

PLANNING, ZBA & TOWN MEETING MONDAY, DECEMBER 18, 2023

MEMBERS PRESENT: PLANNING:  
ZBA: JEFF MULLIGAN, BOB WESTFALL, DIANE ATTEA, CINDY KELLEN, KITTY BRESSINGTON  
ABSENT: PLANNING BOARD PORTION OF MEETING WAS CANCELLED  
OTHERS: BRIAN GLISE (CEO, AVON), MATTHEW SOUSA (MRB GROUP)  
VISITORS: JOE YANTACHKA, PHIL LINDEN  
CLERK: KIM MCDOWELL

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Jeff Mulligan called the meeting to order and stated the Planning Board members are not present since the application before us is for the ZBA.

ZBA Board members, as well as Brian Glise, Matthew Sousa, and Kim McDowell introduced themselves to those present.

Jeff Mulligan reviewed the emergency exits for all present.

MOTION TO OPEN THE MEETING WAS MADE BY DIANE ATTEA; SECONDED BY KITTY BRESSINGTON.

JEFF MULLIGAN - AYE  
CINDY KELLEN- AYE  
BOB WESTFALL- AYE  
DIANE ATTEA - AYE  
KITTY BRESSINGTON - AYE

CARRIED 5-0.

ZBA Board members decided they would approve the November meeting minutes at the January meeting with the Planning Board.

1177 WEST HENRIETTA LLC/1177 WEST HENRIETTA ROAD/TAX MAP#25.-1-18.1/ZBA - SPECIAL USE PERMIT TRANSFER TO NEW OWNER

Jeff Mulligan recused himself from this application and has assigned Cindy Kellen as acting Chairperson.

Cindy asked Joe to discuss this application.

Joe stated Partyman Catering is purchasing the Avon Century Barn and house. He plans on doing the same as previous owners,

however, they may utilize the house more since no one will be living there.

They may consider future upgrades such as adding permanent bathrooms.

Bob asked if the house would be an air b-n-b and they are still trying to figure that out, it may just stay as a preparation area for events in the barn. Joe stated from May - October it will most likely be used in conjunction with the event barn.

Cindy asked about hours of operations, and they have in the past not gone past 11PM.

Matt Sousa stated the special use permit is 6AM to 11PM and Joe doesn't expect that to be any different.

Brian feels the only hurdle would be the house as an air b-n-b. As of right now it is considered owner occupied and since that will no longer be the case, there is a difference in safety expectations (sprinklers systems, etc.).

Brian asked if there would be any type of outside festivals or any other events that are not in the current conditions, and Joe states as of right now that is not being considered.

Cindy stated that if there was something you would like to add to your special use permit, you can just come back in and get approval for a one-time event.

Joe asked Brian if there were some guidelines that he could look at for the house and Brian would investigate it and get back to Joe.

Brian asked if one special use permit held both the house and barn and Matt stated there were 2 separate ones and they were not contingent on each other.

Brian also asked about the duration of the special use permit - would it be approved for 5 years, or 1 year and the Board determined it would be good for 5 years.

MOTION TO SCHEDULE THE PUBLIC HEARING AT THE JANUARY 22, 2024 MEETING WAS MADE BY BOB WESTFALL; SECONDED BY KITTY BRESSINGTON.

JEFF MULLIGAN - RECUSE

CINDY KELLEN- AYE  
BOB WESTFALL- AYE  
DIANE ATTEA - AYE  
KITTY BRESSINGTON -AYE

CARRIED 4-0.

Kim will get in touch with Joe when he needs to put the sign out for the public hearing.

Mr. Linden was here to propose a subdivision on his father's estate on Bronson Hill Road which would require a variance. Mr. Linden would like to take the one non-conforming, pre-existing lot of 1.8 acres and divide it into two .9 acre lots. One of the lots has a house and will be sold and the other .9 acres will be purchased and combined with the other lot.

Mr. Linden has not submitted a formal application; he came to the meeting tonight to see if this was something that would be approved before he hires a surveyor.

Matt stated this is already a non-conforming lot and if subdivided it would make it more restrictive for any potential owner.

After much discussion between the Board members and Mr. Linden, it was determined that they wouldn't approve this variance for a subdivision.

Brian stated there was an inquiry for a subdivision on Route 15 (Steele) and a couple of solar arrays are looking for final walk throughs.

MOTION TO CLOSE THE MEETING WAS MADE BY DIANE ATTEA; SECONDED BY CINDY KELLEN.

JEFF MULLIGAN - AYE  
CINDY KELLEN- AYE  
BOB WESTFALL- AYE  
DIANE ATTEA - AYE  
KITTY BRESSINGTON - AYE

CARRIED 5-0.

MEETING CLOSED.