

**MINUTES OF A MEETING OF THE  
VILLAGE OF AVON PLANNING BOARD  
MONDAY, NOVEMBER 17, 2015  
6:30 PM; VILLAGE HALL, CONFERENCE ROOM B**

**I. ATTENDANCE**

Paul M. Drozdziel, Chairman  
Patrick McCormick  
Kevin O'Donoghue  
William Wall (6:57 PM)

**ABSENT**

Marilyn Borkhuis  
Laura Nobles

**QUORUM, 4 Present, 2 Absent**

**OTHER OFFICIALS**

Timmy Batzel, Trustee  
Robert Hayes, Trustee  
Brian Glise, Fire Marshal  
Tami Snyder, Assessor  
Kurt Rappazzo, Civil Engineer, MRB Group

**GUESTS**

**PathStone, Rochester**

Amy Casciani, Sr. Real Estate Developer  
Robert B. Cain, Real Estate Developer

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

Matthew Newcomb, Civil Engineer

**SWBR Architects, Rochester**

Joseph Gibbons, Architect AIA

**Hamilton/Stern Construction, Pittsford**

Richard Potts, Vice President of Construction

**PUBLIC (27 signed-in)**

Robert Austen, 5 Hal Bar Road  
Ann Bahrenburg, 16 Pine View Heights  
Thomas P. Bartolini, 73 Temple Street  
James Biondolillo, 340 North Avenue  
Clipson Class, 2110 Antonio Drive  
Edward Coleman, 6 Carriage Lane  
Richard Davidon, 41 Hal Bar Road  
Ken Emerson, 56 East Main Street  
Marty Graham, 55 Lacy Street  
Kenneth Greenwood, 355 Genesee Street  
Keith Herman, 4295 Lake Road (Tom Wahl's)  
William McLaughlin, 158 Temple Street

**PUBLIC**

Erika O'Brien, 73 Temple Street  
 Susan Orman, 30 Richmond Lane  
 Robert Porceli  
 Sandra Reandeau, 431 Genesee Street  
 Joseph Ricotta, 218 River Street  
 James Root, 274 River Street  
 Leah M. Root, 274 River Street  
 Kathy Salvati, 219 Commerce Drive  
 Christopher J. Taylor, 5 Five Lot Lane  
 James Taylor, 10 Carriage Lane  
 Joyce Taylor, 10 Carriage Lane  
 Betty Valentine, 5166 Lake Road  
 Jerry Valentine, 5166 Lake Road  
 Ernest Wiard, 15 Hal Bar Road  
 Ann Younger, 93 High Street

**II. APPROVAL OF THE MINUTES**

**MOTION:** McCormick moved for the approval of the minutes of the meeting of October 20, 2015, seconded by O'Donoghue. Voting in favor were: Drozdziel, McCormick and O'Donoghue, voting against were: none.

**CARRIED, 3 Ayes, 0 Nays**

**III. OLD BUSINESS**

**Country Hill Estates** – proposed 60-unit apartment complex opposite Avon Nursing Facility

**Brief Update:** PathStone had hosted Community Meetings at Peppermints Restaurant

- From 2:00 PM to 4:00 PM Wednesday, October 14
- From 6:00 PM to 8:00 PM Wednesday, October 14, and
- From 2:00 PM to 4:00 PM Friday, October 16

Not a lot of people had attended, but good ideas had been brought-out, Casciani said. She estimated there had been four people at their first meeting, 10 at the second and five or six at the third. PathStone, Casciani added, had also attended an October Village Board meeting.

Of those who had attended, where had the people come from, Drozdziel wondered, the village, the town, Caledonia?

The village, Casciani responded, mostly neighbors of their proposed project. PathStone had offered a bus tour of their other properties, but no one had signed-up, she added.

Concerns raised at the Community Meetings included:

- construction of Clinton Street Extension around Avon Town Plaza to Dream Valley Boulevard
- the unit mix
- the number of handicapped accessible apartments

- street lighting & buffering
- drainage
- traffic
- child safety
- storage
- fire truck accessibility
- density
- quality of life

**Handicapped accessibility, street lighting,  
child safety, storage & fire truck accessibility**

PathStone increased the number of units from 45 in April to 60 in August to fund the extension of Clinton Street, Cain said.

Country Hill Estates, he continued, would have four fully, handicapped accessible apartments. The remaining 1-bedroom apartments would have additional bracing in the showers so they could be made handicapped accessible. But, Cain added, all the apartments would be “visitable,” meaning someone in a wheelchair could enter and use the bathrooms.

As for street lighting, Cain said concern had been raised over “dark sky” compliance, particularly in consideration of residents at the nearby Avon Nursing Facility at 215 Clinton Street. As for drainage, PathStone had optioned more land from property owner, Richard Martin, and added a second detention pond.

