

**MINUTES FOR A MEETING OF THE
VILLAGE OF AVON PLANNING BOARD
WEDNESDAY, JANUARY 16, 2013
7:00 PM; VILLAGE HALL, WHITNEY ROOM**

I. ATTENDANCE

Paul M. Drozdziel, Acting Chairman
Malcolm D. LaFever
Richard E. Martin
Bonnie Taylor-Davis

Anthony Cappello, Code Enforcement Officer

ABSENT

Kevin O'Donoghue, Chairman
Laura Nobles
William Wall

GUESTS

Thomas Freeman, Mayor
Mark McKeown, Deputy Mayor
James W. Taylor, 10 Carriage Lane
James McCann, Esq., 9 Genesee Street

QUORUM, 4 Present, 3 Absent

IV. NEW BUSINESS

**A. Avon Macaroni Plant Subdivision Application
234 Rochester Street**

Mary Julia D'Angelo – applicant
255 North Avenue

James McCann, Esq. – appearing on behalf of the applicant
9 Genesee Street

D'Angelo wanted to sell the former Avon Macaroni Plant at 234 Rochester Street, to family relative, Richard Rumfola, McCann began. Rumfola wanted to use the plant for commercial storage.

The subdivision application would divide the 1.8 acre plant parcel into two lots. The plant would be on .4 acres designated as Lot 1 while the vacant, hilly and wooded land behind the plant would become the 1.4 acre Lot 2. D'Angelo would retain Lot 2; her residential lot at 255 North Avenue lay just beyond Lot 2.

Martin acknowledged the subdivision application would be create two lots, but pointed out the second one, Lot 2, would be land-locked.

There was a right-of-way there, McCann claimed. He told Board members D'Angelo had just picked the dividing line out of the blue.

Would the Macaroni plant be a non-conforming use or an illegal use? Martin wondered.

It was a "prior non-conforming use," Cappello answered.

Drozdzziel called for a positive recommendation on the application.

MOTION: LaFever moved for a positive recommendation with the stipulations as stated. Martin called for the additional stipulation of joining Lot 2 with D'Angelo's residential parcel at 255 North Avenue so as not to create a land-locked lot, adding he wouldn't be in favor of that. With that amendment, Martin seconded the motion. Voting in favor were: Drozdzziel, LaFever, Martin and Taylor-Davis. Voting against were: none.

CARRIED, 4 Ayes, 0 Nays

B. Area Variance Application

Richard A. Slakes

71 Park Street

Pavilion 3-feet from the rear property line; Code calls for a 10-foot setback

Slakes had applied for a building permit January 4, and had been denied the 14th. Slakes had come in with an area variance application that afternoon. The neighbors to the rear were Robert B & Marcia C. Hayes at 25 East Main Street and Kristin Freeman at 23 Temple Street.

Cappello said Slakes had talked with the neighbors. Village Clerk Patricia Baker had suggested Slakes get something in writing from the neighbors when he'd picked up his variance application.

The neighbors are fine with it? LaFever asked.

Yes, Cappello confirmed.

Was there a fence along the rear property line? LaFever followed up.

Yes, Cappello answered.

Then, the neighbors would need access to maintain their fences and Slakes would need access to maintain his building, LaFever noted.

Slakes had $\frac{3}{4}$ acre of land and was putting his pavilion in the tightest corner, Martin observed (*Slakes wanted to attach the pavilion to his garage, he also had a pool and maintained a large garden in his side yard*).

He's going to reduce the approach to his garage, Drozdzziel remarked.

Martin asked the Mayor if he remembered when Avon Mini-Mart at 11 East Main Street just north of Slakes' property had wanted to expand and had been denied.

The mini-mart had been looking for a drive-thru, the Mayor recalled.

Drozdzziel suggested they table Slakes area variance application until members had had a chance to look at the site.

Ultimately, the Planning Board would make a recommendation to the Zoning Board of Appeals (ZBA) then whatever decision the ZBA made would have to go to the Village Board because the property was in the B-1 Central Business district, Martin said.

