
8. Repaired air duct vent in Chief Geers office.
9. Cleaned up from an accident /damage to horse track fence at Driving Park(getting prices to repair &submit to drivers insurance company)

WWTP

1. Daily operations
2. Working on WET testing.

Water

1. Pebble Beach pump station, on 1/11/2024 we had an issue with the “old pumps” (wouldn’t prime) We ended up starting the new pumps to feed filtration plant. The guys are monitoring the use of the pumps. Due to the fact that our controls aren’t in operation, the guys are manually controlling. Mr. Davis stated that the impellers should be here February 12 or 13.

2. The crew excavated 1 area of Triphammer water line to investigate a leak. Found the line to be about 30 yards closer to the road than where the leak was looking like. No water around the line. Landowner/TOA Supervisor also on site to see.
3. It has come to our attention that the steel building in front of the Filtration Plant is going to be up for sale. I would recommend that the Village inquire about this property. From a security/safety issue this property would be a good investment (move gate & fence to the front of property). Mayor Freeman asked the Board to allow Supt. Farrell to reach out to Mr. Peter Burke to look into it for the Village. The Village Board agreed. Trustee Batzel asked where the funds would come from, should there be interest from the Village? Mayor Freeman stated he believed that the water fund and schedule c could be used but would check with Treasurer Quinlan.

UV Disinfection

1. Blue Heron poured concrete for the effluent structure this past week.

Streetlights

1. Light fixture for D'Angelo Pkwy. was installed by P&CG, last week.

Conference attendance requests-

1. WNY Water Works training and contact hours for crew members Kirk Vanderbilt, Chad Bailey, Supt. Ken Farrell, Nick Kubinski, and Sam Rugg to be held 2/14/2024 in Batavia- \$225.00 total.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board authorized the attendance to the WNY Water Works training in Batavia for the DPW crew. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

2. NY AWWA Water Event in Saratoga April 9-11, 2024. Training, network, competition committee submitted for Kirk Vanderbilt- \$760 total (\$400 registration \$360 lodging). Mayor Freeman asked if Mr. Vanderbilt and Mr. Bailey have alternated years for this session. Supt. Farrell will look into it and get back to the Board.

MRB UPDATE:

Bill Davis followed up Supt. Farrell's update with a few added notes:

- WWTP Project- not much to update, continues to move forward.
- Submitted the Wastewater Treatment Plant Preliminary Engineering Report and received comments back from NYS DEC. We need to address them and will need to coordinate with the Village and staff on this response.
- Pebble Beach- electrical being worked on by the contractor.
- Joint Water Tank Project- reviewing financials with Treasurer Quinlan. Not much to report until we hear back from EFC in regard to the grant.

- Triphammer Road- would like to set up a meeting with the Water Works Committee and Geneseo. Attorney Whiting has provided some information on how a district can be created.

TREASURER UPDATE:

Treasurer Quinlan provided the Board with the following update:

Ongoing

- Gathering ideas for 2019 GVBA grant.
- The Board needs to determine additional use(s) of the ARPA funds.
- Continued review of IT policies w/Shawn Petti, Hurricane Technologies. Future Board approval.
- Heather working on reporting salary & contributions as our former employee does want to retire from NYS.
- Attorney Whiting responded to NYPA re: outstanding invoice. No response from NYPA yet.
- Organizing sign purchase for Erie-Attica. Hitch rails are completed.
- 2017 & 2018 GVBA grant reimbursement request to be made after all checks have been cashed.
- National Grid's approval to install arms in process.

New

- Working on 1099-NEC's.
- Budget sheets & budget calendar distributed to Department heads.
- Working on budgets.
- Project status meeting with Donegan's and MRB on 1/26/24

FIRE DEPARTMENT UPDATE:

Chief Piampiano provided the following update to the Board:

- Drills continue. Fit test will be Monday.
- Received an email from Liv. County EMS in regard to the solar eclipse in April. With events being planned across the county, they would like to make sure that the Village will be able to crew up for a shift from noon until 6pm. Chief Piampiano hopes to have people available all day.
- Airpacks will be picked up and heading out of state in February.