Child safety had been another big topic, Cain continued, children walking safely from the project to school. Crosswalks and stop signs had been added to address that concern, he said.

PathStone had increased the storage capacity in the apartments and clubhouse, Cain went on.

Concern had also been raised over fire truck accessibility, Cain continued. PathStone addressed that by making an outlet at the east end of the project’s parking lot - where Clinton Street would bend north towards Dream Valley Boulevard.

**Code requirements, density**

The Country Hill Estates site is zoned A, Agricultural. PathStone has requested a change to PRDD, Planned Residential Development District.

We’re developing Country Hill Estates as a PRDD project, Newcomb said, adding that zoning classification gave them more “latitude.” He compared their project to Avon Commons, the townhouse and patio homes subdivision behind Peppermints on the north side of Routes 5&20.

As for density, Newcomb said Country Hill Estates would have 8.3 units per acre versus the 9.2 units per acre in Avon Commons.

Ten feet from the parking lot to the porches at Country Hill Estates, Newcomb said, and 13-feet to the buildings. The buildings were 22 feet from the parking lots at Avon Commons.

Other setbacks comparison with Avon Commons included:

- 42.2-foot rear setback at Country Hill Estates versus 20 feet at Avon Commons
- 15-foot side setbacks at Country Hill Estates versus 10 feet at Avon Commons
- 27.5-foot height at Country Hill Estates versus 30 feet at Avon Commons

As for storage, there was no requirement for storage under the PRDD section of the Municipal Code, but, Newcomb said, Country Hill Estates apartments would offer 280 cubic feet in its 1-bedroom apartments and 400 cubic feet in two and three bedroom apartments. There would be no garages.

At Avon Commons, there was one garage for every two units with two feet of storage space in front of a car in the garage, Newcomb told Board members.

Concerns had been raised over fire truck accessibility, it had been noted a fire truck traveling to the east end of the Country Hill Estates parking lot would not be able to turn around to exit the project and would instead have to back out.

Newcomb said a “crash gate” or emergency exit had been added at the east end of the parking lot – where Clinton Street Extension would curve around the project, turning north towards Dream Valley Boulevard – that, the civil engineer said, would serve as an emergency exit for fire trucks.

**General Questions:**

Storage area had been mentioned in the Clubhouse, McCormick recalled.

That would be 90-square-feet, Gibbons responded.

A storage building had been mentioned at the October 20 meeting, McCormick followed-up.

A 15-foot X 20-foot shed, Gibbons confirmed, but said the shed would be used for lawn care equipment.

Where would bicycles be stored? McCormick asked.

They had added bicycle racks, Newcomb responded.

As for traffic, Newcomb said volume was heaviest when school buses were coming and going, but quiet otherwise. Details were outlined in Passero’s traffic study. Copies had been distributed to members.

**MRB Comment Letter:**

PathStone had, initially, submitted the short form State Environmental Quality Review form. Rappazzo said the long form would have been preferred and Passero had since complied.

Concern had been raised over the close proximity of the parking lots to the front of the buildings, Drozdziel noted.

The setback met PRDD standards, Rappazzo indicated.

Could the buildings could be “shoved back” a little? Drozdziel asked.

And, how much lawn would there would be between the sidewalks and the shrubs along the buildings? McCormick wondered.

#### **Minimum acreage requirement**

Chapter 30, Article XIII, of the Municipal Code, *Planned Residential Development District*, Section 30.133, *General Requirements*, called for a minimum area of 20 contiguous acres for developments such as Country Hill Estates.

Country Hill Estates would meet the six objectives outlined in Section 30.132, *Objectives*, Newcomb contended. Those objectives were:

1. Harmony with the general purpose, goals and objectives of the Village’s comprehensive plan and with Chapter 30 of the Code.
2. Compliance with all applicable regulations in Chapter 30.
3. No substantial or undue adverse effect upon adjacent property, utility facilities, traffic conditions or other public health, safety or general welfare matters.
4. No interference with the development or use of neighboring property.
5. Adequate service by essential public facilities and services such as sanitary sewers, public water supply, stormwater drainage facilities, highway capacity and other services essential to residential use.
6. Provisions for the preservation of: trees, streams, wetlands, natural topography and geological features and prevent soil erosion.

Country Hills Estates, if approved, wouldn’t be phased-in, Rappazzo continued.

Drozdziel asked if there would be any Village involvement in the connection of Clinton Street to Dream Valley Boulevard.

No, Rappazzo answered.

**Parking & pedestrian access to Avon Town Plaza**

As for the project's parking capacity, the developers had previously indicated there would be 1.6 parking spaces per apartment. That had since been increased to two spaces per unit or 120 overall for the project's 60 apartments.

