

**MINUTES OF A MEETING OF THE  
VILLAGE OF AVON PLANNING BOARD  
TUESDAY, JULY 28, 2015  
7:00 PM; VILLAGE HALL, CONFERENCE ROOM B**

**I. ATTENDANCE**

Paul M. Drozdziel, Chairman  
Patrick McCormick  
Kevin O'Donoghue  
Laura Nobles (7:05 PM)

**ABSENT**

William Wall

**QUORUM, 4 Present, 1 Absent**

Anthony J. Cappello, Code Enforcement Officer  
Brian Glise, Fire Marshall  
Robert Hayes, Trustee  
Kurt Rappazzo, MRB Group

**GUESTS**

Timothy Hite, Variance Applicant  
96 Wadsworth Avenue

**PathStone, Rochester**

Kathryn Bryan, Sr. Vice President for Property Management  
Robert B. Cain, Real Estate Developer  
Amy Casciani, Sr. Real Estate Developer  
Les Kernan, General Counsel

**Hamilton-Stern Construction, Pittsford**

Richard Potts, Vice President of Construction

**Passero Associates, Engineering & Architecture, Rochester**

Michael Miles, Civil Engineer  
Jess Sudol, Site Engineer

**SWBR Architects, Rochester**

Joseph Gibbons, Architect AIA

**II. APPROVAL OF THE MINUTES**

**MOTION:** McCormick moved for approval of the minutes of the meetings of April 7 and May 19, seconded by O'Donoghue with Drozdziel, McCormick and O'Donoghue voting in favor, none opposed. Nobles had not arrived.

**CARRIED, 3 Ayes, 0 Nays**

**III. OLD BUSINESS**

**A. County Planning Board Vacancy**

Nobles said she would talk to Drozdziel after the meeting. McCormick had served on the County Planning Board 10 years.

**B. Parcel-based zoning**

The Board hadn't done much on parcel-based zoning, Drozdziel remarked, adding the Board would take it up in the fall.

**IV. NEW BUSINESS**

**A. Height & Area Variance Application – Advisory Opinion Required (in the Board Room)**

Timothy Hite  
 96 Wadsworth Avenue  
 Avon, NY 14414

**Background**

Hite had applied for a building permit June 19, seeking to build a 30-foot X 20-foot, 2-story, wood frame garage behind his 96 Wadsworth Avenue home. He had asked to build the garage 21-feet 3 & 9/16th-inches tall, 5-feet from his south (side) property line and 10-feet from his rear (east) property line. Avon Lumber, Inc., 108 Wadsworth Avenue, was Hite's neighbor to the south and east. Jeffrey Cappello (home), 92 Wadsworth Avenue, was his neighbor to the north. Hite's property fronted Wadsworth Avenue to the west.

Code Enforcement Officer Anthony J. Cappello had denied the building permit application on the grounds the garage did not meet the height and area guidelines set forth in the Village's Municipal Code.

The maximum height for an accessory building in an R-1 district, according to the Zoning Schedule in Chapter 30, Section 25, was 17 feet.

The same Chapter and Section gave the minimum side yard setback as 10 feet and the minimum rear yard setback as 20-feet.

With the denial of his building permit application, Hite applied for height and area variances. As for the height of the garage, Hite explained his property was in a wet area so, he wanted a second story for storage and 21-feet, 3 & 9/16<sup>th</sup> inches was what he'd need to walk around on that second story.

Hite had requested the side and rear yard setback (area) variance to allow him to build his garage, but still leave a usable back yard.

**Questions & Answers**

Hite had ingress & egress rights to his backyard with Avon Lumber, he told Board members. He didn't have a big back yard which was why he had pushed the garage towards the south and east property lines.

Hite's lot was "real wet" so, he had been looking for dry storage up above the main floor of the garage, he continued.

Did he intend any commercial use of the property? Nobles asked.

Hite said he did not.

Would the garage have a concrete floor? McCormick wondered.

Yes, it would, Hite answered.

Would the garage be conventional, stick-built or a pole barn? Drozdziel asked.

Stick-built, Hite indicated, adding he wouldn't want to sink poles into his wet ground.

Did Hite plan on keeping the canvas storage shed he had in his back yard? Drozdziel inquired.

No, that had just been temporary, Hite told him.

How about the 7-foot X 7-foot storage shed just behind his house? McCormick followed-up.