POLICE UPDATE:

Chief Geer provided the following update to the Board:

- Reviewed the 2023 year end stats for the department. Calls are up slightly from the previous year. EMS continue to be the highest call volume along with alarm/911 investigation calls and mental hygiene calls. The largest drop in calls was MVAs. Property checks for residences and businesses account for the "other" category. All services are documented.
- Speed Signs- continue to be a great tool for accumulating data to determine what areas are good for running radar and their peak times. When the signs are up, the speed goes down. This has been the best news.

- MVA at the Downs. The bill for damages will be submitted to their insurance for reimbursement.
- Car seats- we have an allotment of 8. Officer Matthew McFadden continues to be our expert.
- Deer Committee Update: Feeders turned on 1/2/2024. Week 3: 6 sites were harvesting. sites spent 15.75 hours harvesting during 6 sits. 6 deer were taken. 8 shots were taken (2 non-lethal hits) 75% success rate. All bolts were recovered. (2 deer were donated). 49 deer were observed for an average of 25 per day, 8 per sit.
To Date- 13 deer have been harvested. 15 shots have been taken with 2 non-lethal hits for an 87% success rate. 83 deer have been observed over the seven dates. 6 deer have been donated. 9 out of 17 participants have harvested a deer. 3 have harvested multiple deer. (packet includes week 2 and three)
- Chief Geer took a moment to publicly acknowledge Officer Ferrara for his 20 years of service with the department and offered congratulations.

CODE ENFORCEMENT UPDATE:

Code Officer Anderson gave the following update to the Board:

- Introduced newly certified Code Officer Robert Alexander. Mr. Alexander completed his certification in December of 2023, will be focusing on the fire inspections for the Village, and will be able to assist Code Officer Anderson with inspections and citations as needed.
- Several properties with maintenance issues- Code Officer Anderson has sent out correspondence to those properties and will follow up.
- Reviewed the letter sent to the owner of the motor vehicle at 425 Wadsworth Ave by Attorney Whiting.
- Provided- Letter of Formal Condemnation of 52 West Main Street as requested by the Livingston County Land Bank.

CLERK UPDATE:

The following items are updates from Clerk Randall:

- For destruction- bank book pages for the following accounts: HUD CD99-200, V231, TA200P, TA200, A201- 2017
- WQIP- Quarterly Narrative Report provided.
- Requesting to change the second Board meeting in March from March 18th to March 25th, 2024. Would like to invite the newly elected officials from the election on the 19th. We will also, at that meeting, present the tentative budget, as the Budget Timeline shows (provided)

Upon a motion made by Trustee Hoffmann and seconded by Trustee Zhe, the Board agreed to change the second Board Meeting of March to March 25, 2024, in order to invite newly elected members to the meeting. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

- Clerk Randall discussed the Records Management Grant (LGRMIF) that she would like to work on with the Town of Avon in order to maximize the possible grant award amount for

both the Village and Town. Clerk Randall asked for the Board’s consideration and approval to move forward jointly with the Town of Avon, along with help from Laserfiche representative Liz Mistretta, to apply for the LGRMIF grant for records management. The grant, if applied for, is due at the end of February 2024.

Upon a motion made by Trustee Batzel and seconded by Trustee Hoffmann, the Board approved Clerk Randall’s request to move forward with the LGRMIF grant application jointly with the Town of Avon. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Clerk Randall discussed briefly the Laserfiche Cloud Municipal License. Available based on the size of the municipality, it offers up to 100 licenses that would be split between the Village and Town, allowing for each department to have access to an electronic filing system that can be customized for the department to maintain records. There are different levels of accessibility in order for department heads to make changes accordingly while allowing others read access in order for more manageable searches. This would be one of the many steps in updating and creating a user-friendly records management system.

