

ZBA & PLANNING MOTION TO APPROVE THE MINUTES FROM JUNE 19, 2023, MEETING SUBMITTED WAS MADE BY THOMAS MCGOVERN; SECONDED BY DIANE ATTEA.

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

KATHLEEN COLE -AYE
THOMAS MCGOVERN - AYE
COLLIN HAYES - ABSENT
KATHLEEN MANNIX - AYE
CLARA MULLIGAN - AYE
BRIAN THORN - AYE
CHRISTOPHER STERNER - ABSENT

CARRIED 9-0.

GHENT, JONATHAN/2331 ROLLING RIDGE DRIVE/TAX PARCEL#45.-1-14.37
- AREA VARIANCE FOR 20 FEET SETBACK ON CORNER FOR GARAGE
ADDITION

ZBA MOTION TO OPEN THE PUBLIC HEARING WAS MADE BY CINDY KELLEN;
SECONDED BY BOB WESTFALL.

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

CARRIED 4-0.

Jeff Mulligan asked if there were any comments and there were none.

Jeff Mulligan stated it is a Type II action.

TOWN OF AVON ZONING BOARD OF APPEALS RESOLUTION
JONATHAN GHENT
2331 ROLLING RIDGE DRIVE - TM# 45-1-14.37
AREA VARIANCE APPLICATIONS - SIDE SETBACK

SEQR RESOLUTION - TYPE II ACTION

WHEREAS, the Town of Avon Zoning Board of Appeals, (hereinafter referred to as Board of Appeals) is considering Area Variance Application for the construction of a garage at 2331 Rolling Ridge Drive. The variance application is for side yard setback as the project proposes a 40-foot setback where 60 feet is required and as discussed at tonight's ZBA meeting; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Board of Appeals does hereby classify the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

BE IT FURTHER RESOLVED THAT, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

BE IT FINALLY RESOLVED THAT, the Board of Appeals in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

The above resolution was offered by Diane Attea and seconded by Cindy Kellen at a meeting of the Zoning Board of Appeals held on Monday, July 17, 2023. Following discussion thereon, the following roll call vote was taken and recorded:

Jeff Mulligan - Aye
Cindy Kellen - Aye
Bob Westfall - Aye
Diane Attea - Aye
Vacant -

I, Kim McDowell, Clerk of the Board, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Town of Avon Zoning Board of Appeals for the July 17, 2023, meeting.

Kim McDowell, L.S.
Kim McDowell, Clerk of the Board

Jeff Mulligan stated it was a 15.3 feet variance.

Mr. Ghent stated he would like a 20-foot variance and it was determined it is on the application and it was publicized as a 20-foot variance.

ZBA MOTION TO CLOSE THE PUBLIC HEARING WAS MADE BY CINDY KELLEN;
SECONDED BY BOB WESTFALL.

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

CARRIED 4-0.

TOWN OF AVON

OPERA BLOCK BUILDING
23 GENESEE STREET
AVON, NEW YORK 14414
PHONE: (585) 226-2425 • FAX: (585) 226-9299
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BUILDING AND ZONING DEPARTMENT

ZONING BOARD OF APPEALS DECISION SHEET

Project Name/Number: Jonathan Ghent
Hearing Date: July 17, 2023

Subject Property Address: 2331 Rolling Ridge Drive Zoning District: Residential (R-2)

Variance Application: Area Variance Tax Account #: 45-1-14.37

Agenda Item: Seeking a 20-foot setback variance the addition of a garage.

Motion made by: Cindy Kellen Seconded by: Diane Attea

Board Members	Present	Motion		Recusal
		Aye	Nye	
1. Jeffery Mulligan, Chairman		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Cindy Kellen		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Bob Westfall		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Diane Attea		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Vacant		<input type="checkbox"/>	<input type="checkbox"/>	
Alternate: _____		<input type="checkbox"/>	<input type="checkbox"/>	

Approved:

Denied:

Conditions:

1. Commencement of the project is to occur within one (1) year from the approval date or the variance will be deemed null and void.
2. Any modification to the plans, variance, and/or project will require the application to be re-reviewed by the Zoning Board of Appeals and any prior approvals granted be deemed null and void.

