

**MINUTES OF A MEETING OF THE
VILLAGE OF AVON PLANNING BOARD
TUESDAY, FEBRUARY 17, 2015
7:00 PM; VILLAGE HALL, WHITNEY ROOM**

I. ATTENDANCE

Paul M. Drozdziel, Chairman
Patrick McCormick
Kevin O'Donoghue
William Wall

OTHERS

Anthony J. Cappello, Code Enforcement Officer
Brian Glise, Fire Marshal
Lance Brabant, Sr. Planning Assoc., MRB Group
James & Elizabeth Welch, subdivision applicants
Timmy Batzel, Village Trustee

ABSENT

Laura Nobles
Bonnie Taylor-Davis
1 seat vacant

QUORUM, 4 present, 2 absent

IV. NEW BUSINESS

A. Charlton House Subdivision, Phase I

James & Elizabeth Welch, owners
310 East Main Street
Avon, NY 14414
Kevin O'Donoghue, Surveyor

The Welch's had applied to divide 260.434 acres of property at 310 East Main Street into two lots. Lot 1 would begin opposite Pole Bridge Road and extend in an L-shape, west behind TOPs Market. The lot would cover 29.971 acres and have Charlton House and the property's other structures on it. Lot 2 would be the remaining acreage, 226.629 acres of farmland and 3.834 acres of wetlands. Lot 2 would be vacant, agricultural land.

Other lands owned by the Welch's included 92.736-acres, adjoining the aforementioned lots to the east, in the Town of Avon.

The Welch's had put the land up for sale and James Welch said the subdivision was intended to improve its "marketability." He described the main house, the Charlton House, as "quite unusual." The house was:

- a 30-room mansion
- built in 1894
- designed by Rochester architect, J. Foster Warner; and
- accessed via a tree-lined drive from East Main Street
- across a bridge

Referring to the property overall, Drozdziel noted part was in the Village and part was in the Town, were the Welch's applying for a 3-lot or 2-lot subdivision. Their application had indicated two lots.

Charlton House had been used as a Bed & Breakfast Inn with a paddock and stable, Welch began.

With the applied for subdivision, O'Donoghue said, one tax parcel would be created for the house and another for the rest of the property.

Welch didn't see them breaking-up the farm land into separate parcels, he told Board members.

Would a parcel be created with no accessibility? Wall wondered.

No, O'Donoghue responded. The 29.971-acre Lot 1 had the tree-lined driveway entrance from East Main Street and the 226.629-acre Lot 2 had access both from Dream Valley Boulevard (the road serving TOPs Market) as well as from High Street.

Any development plans for the 29.971-acre Lot 1? Drozdziel asked.

No, Welch said, adding they'd love to see it remain as it was.

When the Planning Board did the Village of Avon Comprehensive Plan (in 2011), members had envisioned "mixed-use" on the land north of TOPs, Drozdziel followed-up.

(Page 36, Section D. Uptown of the plan read 1. Rezone the vacant area north of TOPs Plaza as a "mixed-use" district as shown on the future land use map)

This (application) had to go before the Livingston County Planning Board? Trustee Batzel asked.

The County Planning Board met the second Thursday of the month, Brabant interjected, adding their next meeting was Thursday, March 12, and recommendations from that meeting could be expected a week later (March 19).

The Village Planning Board typically met the third Tuesday of the month and their next meeting was scheduled for March 17, but Drozdziel pointed out it wasn't unusual for them to re-schedule, they liked to work with people.

So, it was your intent to keep Lot 2 as farm land? Drozdziel asked, wondering if there might be any drainage concerns for surrounding areas such as High Street or D'Angelo Parkway.

The Village Board would rather see the Charlton House Subdivision, Phase I, divided into three lots rather than two? O'Donoghue asked.

Yes, Trustee Batzel responded.

The Village Board had expressed an interest in making the subdivision three lots? Drozdziel followed-up.

Send the Livingston County Planning Department the most complete application possible so, you don't have to go back to them a second time, Brabant cautioned. Don't send them a 2-lot subdivision then tell them later you've had second thoughts and now want a 3-lot subdivision.

I don't see any advantage to going to a 3-lot subdivision, Drozdziel remarked.

No, O'Donoghue agreed, I don't either.

Referring to the Short Environmental Assessment Form, filled out in conjunction with the subdivision application, Brabant suggested O'Donoghue answer question, "12.b. Is the proposed action located in an archeological sensitive area?" yes.

The New York State Department of Environmental Conservation had an Environmental Assessment Form "mapper," Brabant continued, and the mapper program would complete the form for him, if question 12.b. is answered, yes.

So, if the Charlton House Subdivision, Phase I, application were:

- referred to the Livingston County Planning Board Wednesday, February 18
- the County Board would meet Thursday, March 12
- a public hearing notice would be sent to the Liv. County News Monday, March 16
- the County Board would issue their recommendation Thursday, March 19
- the public hearing notice would appear in the March 19 edition of the LC News
- the legally-required 10 days would be allowed to pass
- the hearing would be conducted Tuesday, April 7; and,
- a decision would be rendered at the conclusion of the hearing

With that time table agreed upon, Brabant and Batzel left the meeting at 8:07 PM.

II. APPROVAL OF THE MINUTES

MOTION: McCormick moved for approval of the minutes of the meeting of January 27, 2015, seconded by O'Donoghue. Voting in favor were: Drozdziel, McCormick, O'Donoghue and Wall. Voting against were: none.

CARRIED, 4 Ayes, 0 Nays

III. OLD BUSINESS

A. Proposal to reduce the Board from seven members to five

- Mayor Thomas Freeman introduced the proposal March 18, 2014
- The proposal was an agenda item May 20, 2014
- A recommendation to leave the membership at seven was sent to the Mayor May 27, 2014
- The proposal was reintroduced June 17, 2014
- The proposal was an agenda item July 15, 2014, but was not discussed
- The proposal was an agenda item August 19, 2014, and the 7-member preference confirmed

The Board had operated with one seat vacant since former Chairman Malcolm D. LaFever resigned, due to health reasons, in the spring of 2014. Member Taylor-Davis had since submitted her resignation, effective April 30, 2015.

MOTION: McCormick moved to reduce the size of the Board from seven members to five with no alternate, seconded by Wall. Voting in favor were: Drozdziel, McCormick, O'Donoghue and Wall. Voting against were: none.

CARRIED, 4 Ayes, 0 Nays

B. Lot line adjustment legislation

Drozdziel had distributed three examples January 27, from:

- Town of Canandaigua
- Town of Milford
- Town of Victor
-

Lot line adjustment legislation would allow the administrative disposition of simple subdivision requests, applications not creating substandard lots such as those less than 20,000-square-foot or any other circumstance requiring a variance.

Drozdziel said he hadn't yet drafted a version for Board consideration, but would by the next meeting. The goal, he added, was to simplify and speed-up the process, but the kicker was few applications would be affected with the substandard lot exclusion.

C. Parcel-based zoning

The Village wanted to transition to parcel-based zoning in hopes of eliminating inconsistencies. Four hundred parcels would likely be affected. The Board planned to meet with Heather Ferrero, Livingston County Deputy Planning Director, on the subject.

Drozdziel asked the clerk to contact Ferrero about coming to the Board's May meeting.

V. ADJOURNMENT

MOTION: McCormick moved for adjournment at 8:30 PM, seconded by O'Donoghue. Voting in favor were: Drozdziel, McCormick, O'Donoghue and Wall. Voting against were: none.

CARRIED, 4 Ayes, 0 Nays

Gary Margiotta
Deputy Clerk