Important Dates:

- **BOARD MEETINGS- Feb 5th and Feb 19**
- **Republican Caucus Jan 23rd at 6pm, Democratic Caucus on Jan 30th at 6:30pm**

MINUTES:

Upon a motion made by Trustee Hoffmann and seconded by Trustee Zhe, the minutes from the January 8, 2024 meeting were approved as submitted. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

DESIGNATION OF LEAD AGENCY- JAGUAR PROJECT

Sherman Gittens of MRB led the discussion with the Village Board and provided the following for the Board’s consideration:

VILLAGE OF AVON BOARD OF TRUSTEES RESOLUTION
PROJECT MILL
HORSESHOE BOULEVARD, AVON, NEW YORK
TAX MAP ID: 24.17-1-2.111,& 24.-2-1
SPECIAL USE PERMIT & SITE PLAN APPLICATIONS

SEQR – DESIGNATING LEAD AGENCY

WHEREAS, the Village of Avon Board of Trustees of Appeals (hereinafter referred to as Board of Trustees), is considering a Site Plan Approval for the development of the Project Mill project (Project), a proposed 270,000 square-foot pipe fabrication facility in the Village of Avon with a potential future 65,000 square-foot expansion, new rail spur for delivering steel and exporting finished pipe, driveway entrances for employees and for trucks, outdoor storage areas and pipe racks, gantry cranes, truck scales, perimeter fencing, an electrical substation, water connection, sanitary sewer with a pump station and force main, storm sewer with stormwater management facilities and pond, parking, lighting, and landscaping. This Project is to be located within the Village of Avon industrial district, Tax Map ID: 24.17-1-2.111,& 24.-2-1, (site). The proposed Project will be located on ±23-acres of a ±187-acre site as described in the Site Plans dated October 2023 and all other relevant information submitted as of January 22, 2024 (the current application); and

WHEREAS, the Board of Trustees has determined the proposed action referenced above to be a Type 1 Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Board of Trustees has on Monday, November 6, 2024 declared its intent to be designated the Lead Agency for the proposed Action under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Planning Board has provided written notices to this effect to the involved and interested agencies on December 12, 2023 after receiving the Special Use Permit Application for the Planning Board's review; and

WHEREAS, the Board of Trustees has not received any written objections from the involved agencies to the Board's being designated as the lead agency under the SEQR Regulations; and

WHEREAS, the Board of Trustees has previously determined that it is the most appropriate agency to insure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees does hereby designate itself as the lead agency for the Action identified above herein;

The above resolution was offered by Trustee Batzel and seconded by Patrick McCormick at a meeting of the Board of Trustees held on Monday, January 22, 2024. Following discussion thereon, the following roll call vote was taken and recorded:

Trustee Amanda Hoffmann **AYE**

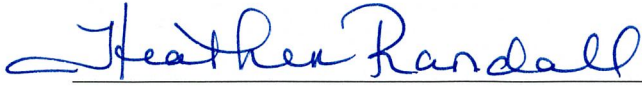
Trustee Timmy Batzel **AYE**

Trustee Patrick McCormick **AYE**

Deputy Mayor William Zhe **AYE**

Mayor Thomas Freeman **AYE**

I, Heather Randall, Village of Avon Clerk, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Village of Avon Board of Trustees for the January 22, 2024 meeting.



Heather Randall, Village of Avon Clerk

SEQR DETERMINATION OF SIGNIFICANCE- JAGUAR PROJECT

Mr. Gittens also discussed with the Board the Determination of Significance, which he explained once adopted, authorizes Mayor Freeman to execute the required form. This will create a 30-day window for public comment on the DEC website once submitted. The following was presented to the Board for their consideration:

VILLAGE OF AVON BOARD OF TRUSTEES RESOLUTION
PROJECT MILL
HORSESHOE BOULEVARD, AVON, NEW YORK
TAX MAP ID: 24.17-1-2.111,& 24.-2-1
SPECIAL USE PERMIT & SITE PLAN APPLICATIONS

