

MINUTES FROM A MEETING OF THE
VILLAGE OF AVON PLANNING BOARD
WEDNESDAY, MAY 15, 2013
7:00 PM; VILLAGE HALL, WHITNEY ROOM

I. ATTENDANCE

Malcolm LaFever, Chairman
Paul M. Drozdziel
Laura Nobles
Kevin O-Donoghue
Bonnie Taylor-Davis
Vacant Seat (Richard E. Martin)

ABSENT

William Wall

QUORUM, 5 Present, 1 Absent, 1 Vacancy

Anthony Cappello, Code Enforcement Officer
Kurt Rappazzo, MRB Group – Consulting Engineers

II. APPROVAL OF THE MINUTES

MOTION: O’Donoghue moved for approval of the minutes from the meeting of April 17, 2013, seconded by Taylor-Davis. Voting in favor were: LaFever, Drozdziel, Nobles, O’Donoghue and Taylor-Davis. Voting against were: none.

CARRIED, 5 Ayes, 0 Nays

III. OLD BUSINESS

<p>A. Subdivision Application Richard E. Martin, Applicant 14 Five Lot Lane Avon, NY 14414</p>	<p>“The Martin-Pole Bridge Road Subdivision, Sect. 1” 3-lot minor subdivision opposite 1737 Pole Bridge Road Zoned A-Agricultural</p>
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Referred to the Livingston County Planning Board
due to the subdivision’s proximity to the Town of Avon boundary
County Board met Thursday, May 9, 2013

The County recommended approval of the proposed action with the following advisory comments:

1. Notification 10-days prior to the hearing
2. Consideration of traffic impacts
3. Applicant submission of an Agricultural Data Statement/review of impact on farm operations
4. Applicant submission of an Environmental Assessment Form
5. Zoning changes must be in accordance with Comprehensive Plan/“Future Land Use” map should be revised to reflect the proposed rezonings

LaFever said he had seen the material from the County.

Nobles asked what the Comprehensive Plan said about the affected area. She thought one State Environmental Assessment Form could be used for both actions proposed by the applicant.

O'Donoghue pointed out they were separate actions before separate boards (the minor subdivision before the Planning Board and the rezoning before the Village Board).

Sidewalks

O'Donoghue, who was serving as Martin's surveyor on the proposed actions, said Martin wanted to put-up a "spec-house" on one of the lots. Martin, he added, was not thrilled about granting a 10-foot easement for sidewalks.

Rappazzo asked if Martin's sole concern was liability.

Yes, O'Donoghue answered.

What would be needed if the sidewalk were within the Town's right-of-way? Nobles asked?

The Alexander Crossing sidewalks had been in the Village, Cappello remarked.

Had there been an easement associated with Alexander's sidewalks? Drozdzziel asked.

If the sidewalks had been on private property, there would have had to have been, O'Donoghue said.

Some D'Angelo Parkway residents were having fits over the laying of sidewalks in that subdivision because they thought they owned right out to the road, Cappello noted.

If we have an established precedent, shouldn't we be following that precedent? LaFever asked.

We should be consistent, Nobles agreed.

If Pole Bridge Road was a Town road, there couldn't be sidewalks in the Town's right-of-way without an intermunicipal agreement, Rappazzo pointed-out.

The Alexander Crossing subdivision should be checked to see if there was an easement involved there, Rappazzo followed-up, adding, if there had been an easement, it should be indicated on the subdivision plans and Village Atty. Reid Whiting should have the language used to secure the easement.

Ask Mayor Freeman if there is a deal between Martin and the Village on sidewalks, Drozdzziel suggested.

Cappello was going to check on the easement, O'Donoghue said.

The Board was dealing with too many "if's," LaFever said. He suggested applications be submitted before an applicant appeared before the Board. With walk-ins, they didn't know what they were getting hit with.

The Mayor wanted people to feel they could come to the Planning Board, Taylor-Davis countered.

LaFever said he would like to see a flow chart of Board procedures.

You also have land development regulations to consider, Rappazzo said.

No one wanted to read all that, Nobles said, suggesting applicants simply show their proposals on their survey maps.

Town Right-of-Way

Cappello had left the board room, looking for the Alexander Crossing subdivision map. He returned with the map and, upon examination, declared there was no easement showing.

The Village wanted to collect money to ensure, when more lots were developed, sidewalks would be built, O'Donoghue said.

Would you reach out to the Town as a heads-up? Drozdziel wondered.

Cappello brought out a second map.

The area where sidewalks would be laid was in the Town's right-of-way, Rappazzo contended.

That would put Martin's concerns about granting an easement to bed, Drozdziel declared.

Signs

The Board had discussed posting signs on properties where actions were proposed, simple signs advising any interested party to contact Village Hall for details on whatever actions were under consideration.

Drozdziel suggested making signs an ACTION ITEM for the June 19 Board meeting. He further suggested consulting with Village Atty. Whiting to see if there were a legal requirement to post signs.

B. Zoning Code Reform

Recommendations under consideration:

- R-1 front yard parking prohibition
- B-1 & B-2 metal siding prohibition

No discussion/no action.

IV. NEW BUSINESS

McDonald's Restaurant	Building addition proposed
250 East Main Street	Interior alterations proposed
Avon, NY 14414	Exterior alterations proposed

Issues to consider:

- Modified site plan required
- Landscaping detail
- Color scheme
- Building permit application

The McDonald's Restaurant was considering renovations, Cappello told Board members. Proprietors were considering:

- A 14-foot, 8 1/2-inch addition to the rear of the building to accommodate larger coolers
- Removing the building's large, front windows
- Retaining the seating area with, essentially, the same building footprint

Nobles said she was only sorry the restaurant would be losing so many windows.

The Board may want to request an illustration of the landscaping detail, just to let the proprietors know the Village was paying attention.

McDonald's should submit a modified site plan, LaFever added.

What were they proposing as a color scheme? O'Donoghue wondered.

And, would they be re-striping the parking lot? Nobles asked.

V. ADJOURNMENT

The Board adjourned at 8:07 PM.

Gary Margiotta
Deputy Clerk