

**MINUTES OF A MEETING OF THE
VILLAGE OF AVON PLANNING BOARD
TUESDAY, SEPTEMBER 20, 2016
7:00 PM, VILLAGE HALL, WHITNEY ROOM**

I. ATTENDANCE

Paul M. Drozdziel, Chairman
Marilyn Borkhuis
Patrick McCormick
William Wall

ABSENT

Kevin O'Donoghue

QUORUM, 4 Present, 1 Absent

Anthony Cappello, Code Enforcement Officer
Robert Hayes, Village Trustee
Kurt Rappazzo, Civil Engineer III, MRB Group
Lance Brabant, Senior Planning Associate, MRB Group

Lance Brabant - Introduced

Senior Planning Associate
MRB Group, Engineering, Architecture & Surveying

MRB served as the engineering consultant for the Village of Avon. For the past several years, Kurt Rappazzo, a Civil Engineer III with MRB, had been assigned as an advisor to the Planning Board. Drozdziel announced Rappazzo would be stepping back and Brabant would step in.

Brabant told Board members he had been with MRB for 11 years (since 2005), doing plan reviews and otherwise assisting Rappazzo. He'd worked with Farmington in Ontario County and with the Town of Avon, doing State Environmental Quality Reviews (SEQR) among other things.

The Planning Board, Drozdziel explained, was a team effort. Over the years, they'd looked to Rappazzo for assistance and, when MRB couldn't help, the Board looked for MRB to reach out to others who could.

Board members, Drozdziel continued, had learned a lot from PathStone Development Corporation's application for a Planned Residential Development District (PRDD) and 60-unit apartment/townhouse complex on the north side of Clinton Street across from the Avon High School access road.

PathStone was a private, non-profit community development corporation at 400 East Avenue, Rochester. They worked in seven states and Puerto Rico. The corporation had approached the Village in April 2015 with a concept plan for the PRDD and, initially, a 45-unit apartment/townhouse complex, that they called Country Hill Estates.

The Planning Board had gone through the review process but, ultimately, had issued an unfavorable report on the project in June of 2016.

II. APPROVAL OF THE MINUTES

MOTION: Borkhuis moved for approval of the minutes of the regular meeting of June 21, 2016 (July and August had been cancelled), seconded by Wall. Voting in favor were: Drozdziel, Borkhuis, McCormick and Wall. Voting against were: none.

CARRIED, 4 Ayes, 0 Nays

III. OLD BUSINESS

Nothing pending

IV. NEW BUSINESS

- | | |
|---|---|
| <p>A. Peter Tamoutselis
352 Stottle Road
Scottsville, NY 14566</p> | <p>Use Variance – for construction of rental, mini-storage units
@ Avon Town Plaza, a B-2 General Business District property
@ 275 East Main Street, Avon, NY 14414</p> |
|---|---|

Avon Town Plaza is located in a B-2 General Business District. B-2 does not allow rental, mini-storage buildings as: a permitted use, a permitted accessory use or a permitted use with a special use permit.

Code Enforcement Officer Cappello had denied Tamoutselis’ building permit application and referred him to the Planning Board. Tamoutselis had failed to submit any documentation, supporting a use variance, nor had he attended the meeting.

Tamoutselis had had the timber around the plaza cut and removed. Drozdziel asked if that should have required anything. He believed Tamoutselis had disturbed more than an acre of land in the process - was that allowed? the Chairman wondered.

Tamoutselis had just had the trees cut down, Cappello responded, adding, he hadn’t graded any of the land.

But, Rappazzo said he’d driven through the plaza last week and it looked as if Tamoutselis had “clear-cut” the trees. A storm water permit probably should have been issued, if more than an acre of land had been involved, he asserted.

Should the Code Enforcement Officer have been involved? Drozdziel asked.

A cease and desist or stop work order could have been issued, Brabant remarked.

As far as rental, mini-storage buildings were concerned, Tamoutselis hadn’t shown-up so, Drozdziel considered the application a non-action item.

Should the Village Board be doing anything? Trustee Hayes inquired.

The Village Board may wish to consult with Village Attorney Reid Whiting, Rappazzo responded.

B. Pole on Temple Street

Between street & sidewalk

Near rear entrance to Avon Inn

Cappello said he'd been contacted February 16, 2016, about the installation of a pole between the street and the sidewalk near the rear entrance to the Avon Inn. He couldn't recall who had contacted him.

A call such as that might be best referred to Department of Public Works (DPW) Superintendent John Barrett, Rappazzo suggested.

Anything on the height of the pole? Drozdziel asked.

Cappello didn't offer any further details, but said he was sure he had the name of the person who had contacted him in his office.

C. Training Opportunities

Looking back at the PathStone process, was there any sort of training MRB could bring to the table? Drozdziel asked.

MRB did do training, Brabant responded, they'd recently done some for the City of Dunkirk in Chautauqua County as well as for the Town of Avon. The training could be as detailed as the Village wanted, he added.

Again, looking back at their PathStone experience, Drozdziel said he'd like to be as prepared as possible next time around. He asked Rappazzo what he might have done differently.

Rappazzo said he'd like to get the Board up-to-speed on asking questions rather than relying on his response letter for their bullet points.

We had gotten down in the weeds rather quickly, Drozdziel conceded. Figuring how an application such as PathStone's fit into the Village's Comprehensive Plan was something he'd taken away from the experience.

McCormick said he'd wished they could have slowed things down.

The Village Board's referral of PathStone's application to the Planning Board had been "casual," Trustee Hayes commented. By the time they realized it, it had snowballed – conceptually, what had they wanted to see? The Village only has a few areas left to develop. Trustee Hayes promised he wouldn't be so casual next time around.

Some places he had worked had had joint Board meetings, Brabant remarked. Canandaiqua, for instance, had scheduled joint Board meetings every other month.

D. Pending Items

1. Avon Commons

**Addition of Seven Apartment Buildings
On Lot R-35**

LaDieu Associates of Rochester had forwarded a site plan for the addition of seven eight-unit apartment buildings on Georgian Way and Collins Street in Avon Commons to MRB in November of 2014. Morgan Avon Court, LLC, had been identified as the developer.

The applicant should submit a letter of intent. The applicant would also have to confirm compliance with the latest State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activities.

Landscaping & lighting plans would have to be submitted for review.

The County Department of Health and State Department of Environmental Conservation (DEC) would have to approve the extension of the water main and sanitary sewer.

John Barrett, Superintendent of Public Works, would have to review and approve roadway signage.

A Letter of Credit would have to be established and a pre-construction meeting between the Village, applicant, design engineer, contractor and utility companies would have to be scheduled before work could begin.

**2. McDonald's Remodel
250 East Main Street**

T*Y*LIN International of Rochester had submitted plans to remodel the exterior of the McDonald's Restaurant at 250 East Main Street in April of 2014. Windows, signage and the drive-thru would have been addressed and 14-foot, 8 ½-inches added to the rear of the building to accommodate larger freezers/coolers.

**3. Comprehensive Plan
Status Update**

The next iteration of the Village's Comprehensive Plan was in "launch phase," according to Trustee Hayes. The Steinmetz Planning Group had been hired as consultants while Kenneth Greenwood of 355 Genesee Street had been named as chairman.

V. ADJOURNMENT

Motion: McCormick moved for adjournment at 8:01 PM, seconded by Borkhuis. Voting in favor were: Drozdziel, Borkhuis, McCormick and Wall. Voting against were: none.

CARRIED, 4 Ayes, 0 Nays

Gary Margiotta
Deputy Clerk