

**MINUTES OF A MEETING OF THE  
VILLAGE OF AVON PLANNING BOARD  
TUESDAY, SEPTEMBER 18, 2018  
7:00 PM. VILLAGE HALL**

**I. ATTENDANCE**

Paul M. Drozdziel, Chairman  
Marilyn Borkhuis  
Kevin O'Donoghue

**ABSENT**

Patrick McCormick  
William Wall

**GUESTS**

Joseph Montesano, Subdivision Applicant  
PO Box 186; Avon, NY 14414

**QUORUM:** 3 Present, 2 Absent

**STAFF**

Lance Brabant, Sr. Planning Associate, MRB Group  
Anthony Cappello, Code Enforcement Officer  
Brian Glise, Fire Marshal  
Gary Margiotta, Deputy Clerk

**II. APPROVAL OF THE MINUTES**

**MOTION:** O'Donoghue moved for approval of the minutes of the meeting of August 21, 2018, seconded by Borkhuis. Voting in favor were: Drozdziel, Borkhuis and O'Donoghue. Voting against were: none.

**CARRIED:** 3 Ayes, 0 Nays

**III. OLD BUSINESS**

**A. Subdivision Application**

Division of 3.92 acres into two lots  
At 28 Hickory Hill

No preliminary plat  
No application  
No application fee  
No action

**Thomas W. & Linda Freeman**

28 Hickory Hill, Avon, NY 14414  
R-1 One-Family Residential District

**IV. NEW BUSINESS**

**A. Subdivision Application**

Division of 1.4358 acres into three lots  
At 142 Rochester Street

**Joseph Montesano**

PO Box 186; Avon, NY 14414  
R-1 One-Family Residential District

Marilyn Restivo owned 142 Rochester Street, a single family home on a 63-foot wide and 603-foot deep lot. Montesano told Board members he wanted to buy the property, but certainly didn't need 603 feet of lawn.

Montesano told Board members what he'd like to do was subdivide Restivo's back yard and sell a 143 feet X 183 feet (.59-acre) parcel to Francis Matusak, whose 163 North Avenue property adjoined to the east.

Montesano said he'd keep Restivo's house and a 63-foot X 170-foot parcel then sell what was left of the back yard, which would be an L-shaped, .65-acre parcel to Christopher Best, the neighbor to the south at 134 Rochester Street.

What Montesano was proposing was, essentially, an administrative lot line adjustment, Brabant observed, but added the Village didn't have that.

You'd have to own the land before you could subdivide it, Glise told Montesano.

But, Montesano said, he didn't want to buy the land, if he couldn't subdivide it.

Then you'd have to have the owner's approval before the process could go forward, Brabant said.

Montesano told Board members he didn't have anything in writing from Restivo, Matusak or Best.

Montesano, Brabant said, would have to have a survey done before any subdivision could become official:

- a survey showing the acreage of the two lots he wanted to create and sell
- letters from the adjoining property owners, confirming they were interested in buying the lots, and
- a letter from the current owner of the property, attesting to the fact Montesano was acting on her behalf

And, there would have to be a public hearing on the subdivision application, Brabant summed-up.

Montesano accepted the terms and instructions and left at 7:20 PM.

**B. Sign Permit Application**

At 259 East Main Street, a B-2 General Business District  
 4-foot X 8-foot wall sign (1-sided)  
 2-foot X 6-foot pole sign (2-sided)

**Michael Gleason of Avon Vapes LLC**

2231 State Route 65  
 Bloomfield, NY 14469

Gleason had only turned in the first page of the 2-page sign permit application and had failed to submit detailed blueprints or professional drawings on either sign. He had paid \$91 overall – sign permits are \$25 each plus \$1.50 per square foot.

Gleason wanted to put the wall sign on the side of the building, Cappello told Board members. Cappello said he wanted to see what the signs would look like, wondering if they'd have a big cigarette or pipe on them?

Cappello added he hadn't checked the Municipal Code because he knew he'd be at the Planning Board meeting that night and thought Board members could decide.

Brabant directed Board members attention to Chapter 30, Section 42, Sign Regulations, Subsection D:

SIGNS PERMITTED IN AGRICULTURAL DISTRICTS, RESIDENTIAL AND PLANNED  
 RESIDENTIAL DEVELOPMENT DISTRICTS (A, R-1, R-2 AND PRDD) AND  
 FOR APARTMENTS IN COMBINATION DISTRICTS (C-1)

Then paragraph 4.

- 4. SIGNS NOT EXCEEDING TWENTY (20) SQUARE FEET PER SIDE, FORTY (40) SQUARE FEET TOTAL, IDENTIFYING SUBDIVISIONS.

Initially, I would say no, Drozdziel commented.

Brabant said the Board would want the signs to be in keeping with the character of the Village.

The wall sign seemed more like a billboard and not something that would be in keeping with the character of the Village, Drozdziel responded.

Discussions were closed at 7:35 PM.

**C. Training Opportunity**

**Fall 2018 Regional Local Government Workshop**

Wednesday, November 14, 2018

Quality Inn & Suites, Batavia, NY

The Genesee/Finger Lakes Regional Planning Council would present the FALL 2018 REGIONAL LOCAL GOVERNMENT WORKSOP Wednesday, November 14, 2018 at the Quality Inn & Suites in Batavia. Registration was \$75 per person by November 6 and \$80 per person after November 6, Drozdziel announced.

Class topics included: telecommunications facilities, ethics, Planning and Zoning Board of Appeals overviews, energy efficiency, SEQRA and form-based zoning.

**D. Miscellaneous**

**McDonald's Restaurant**

**Building Addition**

250 East Main Street  
Avon, NY 14414

Interior alterations  
Exterior alterations

Issues include: A modified site plan  
Landscaping detail  
Color scheme  
Building permit application

McDonald's Restaurant had proposed renovations in 2013, but hadn't followed through. Cappello told Board members they were coming back and he had told the proprietors they would have to come back before the Board since their original proposal had been submitted so long ago

**V. ADJOURNMENT**

**MOTION:** Drozdziel moved for adjournment at 7:45 PM, seconded by O'Donoghue. Voting in favor were Drozdziel, Borkhuis and O'Donoghue. Voting against were: none.

**CARRIED, 3 Ayes, 0 Nays**