

**MINUTES OF A MEETING OF THE
VILLAGE OF AVON PLANNING BOARD
TUESDAY, NOVEMBER 19, 2013
7:00 PM; VILLAGE HALL, WHITNEY ROOM**

I. ATTENDANCE

Malcolm D. LaFever, Chairman
Paul M. Drozdziel
Laura Nobles
Kevin O'Donoghue
Bonnie Taylor-Davis

ABSENT

Patrick McCormick
William Wall

Robert Hayes, Village Board Liaison
Anthony Cappello, Code Enforcement Officer
Kurt Rappazzo, MRB Group (consulting engineers)

QUORUM, 5 Present, 2 Absent

II. APPROVAL OF THE MINUTES

Of the meeting of September 17, 2013. Nobles said she had been absent from that meeting and, as such, would abstain from the vote.

MOTION: O'Donoghue moved for approval, seconded by Taylor-Davis. Voting in favor were: LaFever, Drozdziel, O'Donoghue and Taylor-Davis. Voting against were: none. Abstaining: Nobles.

CARRIED, 4 Ayes, 0 Nays, 1 Abstention

IV. NEW BUSINESS

B. Zoning Clarification for Livingston County Planning Board on:

The Village had annexed 22.4 acres from the Town November 29, 2012. The acreage was at the northeast corner of the industrial park and identified as Section 24, Block 2, Lot 1. Once annexed, it was the Village's responsibility to designate an appropriate zoning classification, that task remained outstanding.

At the annexation hearing, Mayor Thomas Freeman had said acquisition of the property by the Village would be of mutual benefit to the Village and Town. The property would have frontage on the industrial park's Barilla Drive.

With development of the property in mind, Supervisor David LaFever noted annexation would mean one less layer of government, the Village, he pointed out, could provide fire protection as well as water and sewer service.

And, if Empire Zone benefits were sought, Deputy Supervisor Mairs believed the application process would go better with just one layer of government involved.

Village Trustee Hayes had also expressed support for the annexation, pointing out the 22.4 acres would square-off that northeast corner of the industrial park.

Getting back to the task at hand, LaFever said a zoning classification should have been designated long ago, but had apparently fallen through the cracks. The adjoining industrial park property, he noted, was Special Light Industrial (I-2).

MOTION: Taylor-Davis moved to zone the annexed acreage the same as the surrounding industrial park property, Special Light Industrial (I-2), seconded by O'Donoghue. Voting in favor were: LaFever, Drozdziel, Nobles, O'Donoghue and Taylor-Davis. Voting against were: none.

CARRIED, 5 Ayes, 0 Nays

The motion would be forwarded to the Village Board in the form of a recommendation, encouraging the Board to draft and introduce a local law designating the I-2 zoning classification for the annexed property. The motion would also be forwarded to the Livingston County Planning Board for review.

- A. Zoning Clarification for James Schillinger, Jr., on:
 - 65 East Main Street
 - (formerly The Furniture House, Granny's Quilts-n-Stuff and a multi-vendor outlet)
 - A 65-foot wide X 150-foot deep parcel
 - Zoned Central Business B-1



Cappello said Schillinger had had the building up for rent for eight months and would like the property to be One Family Residential R-1 rather than B-1.

An inability to rent was not a hardship, Nobles remarked.

Schillinger might want to look at some other option, Taylor-Davis suggested, adding the Board wouldn't want to keep flipping the zoning classification.

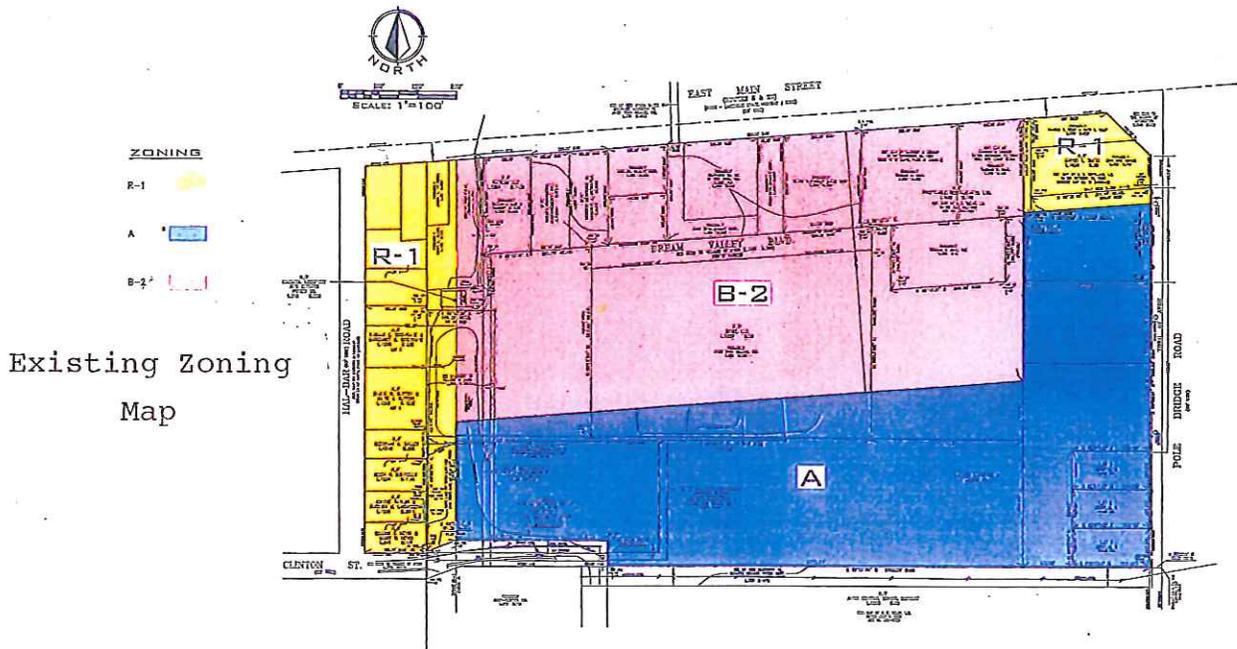
LaFever agreed, it might be better for Schillinger to seek other options.