TABLED: by consensus the Board tabled Slakes area variance application until their February 20 meeting.

TABLED

C. Mayor Freeman – Pro-Activity

Mayor Freeman apologized for not having a Village Board member attend Planning Board meetings. He said he was there to talk about pro-activity from the Planning Board.

The Mayor had recently spoken with Keith Herman, Vice President at Tom Wahl's, about what sort of business might be viable in the neighboring and now vacant Floyd's Auto Sales at 293 East Main Street which Wahl's owned.

The Village didn't have a list of wants and needs, Mayor Freeman pointed out. We need that sort of list to help people think, he reasoned. The Village had vacancies; the former Beikirch Ford garage at 90 West Main Street was another example, that property expected to be sold at auction in the next two months.

We must start helping each other, Mayor Freeman declared. New York State last month awarded the Village \$250,000 to renovate five commercial and seven residential units downtown. That grant included the (*West Main Street*) hillside, the Mayor added.

The State awarded another \$900,000 towards construction of a 110,000-square-foot addition with 14 new loading docks to Gray Metal's 495 Rochester Street manufacturing/warehousing facility.

We also want to talk about Wadsworth Avenue, Mayor Freeman continued. Kraft General Foods at 140 Spring Street had been talking about expansion, too, expansion that would create additional truck and employee traffic, the Mayor noted.

Such an increase in traffic would affect the Police Department, Mayor Freeman stated. Would additional turning lanes be needed? he asked. How about signalized lights? he added.

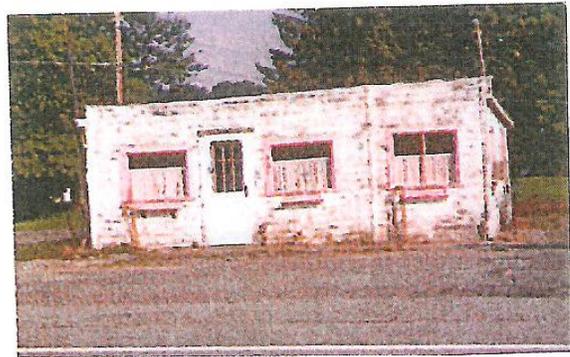
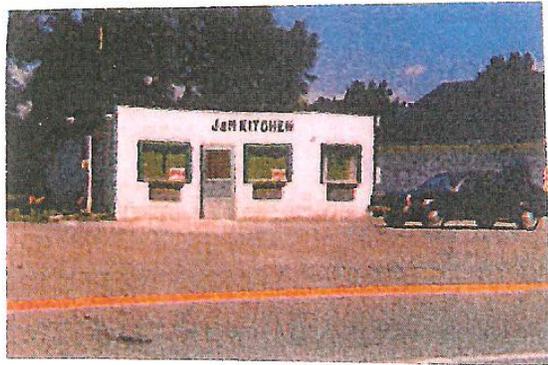
The Mayor told Board members he'd met with Julie Marshall, Executive Director of the Livingston County Economic Development Office, earlier that day and they'd discussed being pro-active. But, the Mayor said he'd rather see the Village taking the lead than having the County push something through.

There was a great deal of wasted land on Wadsworth Avenue between Spring and Linden Streets, Mayor Freeman contended. There was:

Avon Gas Way at 337 Wadsworth Avenue (*no convenience store*)

Scott A. Holmes at 381 Wadsworth Avenue (*a single-family home*)

Ruby Greer (*vacant service station and J&M Kitchen diner*) at 425 Wadsworth Avenue



What do we need? Drozdziel asked. The “wants and needs list” the Mayor had mentioned should be a function of the Village’s 2011 Comprehensive Plan. In fact, there was a “needs” section in the plan, Drozdziel noted, adding if it wasn’t sufficient, the plan was meant to be a living document so, it should be updated.

Demographically, the face of the community was changing, Taylor-Davis observed. Many people told her they missed Tony’s Meat Market, which used to be at 229 Wadsworth Avenue.



But, meat markets can’t compete with Wegmans and TOPs supermarkets, Martin said. People have become lazy, they won’t cross the street for a meat market.