No, he'd probably get rid of that, too, Hite responded.

Have you reached out to your neighbors? Drozdziel inquired.

Hite said he had talked to Cappello and Cappello had no problem with the garage neither did the lumber yard – the lumber yard had storage buildings along Hite's south (side) property line as it was, he noted.

Did you plan on installing gutters on the garage to control run-off? Drozdziel asked.

No plans for that, Hite said, but added, he could.

Was his fence in good repair? Drozdziel followed-up.

The fence along his north property line (Cappello's side) was good, the south side (Avon Lumber) needed work, Hite answered.

Would you be contracting or doing the work yourself? Drozdziel asked.

Myself, Hite told him.

The property behind Hite and to the south was commercial (the lumber yard), Cappello noted.

AGENDA FOR A MEETING OF THE  
VILLAGE OF AVON PLANNING BOARD  
TUESDAY, JUNE 16, 2015  
7:00 PM; VILLAGE HALL, WHITNEY ROOM

## MEETING CANCELLATION

The meeting of June 16, 2015, has been cancelled. PathStone has indicated they are not prepared to continue their "concept review" and no new applications have been received, leaving parcel-based zoning as the only matter pending. As such, the June 16 meeting has been cancelled. The next meeting will be 7:00 PM Tuesday, July 21, 2015.

Gary Margiotta  
Deputy Clerk

**Decision**

**MOTION:** McCormick moved for approval of Hite's height and area variance, seconded by Nobles. Voting in favor were: Drozdziel, McCormick, Nobles and O'Donoghue. Voting against were: none with Wall absent.

**CARRIED, 4 Ayes, 0 Nays, 1 Absent**

**Country Hill Estates – An Informal Review**

PathStone, developer  
Passero Associates, designer  
Hamilton-Stern Construction, builders

**Background**

PathStone proposed construction of a 45 unit, multi-family development on seven acres of land north of Clinton Street – opposite the Avon Nursing Facility, 215 Clinton Street, and behind the Dollar General store at 275 East Main Street.

The site was part of 27 acres that ran from Pole Bridge Road to Hal Bar Road and was owned by former Planning Board member Richard E. Martin of 14 Carriage Lane.

The units would be 1-, 2- and 3-bedroom apartments in 10 buildings. Site amenities would include: a clubhouse, community garden, pedestrian accommodations, green space, landscaping and screening.

Country Hill Estates would also offer "regional flood storage" intended to reduce downstream flows and aid in alleviating flooding.

Plans called for a dedicated (dead-end) street from the curve on Clinton Street to the east end of the applicant's property (even with the east end of Avon Town Plaza).

PathStone was founded in 1969 to address the needs of migrant and seasonal farmer workers and their families, Cain told Board members.

Since then, PathStone had grown to 15 program areas and handled more than \$1 billion in public and private funding, he continued.

PathStone has staff in four states and Puerto Rico and has a 50-year regulatory period on their housing projects which meant PathStone must stay on top of maintenance and management during that time period.

**Management**

PathStone owned more than 3,100 units and owned and managed more than 2,000, Bryan told Board members.

The company performed annual inspections and conducted a fire safety training programs for their residents, Bryan continued. "Affordable housing," she noted, had negative connotations, conjuring up images of the cement buildings from the 70's, but that wasn't so today, she assured Board members.

As far as tenant selection went, Bryan said PathStone conducted criminal background checks. The income limit for a family of three was \$36,600, she added.

**Other Developments**

PathStone had developed a 24 low income apartment complex, called April Meadows at 101 April Way in Geneseo, in 2000 at a cost of \$2 million, Cain said. Rural Properties, Inc., managed the site.

In 2007, PathStone developed Mildred Johnson Estates I, 23 low income, single family, rental houses at 122 Thomas Street, then added Mildred Johnson Estates II, another 21 houses on Clifford Avenue, Rochester, for \$11 million overall, Cain continued. Those homes were managed by MJ Estates, LP.

PathStone also developed 48 units on a 10-acre parcel off Lyell Road in Gates, Crerand Commons on Crerand Circle, for \$6.7 million, Cain noted.

**Why Avon?**

So, why Avon? Cain asked.

PathStone had targeted Caledonia to Geneseo and Avon's Clinton Street Extension site had been identified in the Comprehensive Plan for expansion of the village's multi-family residential district, Cain began.

