

PLANNING & ZBA MEETING, MONDAY, APRIL 26, 2021

ZBA MEMBERS PRESENT: JEFF MULLIGAN, CINDY KELLEN, BOB WESTFALL, DIANE ATTEA, JEFF PASSARELL

PLANNING MEMBERS PRESENT: KATHY COLE, KATHY MANNIX, CHRISTOPHER STERNER, BRIAN THORN, CLARA MULLIGAN, RANDY KOZLOWSKI

OTHERS: CEO BRIAN GLISE, MRB ENIGNEER LANCE BRANBANT

VISITORS: JEFF BERENDS, MARK MEYER, ZACHARY MEYER, TODD STAMBER, EDMUND MARTIN, ANTHONY SPADE

CLERK: KIM MCDOWELL

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MOTION TO OPEN THE MEETING WAS MADE BY BOB; SECONDED BY DIANE.

JEFF MULLIGAN - AYE  
CINDY KELLEN- AYE  
BOB WESTFALL- AYE  
DIANE ATTEA - AYE  
JEFF PASSARELL - AYE

KATHLEEN COLE -AYE  
VACANCY -  
RANDY KOZLOWSKI - AYE  
KATHLEEN MANNIX - AYE  
CLARA MULLIGAN - AYE  
BRIAN THORN - AYE  
CHRISTOPHER STERNER - AYE

CARRIED 11-0.

ZBA & PLANNING MOTION TO APPROVE THE MINUTES FROM THE FEBRUARY 25, 2021 MEETING SUBMITTED WAS MADE BY CINDY; SECONDED BY CLARA.

JEFF MULLIGAN - AYE  
CINDY KELLEN- AYE  
BOB WESTFALL- AYE  
DIANE ATTEA - AYE  
JEFF PASSARELL - AYE

KATHLEEN COLE -AYE  
VACANCY -  
RANDY KOZLOWSKI - AYE  
KATHLEEN MANNIX - AYE  
CLARA MULLIGAN - AYE  
BRIAN THORN - AYE  
CHRISTOPHER STERNER - AYE

CARRIED 11-0.

ZBA & PLANNING MOTION TO APPROVE THE MINUTES FROM THE MARCH 25, 2021 MEETING SUBMITTED WAS MADE BY KATHY COLE; SECONDED BY DIANE.

JEFF MULLIGAN - AYE  
CINDY KELLEN- AYE  
BOB WESTFALL- AYE  
DIANE ATTEA - AYE  
JEFF PASSARELL - AYE

KATHLEEN COLE -AYE  
VACANCY -  
RANDY KOZLOWSKI - AYE  
KATHLEEN MANNIX - AYE  
CLARA MULLIGAN - AYE  
BRIAN THORN - AYE  
CHRISTOPHER STERNER - AYE

CARRIED 11-0

MARK'S LEISURE TIME MARINE SERVICE CENTER, JEFF BERENDS C/O NIEL SILVAROLE/2979 LAKEVILLE ROAD/TAX PARCEL#55.-1-78.1 - SITE PLAN PLAN & SPECIAL USE PERMIT APPLICATION FOR BOAT STORAGE & REPAIR

Mark's Leisure Time Marine would like to use this building for boat maintenance and repairs. Jeff Berends explained this building has the perfect layout for them. They are looking to find out the process to be able to start at that location.

Clara Mulligan stated that the application states there will always be about 30 boats on the premise and Jeff stated that is correct.

Kathy Cole asked if the boats would be there year-round, and they would. She also asked where the boats would be on the site plan and he showed everyone that it would be in the back left of the building.

Jeff stated that they are planning to install a knox box on the outside gate in case of fires that will give access to the building to emergency personnel only.

Brian Glise stated the Town of Avon does not have a knox box program currently. He has filled out the paperwork to enroll

the Town into the program and gave it to the Town Fire Chief to finalize.

Jeff Mulligan asked exactly what is a Knox box and Brian explained that it is a metal safe that has the keys to the business. The fire chief would have the key to the box to open if there is an emergency in the middle of the night, no one else has a key to the box.

Jeff Berends stated there would be no modifications to the building other than putting up a sign with their name on it and removing the sign that is there currently. They will be putting in parking spaces and gates to the back parking area.

Randy asked since it is a repair and maintenance facility will there be boat storage as well. Jeff stated the boats will be stored when they are waiting to be fixed or waiting to be delivered or picked up after they are repaired.

Mark Meyers stated typically they store boats, but they have other locations for that. He feels this building will be a perfect opportunity for them to repair boats in a safe location. Mark stated that they have leased the back part of the parcel as well and maybe eventually they would like to do some sort of storage.

Jeff Mulligan asked if they were purchasing the property and they have a lease with the option to purchase.

Mark stated that for the most part all the work would be done inside the building, but they will have to test run the boats and take them down to the lake. The building has 8 bays and will hold 15-20 boats inside.

Bob Westfall asked how many boats they think will be parked outside and Mark stated approximately 30 boats on average.

Bob asked if the boats will be along Lakeville Road and Mark stated no, they will be in the gated area. They do not want people coming at any time to pick up their boats.

Clara asked what kind of operations you will be performing on the boats inside. Mark stated it is mostly motor work, all the body work is done in the Caledonia facility.

Kathy Cole asked exactly what they will be doing on premise. Todd Stamber stated they will be doing summarization and

winterization for storage. Since they are a dealership as well once the boats are sold, they will be prepping and cleaning them and getting them ready for delivery after they are sold.