SEQR – DETERMINATION OF SIGNIFICANCE

WHEREAS, the Village of Avon Board of Trustees of Appeals (hereinafter referred to as Board of Trustees), is considering a Site Plan Approval for the development of the Project Mill project (Project), a proposed 270,000 square-foot pipe fabrication facility in the Village of Avon with a potential future 65,000 square-foot expansion, new rail spur for delivering steel and exporting finished pipe, driveway entrances for employees and for trucks, outdoor storage areas and pipe racks, gantry cranes, truck scales, perimeter fencing, an electrical substation, water connection, sanitary sewer with a pump station and force main, storm sewer with stormwater management facilities and pond, parking, lighting, and landscaping. This Project is to be located within the Village of Avon industrial district, Tax Map ID: 24.17-1-2.111,& 24.-2-1, (site). The proposed Project will be located on ±23-acres of a ±187-acre site as described in the Site Plans dated October 2023 and all other relevant information submitted as of January 22, 2024 (the current application); and

WHEREAS, the Board of Trustees has determined the above referenced Action to be a Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) regulations; and

WHEREAS, the Board of Trustees determined that said Action to be subject to a coordinated review and approval by other involved agencies under SEQR Regulations; and

WHEREAS, the Board of Trustees has been designated the lead agency, under the provisions of Part 617.6 (3) and (4) of article 8 of the State Environmental Conservation Law; and

WHEREAS, the Board of Trustees has given consideration to the comments provided by the involved agencies and interested agencies at tonight's meeting; and

WHEREAS, the Board of Trustees has completed its review of Parts 2 and 3 of the Full Environmental Assessment Form (EAF); and

WHEREAS, the Board of Trustees has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) of the SEQR Regulations and the information contained in Parts 1, 2 and 3 of the Full EAF.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby accept the findings contained in Parts 2 and 3 of the Full EAF and directs the Planning Board Chairperson to sign and date the Full EAF Part 3.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed from the site or destroyed as the result of the proposed Action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed Action; there will not be a significant impact upon habitat areas on the site; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources on the site;
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed Action;
- (iv) the overall density of the site is consistent with the Town's Comprehensive Plan land use recommendations;
- (v) the site is will not negatively impact an identified archaeological sensitive area;
- (vi) there will not be an increase in the use of either the quantity or type of energy resulting from the proposed Action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a change in the use of active agricultural lands that receive an agricultural use tax exemption or that will ultimately result in the loss of ten acres of such productive farmland;
- (ix) there will not be a larger number of persons attracted to the site for more than a few days when compared to the number of persons who would come to the site absent the Action;
- (x) there will not be created a material demand for other Actions that would result in one of the above consequences;

- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related Actions which would have a significant impact on the environment.

BE IT FURTHER RESOLVED, based upon the information and analysis above and the supporting documentation referenced above, the proposed Action **WILL NOT** result in any significant adverse environmental impacts.

BE IT FINALLY RESOLVED, that the Board of Trustees does hereby make a Determination of Non-Significance on the proposed development, and the Village Mayor is hereby directed to sign the Full Environmental Assessment Form Part 3 and issue the Negative Declaration as evidence of the Board of Trustees's determination.

The above resolution was offered by Trustee Zhe and seconded by Trustee Hoffmann at a meeting of the Board of Trustees held on Monday, January 22, 2024. Following discussion thereon, the following roll call vote was taken and recorded:

Trustee Amanda Hoffmann **AYE**

Trustee Timmy Batzel **AYE**

Trustee Patrick McCormick **AYE**

Deputy Mayor William Zhe **AYE**

Mayor Thomas Freeman **AYE**

I, Heather Randall, Village of Avon Clerk, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Village of Avon Board of Trustees for the January 22, 2024 meeting.