PathStone, he continued, was interested in developing "workforce housing" and the Clinton Street Extension site was close to:

- Barilla America, Inc., at 100 Horseshoe Boulevard
- Kraft Foods Global, Inc., at 140 Spring Street
- Gray Metal Products, Inc., at 495 Rochester Street

As well as:

- Tom Wahl's Restaurant, at 283 East Main Street
- McDonald's of Avon, at 250 East Main Street
- TOPS Friendly Markets, at 270 East Main Street

PathStone, Cain said, was looking for employers who offered a starting wage of \$11.00 per hour. Along those lines, Country Hill Estates, Cain said, would offer:

20	1-bedroom apartments	with a maximum income limit of 30,488.00
13	2-bedroom apartments	with a maximum income limit of 36,188.00
12	3-bedroom apartments	with a maximum income limit of 42,244.00

What benefits would Country Hill Estates offer the village? Cain listed:

- Meeting an objective in the village's Comprehensive Plan
- Extending Clinton Street
- Adding drainage; and,
- Generating \$150,000 to \$200,000 in spending at local businesses each year

**Amenities**

Country Hill would likely be funded by New York State's Division of Housing & Community Renewal (DHCR), the federal Departments of Housing & Urban Development (HUD) and Agriculture (USDA), Casciani told Board members.

Amenities at Country Hill Estate would include:

- Broad-band Internet access
- Clubhouse with community room
- Community garden
- Computer lab for residents
- Energy Star products
- Green space – 50 percent
- Handicapped accessibility
- In-unit laundry hook-ups
- Management & maintenance offices
- On-site laundry
- On-site parking
- Playground

**Traffic**

PathStone hadn't filed a formal application, Sudol noted. Country Hill Estates would have to go through site plan review and PathStone would have to petition the village for rezoning. The Clinton Street Extension property was zoned A, Agricultural, and PathStone would like it rezoned to Planned Residential Development District (PRDD).

Avon Central School had bus traffic on Hal Bar Road and Clinton Street and Country Hill Estates would add to that, Sudol conceded, but he pointed out PathStone was proposing a dedicated road, fronting the development and promised they would otherwise do everything they could to ease traffic congestion.

**Energy Efficiency**

Country Hill Estates would be part of the Energy Star for Homes Program, Gibbons told Board members, adding lighting fixtures and appliances would be ES-rated.

Country Hill Estates would also be in the LEED (Leadership in Energy & Environmental Design) for Homes program and New York State Energy Research & Development Authority's (NYSERDA) Low-rise Residential New Construction Program

The clubhouse would have stone columns and a large community room that residents could use for birthday parties and similar such events, Gibbons continued. The clubhouse would also contain the development’s central laundry facilities.

**Apartment layout**

1-bedroom – would be single-story, 745-square-feet with a small patio and utility room, Gibbons said.

2-bedroom - would be 2-story, 1090-square feet overall, 545 on each floor

3-bedroom - would be 2-story with 762-square-feet on the first floor and 545-square feet on the second floor

Two apartments would be laid-out for hearing or visually impaired tenants, Gibbons added.

**Next steps**

The next steps, according to Sudol, would be:

- Changing the zoning to PRDD
- Site Plan review
- Submission of funding applications (by the end of the year)
- Community outreach
- Completion of the project in 2017

**Questions**

**A. Increased traffic load**

Drozdzial thanked the presenters for the information they’d offered, but, to begin with, the village would like to see a secondary access. Rather than dead-ending at the end of their property, Drozdzial said the village would like to see the development’s dedicated road taken through Avon Town Plaza to Dream Valley Boulevard and the signalized intersection beyond at East Main Street.

That sort of access would do much for the community and would help ease traffic congestion on Hal Bar Road and Clinton Street, Drozdzial pointed out.

Exactly how much of an increased traffic load would the project put on Hal Bar Road and Clinton Street? McCormick asked.

During the peak hours of 7:30 to 8:30 in the morning and 4:30 to 5:30 in the afternoon, the project could expect to add 15 to 20 vehicles to the traffic load, Sudol responded.



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# April Meadows

FOR INFORMATION 585-346-5405





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Geneseo, NY 14454

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24 Low Income Units  
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income-qualified tenants  
62-years or older/or disabled  
Two Plus Four Management



Clayton Heights Apartments  
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