The boats outside will constantly be turning over. The longest a boat would be on the property is 3 days unless they are waiting for parts that could be possibly longer.

Jeff Passarell asked if the building is currently set up for the repair work that you would be performing, such as drainage and oil separators and it already has that in the building. Brian Glise stated when the building was built, it was designed for a diesel repair shop, so it had everything installed for that.

Brian also stated the Special Use Permit was given for the repair of diesel in the building and he feels that boat storage and repair is pretty similar to that use, but it is up to the Board to determine if an updated Special Use Permit is needed. The other item Brian was wondering about was the outside storage of boats.

Kathy Cole asked what the business hours would be, and Zachary Meyers stated they would be Monday - Friday 9-5 and in the summer Saturdays from 9-4. Occasionally they may stay a little later but not past 7PM. Their busy time is from Spring to approximately Labor Day.

Jeff Mulligan asked where most of the traffic would be coming from, South Lima Road or Route 15. Mark stated most of the customers would come from Route 15, since that is the entrance to the building.

Brian stated that he believes there is a stockade fence between this property and the residential home behind it. Clara asked if it is a visual barrier and Brian stated it is a 6-foot fence.

Chris Sterner asked if they would be working on boats that would be too big to fit into the building and they would not be. The bays are also 18 feet tall which is plenty for the boats.

Lance had some questions for clarification regarding sales at this site and Mark stated they are only interested in service at this time. They understand if they wanted to do sales at this location, they would need to come in and get approval.

Lance asked about signage and they will be just replacing the current sign with their business name. Lance stated that that will be a separate approval permit which they understood.

Lance said on the site plan they need to note it the number of boats and the location of where they will be. If there are deliveries, please identify where those will be done on the lot.

Lance asked that they submit a statement of their business operations with the number of employees each day, hours of operations and what business will take place on the premise and to be as detailed as possible.

Brian asked the Board if they need a Special Use Permit or just approval of the site plan. Bob Westfall feels they need to have a public hearing and a new Special Use Permit approved for a boat repair business. It was decided to set a public hearing for the May meeting, and to send this over to Livingston County Planning Board for recommendations.

PIRANHA MILLING & PAVING CONTRACTORS LLC/5665 TEC DRIVE/TAX  
PARCEL  
#35.-1-13.524-SITE PLAN APPLICATION FOR PHASE 2 FLEX BUILDING

Ed Martin from Lantek was present to discuss the proposed new buildings on this parcel. Just like in the first phase of the Piranha project, they would like to add 2 additional Flex Space Buildings. The building layout will be just like Phase 1 including the sewer and site plans that were original submitted. It is also compliant with the NYS DEC permit that was issued. There is some concern over the sewer capacity but they are willing to install storage tanks so it can be pumped later and not during peak hours of the plant.

Brian Glise commented that he asked at the Town Board meeting the other night if the Town can have a boiler plate letter from MRB Group to send to the Village regarding sewer capabilities.

Lance stated that during Phase 1 the Village did have sewer issues and they still have those issues. Lantek provided a letter with an estimate of what the sewer usages would be and gallons per day and that allowed the Village to grant their approval for Phase 1. For these 2 buildings the same approval process that happened during Phase 1 will happen again, you will need to go to the Town Board for approval and then come back to these Boards for final approval. Lantek will need to put

together another letter for the sewer capacity usage and that needs to go to the Village and Livingston County Water Sewer Authority. Ed Martin stated they are looking at the current tenants to see exactly what they are using compared to what they submitted in Phase 1.

Lance asked if they have an existing NYS permit, and they do. Lance suggested they modify the permit instead of opening a new one.

Kathy Cole wanted to know what businesses currently are in the flex building right now. Anthony stated they have a carpenter, foam installer's home base, RV & boat storage, heavy equipment mechanic, lawn mower repair. Anthony stated that mostly it is quite due to people using this as their home base except a few. Anthony has the whole 2<sup>nd</sup> building rented out and a few in the 3<sup>rd</sup> building already.

Both Kathy Cole and Jeff Mulligan stated the parcel looks nice and that Anthony did a great job.

Clara asked about the EAF form that was submitted and the last question asked if the property has been the subject of remediation for hazardous waste that was checked yes with no description. Ed stated that is auto populated by the State. Lance also stated that a lot of times the history of the site may have had an incident. He also said that for Phase 1 it was somewhere on Tec Drive not on this parcel.

Lance stated you are required to go to the Town Board for approval for the uses in the Flex Building and suggested they go to the Town Board as soon as possible.

Kathy Cole asked if there was any other business to discuss tonight. There was some discussion on the status of the campground proposal and there has not been.

Kathy Cole also asked about the traffic on Tec Drive during Mortallis's release of their beers. Brian has gotten calls about it and the Sheriff needs to be called about the traffic.

MOTION TO CLOSE THE MEETING WAS MADE BY KATHY COLE; SECONDED BY JEFF MULLIGAN.

JEFF MULLIGAN - AYE  
CINDY KELLEN- AYE  
BOB WESTFALL- AYE

DIANE ATTEA - AYE  
JEFF PASSARELL - AYE

KATHLEEN COLE -AYE  
VACANCY -  
RANDY KOZLOWSKI - AYE  
KATHLEEN MANNIX - AYE  
CLARA MULLIGAN - AYE  
BRIAN THORN - AYE  
CHRISTOPHER STERNER - AYE

CARRIED 11-0.  
MEETING CLOSED.