As for Wahl’s, Martin said Herman planned on sailing around the world with his daughter for the next year. And, Wahl’s didn’t plan on doing anything with the vacant land behind their restaurant, he claimed, anything such as putting in a dedicated street as they’d talked about.

Drozdziel recalled the Planning Board had had lengthy discussions about Wadsworth Avenue when they’d first undertaken Zoning Code reform December 14, 2011. Members had talked about the former J&M Kitchen and that entire block from Spring Street to Linden Street and they’d decided it was best to leave it alone (*as an R-1 One Family Residential district*).

There hadn’t been any building permit or variance applications for that block, Martin pointed out, no impetus for change. And, we have so many (*business & commercial district*) vacancies now, he added.

The Board could go back and review the Comprehensive Plan, Drozdziel offered, adding they may have to have another public meeting.

We actually know what we need, Martin asserted, but suggested we were unwilling to get it and he asked how we might get people from outside the community to come in and do things.

Drozdziel had visited Mt. Morris recently and noted they had an enormous tourist attraction there in Letchworth State Park.

Mt. Morris also had a big government workforce with two jails, BOCES and a nursing facility there.

We can look at what we don't have or we can look at what we do have, Taylor-Davis said.

We have a workforce that works here, but doesn't live here, Martin said, adding that's why Avon has five pizza shops.

Taylor-Davis reiterated what Drozdziel had suggested, that they re-examine the Village's Comprehensive Plan.

. . . and, perhaps, open it up, Mayor Freeman encouraged.

They could revisit the Wadsworth Avenue area, too – particularly the area across from Kraft Foods, Drozdziel added.

A traffic study and consideration of turning lanes might be part of that, the Mayor suggested.

Drozdziel said he was confused, he was hearing two different things from the Mayor. Did he want to see commercial development on the west side of Wadsworth Avenue or turning lanes and better access for Kraft?

They could use coffee shops and mini-markets for truckers and Kraft employees coming up from Dansville and elsewhere, Mayor Freeman said.

Some employees at Rochester Street businesses were using Barber Road to get out to Route 15, cutting down on traffic in the Village, the Mayor noted.

My glass is always half-full, Martin said, adding he was an optimist, but with the Village Board it was the opposite. With the Village Board, it was an arbitrary do this and do that, Martin continued. The Village had developed a reputation over the past 15 years – a reputation for being difficult to deal with.

Sometimes we're our own worst enemies, Martin ventured. In here, his glass was half full, with the Village Board, it was half-empty.

Had Kraft shared their plans with the Village? Drozdziel asked.

The Board should be considering how best to protect the Village, Mayor Freeman said. Kraft took in 110 trucks per day now. If they expanded, might they take in another 60? Kraft couldn't get 45 acres in the Village today, but they're here now and they're here to stay.

Kraft aside, McKeown said he lived on Routes 5&20 (*139 East Main Street*). What if another Barilla went in and added another 60 to 100 trucks per day?

That's why he had mentioned signalized lights, Mayor Freeman said.

Was there anything the State Department of Transportation (*DOT*) could provide? Drozdziel asked, adding you'd like us to:

- A. Review the Comprehensive Plan
- B. Review the west side of Wadsworth Avenue from the former J&M Kitchen to Avon Gas Way
- C. Look at the bigger picture with traffic patterns:
 - at Kraft General Foods
 - at Barilla America, Inc.
 - at the Livingston Industrial Complex

Walkability was important, too, Mayor Freeman added. The sidewalk connecting the Village View subdivision to Avon Central School had been important. Connecting Village View to Lake Road had been important. People had asked him about going north along Pole Bridge Road from Village View to East Main Street, but how many houses (*in the Village*) would he be affecting? No, the Mayor said, River Street had to be the next sidewalk project.

V. ADJOURNMENT

MOTION: LaFever moved for adjournment at 9:12 PM, seconded by Taylor-Davis. Voting in favor was: Drozdziel, LaFever, Martin and Taylor-Davis. Voting against were: none.

CARRIED, 4 Ayes, 0 Nays