Heather Randall, Village of Avon Clerk

PUBLIC HEARING with PLANNING BOARD- JAGUAR TUBULAR

The Village Board of Trustees was joined by the Village Planning Board for the joint public hearing at 7pm. Trustee Zhe read the following notice:

NOTICE OF PUBLIC HEARING

Please Take Notice that a public hearing will be held before the Village of Avon Board of Trustees and the Village of Avon Planning Board on Monday January 22, 2024, at 7pm in

Conference Room B at the Village Hall, 74 Genesee Street, Avon, New York, on the following matters:

1. Review of the site plan application for the 270,000 square foot steel fabrication factory Jaguar Tubulars of Newark, DE, has proposed building on Barilla Drive in the Livingston Industrial Complex; and
2. Review of the special use permit application for outdoor storage of steel coils, brought in by rail, for the manufacture of steel pipe for customers at the steel fabrication factory Jaguar Tubulars of Newark, DE, has proposed building on Barilla Drive in the Livingston Industrial Complex.

The Village Board of Trustees and Planning Boards will, at the aforesaid time and place, hear all persons in support of Jaguar’s site plan review and special use applications or objections thereto. Persons may appear in person or by agent or attorney. A copy of the applications are available for review at the Village Clerk’s office located at 74 Genesee Street, Avon, New York, from 8:00am to 4:00pm, Monday through Friday.

Dated: January 2, 2024

By Order of the Village of Avon
Board of Trustees and
Planning Board

Heather Randall, Village Clerk

Upon a motion made by Trustee Hoffmann and seconded by Trustee Zhe, the Board opened the public hearing at 7pm. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Upon a motion made by Planning Board Member Marilyn Borkhuis and seconded by Planning Board Member John Gibson, the Planning Board opened the public hearing at 7pm. The motion was carried by the following vote:

Paul Drozdziel, Chairperson	Voting	Yes
Marilyn Borkhuis, Member	Voting	Yes
John Gibson, Member	Voting	Yes
Robert Hayes, Member	Voting	Yes
Kelley Tonra, Member	Voting	Yes

Discussion began between both boards, Passero, and MRB. The site plan will need to be approved before the special use permit is able to be granted. The project has been reviewed by the Livingston County Planning Board and received a recommendation of “approval” from them with comments to be reviewed by both boards (attached). A letter received from Clara Mulligan, representative to the Livingston County Planning Board for the Town of Avon, reiterated the

comments she made at the county level for the record (attached). There were no additional comments.

Upon a motion made by Trustee Batzel and seconded by Trustee Hoffmann, the Village Board adjourned their portion of the public hearing to the February 5th meeting. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

The Planning Board adjourned to the Whitney Room for the continuation of their regular meeting.

PUBLIC COMMENT:

Mayor Freeman opened the floor to public comments.

- Jim Harrington- Mr. Harrington asked what the criteria for the properties discussed during the meeting in the Code Enforcement Update that initiated the action- were complaints filed with code enforcement?
- George Brown- agreed with Mr. Harrington stating he is glad to hear that correspondence has been sent to property owners. Both feel that more needs to be done in the area of property maintenance, and what is done for one should be done for all.

ADJOURNMENT:

Upon a motion made by Trustee McCormick and seconded by Trustee Hoffmann, the Board adjourned at 7:19pm by a unanimous vote.

Respectfully submitted,

Heather Randall
Village Clerk

January 13, 2024

Mayor Tom Freeman
74 Genesee Street
Avon NY 14414

Dear Mayor Freeman and Village Board Members,

As a representative for the Town of Avon on the Livingston County Planning Board, I was present for the proposal of the large pipe fabrication large facility on Barilla Drive. I mentioned a few comments which I will reiterate here.

I realize the landscape plan has not been finalized, but I would like to make mention of two elements: plantings and lighting.

It would be beneficial to have only native trees and shrubs planted on the grounds. Oaks support the most insect and bird species of all our native trees, by providing food for caterpillars, which in turn, are essential for raising the young of songbirds. Groups of trees planted near each other also provide more benefit for birds than single trees spread out in straight rows, while also appearing more natural. Ground cover comprised of native grasses and flowers where the mowing is only seasonal would also benefit ground nesting birds.

