

**MINUTES OF A MEETING OF THE
VILLAGE OF AVON PLANNING BOARD
TUESDAY, MAY 19, 2015
7:00 PM; VILLAGE HALL, WHITNEY ROOM**

I. ATTENDANCE

Paul M. Drozdziel, Chairman
Patrick McCormick (7:12 PM)
Laura Nobles
Kevin O'Donoghue
William Wall

OTHERS

Sean Garvey, Lakeville
Leah Trimble, his fiance
Anthony Cappello, Code Enforcement Officer

II. APPROVAL OF THE MINUTES

Deferred.

III. OLD BUSINESS

A. County Planning Board Vacancy

Deferred.

B. Parcel-based zoning

Deferred.

IV. NEW BUSINESS

A. 203 Rochester Street

Sean Garvey was interested in doing auto-detailing and auto body work at 203 Rochester Street. The property was zoned as Combination Multiple Family/Light Industrial (C-1). Code Enforcement Officer Anthony Cappello had asked Garvey to appear before the Planning Board.

Definitions:

Chapter 30, Section 4, of the Zoning Code defined **"Garage, private"** as a secondary building, used in conjunction with a primary building, which provided for the storage of motor vehicles and in which no occupation, business or services for profit were carried on.

The same chapter and section defined **"Garage, commercial"** as a building or structure used for display, storage, repair, rental, sale, inspection and servicing of new and used motor vehicles and for the retail sales of parts, accessories, lubrication, oils and supplies for such vehicles, but not the sale of fuel.

And, **"Industry or industrial"** as the manufacture, processing, assembly or storage of any item, article or commodity and the conduct of manufacturing as it is usually understood as opposed to the casual preparation, processing or repair of items, articles or commodities in retail businesses.

Permitted principal & accessory uses

Chapter 30, Section 40 of the Zoning Code, "Combination Multiple-Family/Light Industrial District, C-1," included private garages as a permitted principal use as well as a permitted accessory use. The chapter and section also allowed light industry as a permitted principal use.

Discussion

Garvey told Board members he lived in Lakeville and had been painting cars for 16 years. He had started restoration work and felt the need to own his own company. He wanted to get into paint and light auto-body work. Garvey also informed members he was renting 203 Rochester Street and working under the name, "Truax Autobody & Customs."

Drozdziel asked about the layout of the property.

There were two buildings on the property, Garvey responded, a 3-bay building with an apartment at the south end (205 Rochester Street) and a smaller, pole barn, that fit two cars with a parking area, behind (203 Rochester Street). Garvey said he was renting the smaller pole barn at present.

Hadn't there been talk of locating an automobile impound lot on the site in the past? McCormick asked.

Bald Hill Automotive, a towing service from Honeoye, had rented the property, briefly, a few years ago.

Would there be cars outside? Wall asked.

Insurance covered what was inside, Garvey responded, adding he would never leave a car outside . . . unless it was his own.

Garvey told Board members he tackled light auto body work, such as a shot in the fender or door, but nothing structural and nothing frame-related. The building he was working out of was 19-feet X 30-feet, he added.

Would you have a paint booth? Wall asked.

No, he wouldn't be moving that fast, Garvey answered. He did have an exhaust fan in his shop and the fan discharged on the railroad side of the pole barn.

On a personal note, Garvey said, while he wasn't from Avon, he'd always lived and worked in the Livonia-Lakeville area and had an uncle, Gary Salter, who lived in Avon at 187 Genesee Street.

And, as for the 203 Rochester Street property, Larry Maier had had an automotive business there in the past, Trimble recalled.

Neighbors

The Aldon Corporation, at 221 Rochester Street, was located behind the pole barn and there was a house, about 30 feet south of the pole barn at 201 Rochester Street, but Cappello told

Board members he didn't believe Garvey's Truax Autobody & Customs business would hinder anything in the multi-family area.

From a code enforcement standpoint, what was required? Drozdziel wondered. Would Garvey, for instance, be using solvents or working on wiring?

Garvey had a fire extinguisher and would paint in a "lock-up" area, Cappello said.

Air circulation is important, Garvey told Board members.

You're not close enough to (bother) any neighbors? McCormick asked.

No, and I've talked to my neighbors, Garvey responded. He noted he used a 60-gallon compressor in his work.

Conclusion

What do you think, Tony? O'Donoghue asked Cappello.

I'm glad he came to talk to you, I'd have approved it right-off, Cappello responded.

And, what would your hours of operation be? Drozdziel asked.

8:00 AM until 5:00 PM Monday through Saturday, Garvey said, adding he would use sandwich board-type sign advertising. Board members advised Garvey to check with Cappello about code restrictions and permit requirements for signage.

Garvey predicted his business would grow, if he got his name out there. David DeCarlo owned the pole barn, he added.

Was there any state licensing required for the work Garvey proposed doing? Drozdziel asked.

For frame repair work and jobs exceeding \$10,000 in cost, Garvey said he would have to be a registered shop, but, as it stood, Garvey said he wouldn't have to be registered - until he got bigger.

Garvey said he would only do oil changes for family and friends, any others he would send out to Countryman at Avon Gas Way at 337 Wadsworth Avenue.

He reiterated he wouldn't store any vehicles outside the pole barn. The pole barn did have a loft area the same size as the main floor, 19-feet X 30-feet, he noted.

Determination

Drozdziel said there was nothing required from the Planning Board, that it wasn't an "actionable" item and that the Board welcomed new business to the area.

III. OLD BUSINESS**A. County Planning Board Vacancy**

Meetings were held at the Livingston County Government Center at 6 Court Street, Geneseo, the second Thursday each month, McCormick told Board members. Meetings were just like here, sometimes nothing was going on and the meeting was cancelled, other times you were there until 10:00 PM.

There was much emphasis on the Conesus Lake watershed and much time had been spent on Volunteer Drive and Walmart in Geneseo, he added.

Bonnie Taylor-Davis had resigned from the Village Planning Board effective April 30. She had also sat on the County Planning Board and her term had expired there as well.

V. ADJOURNMENT

The Board adjourned at 8:12 PM

(*The July 21 meeting will be moved to July 28)

Gary Margiotta
Deputy Clerk