McCARTHY, KYLE/4608 ASHANTEE LANE/TAX PARCEL#34.-1-3.315 - 2 LOT SUBDIVISION

Neither Mr. McCarthy nor Kevin O'Donoghue were present to discuss this application, it will be tabled until next month's meeting.

5733 TEC LLC (BOB JOHNSON)/5733 TEC DRIVE/TAX PARCEL#35.-1-13.521 - SITE PLAN - CAR WASH

Mr. Sciarabba was present to discuss this application.

Mr. Sciarabba gave an overview of the project; they would like to expand the business by adding an 8,400 sq. foot building for car detailing and washing before they are put on the lot for sale.

The building would be located on the north end of the property behind the dealership which is also a separate parcel from the dealership. It will be an independent business with 10-15 employees. The cars will be from other dealerships as well as their own.

Mr. Sciarabba stated there will be no engine repair, there is less than an acre of disturbance, no variances needed, and they will have an easement for the clean out on the dealership property.

The site plan shows a few lights but not have it lit up like a dealership.

Kathy Cole asked how many employees and he stated 10-12 and how many cars will be serviced, and it will be 8-10 cars at a time.

Mr. Sciarabba stated there is no retail just business to business.

Jeff Mulligan asked about the sewer and if it was sent to the Village or the County yet and it has not. It was determined that the applicant will need to submit the site plan to the LCWSA and they will notify the Village.

Matthew Sousa asked if the site would have any future additions since the proposed building is on one half of the property and Mr. Sciarabba stated there maybe but not part of this application.

Matthew asked if they could specify the acreage and put something stating SWPPP would be needed for any future development on this parcel and they will.

Jeff Mulligan asked how many acres total is the parcel, and it is five, but they are only using an acre for this proposed project.

Clara Mulligan asked if there were any landscaping plans and at this time there are none, but they can review it.

Kathy Cole asked if there is plenty of room for emergency vehicles and there is.

Cindy Kellen questioned since the property is separate, will there be a shared driveway into the dealership and there will not.

Tom McGovern questioned the types of lighting they are proposing and suggested some for the applicant to use.

Brian Glise stated he doesn't have any other concerns.

Matthew Sousa stated MRB Group will issue a comment letter but nothing out of the ordinary.

Kathy Cole asked if there needed to be a public hearing, and it was determined it does not.

Kathy Cole stated the applicant will need to come back next month for approval if everything is done that was suggested tonight.

Mr. Sciarabba asked if they could get temporary approval to get the project started but Kathy Cole stated she would like to wait until next month to make sure everything is changed according to MRB Group comments.

The applicant will make the necessary changes and come back next month.

Kathy Cole stated at the Town Board meeting they discussed having some volunteer Board members be on the committee for the Comprehensive Plan update and they would like two members from each Board. It was determined to be Christopher Sterner and Brian Thorn from Planning and Jeff Mulligan and Bob Westfall from ZBA.

Brian Glise stated that Collin wanted to do a presentation for E-Code and was wondering if next month is a good time to do it. It was decided that when we get back to the Town Hall, we would schedule it.

Brian also stated that Six Sprouts got their Certificate of Occupancy, and they will be opening soon.

Brian Glise also stated that the site plans have been signed for Stokoe Farms solar so they will be getting a building permit soon.

Clara Mulligan asked if the Wheat solar is going up and they are at a stand still at this time.

Jim Campbell stated we received the Livingston County referral recommendations today for the LAL Railroad and LivWell facility and they will be processing. Kim will forward to the Board.

Matthew Sousa stated we haven't received anything from Twin Cedars yet.

Kathy Mannix stated that she drove by a new solar field in Rush, and they had a big sign with information regarding the field and Jim Campbell stated that we are going to be including that in our new solar law that we are reviewing currently.

MOTION TO CLOSE THE MEETING WAS MADE BY THOMAS MCGOVERN;
SECONDED BY BRIAN THORN.

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

KATHLEEN COLE -AYE
THOMAS MCGOVERN - AYE
COLLIN HAYES - ABSENT
KATHLEEN MANNIX - AYE
CLARA MULLIGAN - AYE
BRIAN THORN - AYE
CHRISTOPHER STERNER - ABSENT

CARRIED 9-0.

MEETING CLOSED.