I have become more aware of LED lighting now that the shift away from other sources is nearly complete. LEDs are much brighter when directed outwards. They may be considered dark sky compliant, but when used as a spotlight, it appears to defy that quality. I would like to propose that any lighting for this new facility have deep enough hoods on the fixtures to ensure the light is contained downwards. Safety for employees can be attained by using light poles in the parking lot. Softer, warmer light would also be more attractive and less obtrusive in what otherwise is a naturally dark area.

I would also like to comment on the building design. The east-west alignment of the 800' building allows for a south facing roof. The roof could be required to be built with strength enough to hold a solar panel array. With the consistent loss of good farmland to solar development, this is a good chance to make use of a building that is removing 24 acres of river bottom land to house a large array of panels.

Thank you for your consideration,
Clara Mulligan



www.livingstoncounty.us

**LIVINGSTON COUNTY
PLANNING BOARD**

Livingston County Government Center
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Geneseo, New York 14454-1043

Telephone: (585) 243-7550

(585) 335-1734

Fax: (585) 243-7566

www.livingstoncounty.us/planningboard.htm

January 18, 2024

Heather Randall
74 Genesee Street
Avon, NY 14414

Re: Zoning Referral #Village of Avon, Site Plan and Special Use Permit for a 270,000 SF pipe fabrication facility and outdoor storage on Barilla Drive (Applicant: Taylor the Builders)

Dear Ms. Randall:

The Livingston County Planning Board, at its regular meeting on January 9, 2020, reviewed the zoning referral from the Village of Avon of the above mentioned pursuant to Sections 239-1 and m of the General Municipal Law of the State of New York. The Planning Board voted to recommend "Approval" of the proposed action with the following advisory comments:

1. The regulations of Village Law § 7-706 apply to this proposal because this proposal involves lands that are within 500 feet of the Town of Avon boundary. The Village should ensure all the necessary notifications are completed at least ten days prior to the public hearing, as required.
2. If not done already, the Applicant should provide the Site Plan to the Village Engineer and the New York State Department of Transportation for their review and approval.
3. If not done already, the Applicant should submit an Agricultural Data Statement for the Village to review. According to NYS Agriculture & Markets Law Section 305-B, the board reviewing the application "shall evaluate and consider the agricultural data statement in its review of the possible impacts of the proposed project upon the functioning of farm operations within such agricultural district."
4. According to the Livingston County Natural Resources Inventory, portions of the properties under review are located within a 100-year floodplain. The Village should take extra care to ensure a reduction in potential damage to any future development during a flood event.
5. If not done already, the Village should complete the SEQR process before final action is taken.
6. The potential 65,000 SF expansion is not under review at this time, and will need to be resubmitted to the County Planning Board for approval before expansion.
7. If not done already, the Applicant should ensure that the proposed is in conformance with the Village of Avon Flood Damage Prevention Law.

8. If not done already, the Applicant should ensure that the proposed meets the satisfaction of the Village and Village Engineer, including the comments addressed in the November 28, 2023 MRB Group letter.
9. If not done already, the Applicant should provide details of all proposed landscaping on the site plan and ensure that all landscaping provided meets the requirements of the Village Code.
10. If not done already, the Applicant should submit details on any proposed signage for review, ensuring it complies with Village Code.
11. The County Planning Board recommended that the Applicant consider that the roof be constructed with the possibility of adding rooftop solar panels in the future.

There was a quorum present at this meeting. There was a majority vote on this matter. For your information, a copy of the Staff Report has been included.

Thank you for submitting the proposed for County Planning Board review. If you have any questions regarding this referral, please do not hesitate to call me at 243-7550.

Sincerely,



Ted Griswold
Planner

cc: John Van Heusen, Chairman, Livingston County Planning Board
Collin Hayes, Village of Avon representative, Livingston County Planning Board