B. Zoning Change Proposals between Hal Bar Road and Pole Bridge Road
 LaFever asked if there any other new business.

The Village Board had discussed Richard Martin’s request to rezone the former Linda Postler property between Hal Bar Road and Pole Bridge Road, Trustee Hayes reported.

In February, Martin had asked to:

- Rezone the back of the Avon Town Plaza from Agricultural (A) to General Business (B-2) - as he felt it should be.
- Rezone two-thirds of a buffer strip behind the Hal Bar Road houses from One Family Residential (R-1) to B-2.
- Rezone the remaining third of the buffer strip, from Clinton Street Extension to the Plaza, and the land from behind the Hal Bar Road houses east to within 400 feet of Pole Bridge Road from Agricultural (A) to Multiple Family Residential (R-2)
- Rezone property at the corner of East Main Street and Pole Bridge Road, owned by Sandi Irish, the neighboring Aaron’s Auto Body and a vacant lot Martin owned from R-1 to B-2.
- Martin wanted to leave the minor subdivision he was building houses on on Pole Bridge Road as Agricultural (A).



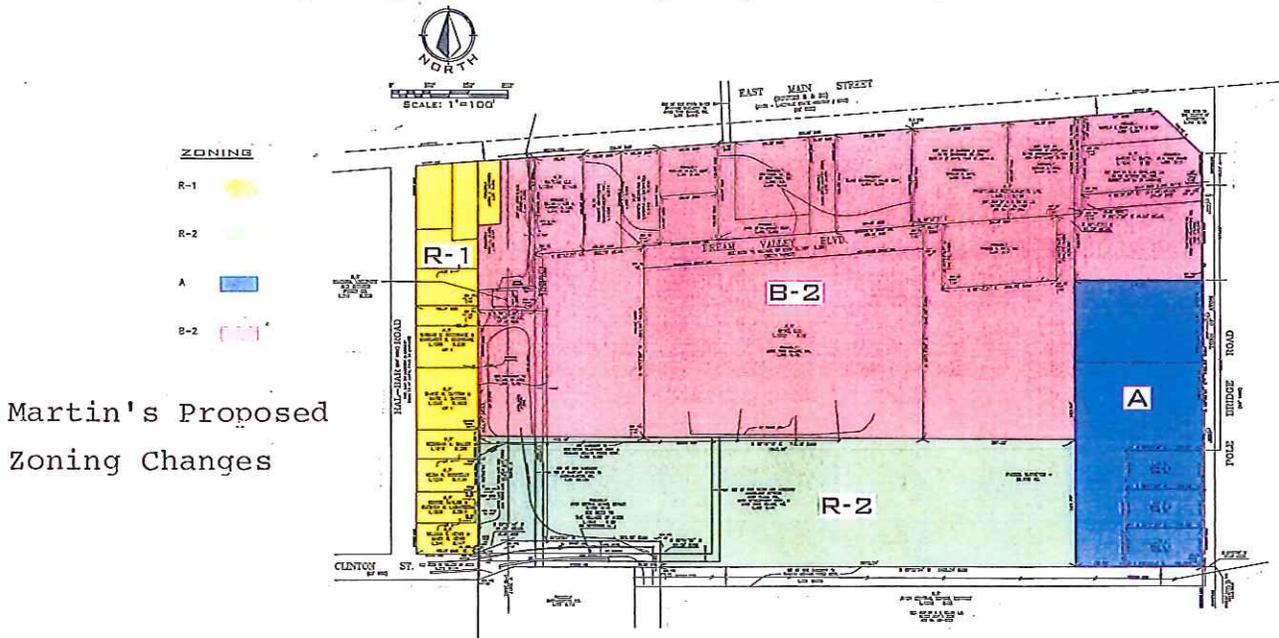
The Planning Board had reviewed Martin’s request March 20 and, in a memo dated March 26, recommended the Village Board accept the changes he sought.

But, the Village Board, Trustee Hayes said, wanted a “conceptual design” from Martin before Trustees would consider the zoning changes.
 Rappazzo concurred, adding the Village Board did want to see a plan before considering zoning changes of the proportion Martin was seeking.

Was the Village Board saying they had wished the Planning Board had asked for a conceptual plan before they’d considered the rezoning request? Nobles asked.

The Village Board did think a developer should come in with a conceptual plan before they rezoned, Trustee Hayes responded.

Was the Village Board asking the Planning Board to re-do their recommendation? Nobles asked, were they kicking it back to the Planning Board, she followed-up.



When former developer Mark Alexander of Victor had come to the Village several years ago, he’d come in with a conceptual plan, showing apartment houses opposite the Avon Nursing Facility at 215 Clinton Street then houses east up the farm lane that extended from Clinton Street Extension east to 1747 Pole Bridge Road, Cappello recalled. But, when the property owner of record, Linda Postler, retained the land, that plan went away, Cappello added.

The Board should ask the Livingston County Planning Department for a Village Zoning Map with the tax parcels shown, Taylor-Davis suggested. The request would be formalized and submitted.

V. ADJOURNMENT

The Board adjourned at 7:50 PM.

Gary Margiotta
 Deputy Clerk