A path currently afforded a shortcut to the west, or Dollar General, side of Avon Town Plaza. Would Country Hill Estates offer pedestrians any such an amenity? At this point, no, Rappazzo said, there was nothing in the plans. Pedestrians would have to take the sidewalks around the east end of the plaza.

**Waste removal & recycling**

Country Hill Estates plans originally called for two dumpsters. Rappazzo said a third had been added and the dumpsters would be housed within white, vinyl enclosures.

Would three dumpsters be enough for a 60-apartment complex? Drozdziel asked.

Sometimes fewer dumpsters sufficed with more frequent pick-ups, Casciani said, adding Country Hill Estates would also meet recycling guidelines.

**Snow removal**

What about snow storage? McCormick asked. Had an area been provided and what sort of equipment would be used for snow removal, a pick-up truck with a plow? McCormick doubted a loader or backhoe could be used in a complex like Country Hill Estates.

And, parking lots tended to shrink with snow, Drozdziel observed, adding residents often parked every which way when lots were clogged with snow.

PathStone apartment complexes typically employed third-party snow-removal contractors, Casciani said.

**Street and site lighting**

Drozdziel asked about street and site lighting.

We're asking for lighting similar to what's around the Circle Park for street lighting, Rappazzo said.

And, there would be a ½-foot candle minimum in the parking lots, Newcomb added. Site lighting would be toned down to feel more like a residential area rather than a Walmart parking lot. LED lights would be used for site lighting, Newcomb said, adding they'd be on from dusk-to-dawn.

Would there be security lighting on the buildings? McCormick asked.

Perhaps motion detector activated lights on the backs of the buildings, Gibbons responded.

**Stormwater management**

All storm piping had been internalized, Rappazzo continued.

Were design parameters based on a 100-year flood or what? Drozdziel wondered.

A 10-year storm event, Rappazzo responded, with 2-inches of rain over a 24-hour period, but the detention ponds were meant to handle a 100-year flood and were wet ponds by design, he added.

Was the flooding potential worsened by extension of Clinton Street? Drozdziel asked.

No, the ponds would mitigate that, Rappazzo said.

Drozdziel asked about the ponding conditions on the north side of the Avon Nursing Facility that arose during heavy rains (not on the Country Hill Estates site).

Those conditions were likely caused by a blocked pipe or some other problem, Rappazzo responded.

Would it be worthwhile to investigate resolving the Nursing Home's ponding problem? Drozdziel wondered.

Storm water from Country Hill Estates' west detention pond would go to an existing pond behind Hal Bar Road homes then, by 6-inch pipe, to the Hal Bar Road storm sewer, Rappazzo said.

What would the maintenance of the Country Hill Estates detention ponds entail? Drozdziel asked.

One or two visits per year to ensure the ponds remained structurally sound and the outflow was alright, Rappazzo said.

Would there be "shared" maintenance agreements? Drozdziel asked.

The village could ask for a shared agreement, Rappazzo said.

What about Country Hill Estates' eastern detention pond? Drozdziel followed-up.

There were still some unknowns there, Rappazzo confessed.

Were there any drainage concerns associated with the solar panel project Avon Central School was building south of the Country Hill Estates site? Drozdziel asked.

The solar panels were on standards and the State Department of Environmental Conservation (DEC) had said the ground beneath the panels wouldn't be disturbed so, there shouldn't be an increase in run-off, Rappazzo indicated.

The Country Hill Estates site was still zoned A, Agricultural and, Hayes remarked, it shouldn't be presumed it will be rezoned to a high-density residential classification.

**Clinton Street Extension**

**Screening & buffering landscaping**

The backs of many of Country Hill Estates' apartments would face Hal Bar Road properties while others would face the extension of Clinton Street.

The size of the trees proposed for screening and buffering seemed inadequate, Drozdziel commented, adding he had concerns for Hal Bar Road residents and those traveling Clinton Street Extension as well.

Furthermore, the chairman had concerns over the type of lighting that would be used on Clinton Street Extension and said it appeared the roadway's approach to Dream Valley Boulevard was just 50 feet wide, but that 66 feet were needed for a dedicated road.

Rappazzo, Drozdziel said, would compile a list of concerns:

- A sidewalk to the west side of the Avon Town Plaza
- Adequate snow storage
- Dumpster locations and the plantings around them
- Engineering aspects for the east detention pond
- On-site, exterior storage
  - motorcycles & other large items couldn't be stored in the apartments
- A "snapshot" of what the landscaping would look like
- Softening appearances for neighbors & passing motorists
- 5-foot width for sidewalks, deferring to DPW Supt. John Barrett on that
- A possible bike lane on the sidewalks
- Site lighting details
- Architectural details

What screening would there be for the patios? McCormick asked.

Patios would be a walk-out concrete slab, Gibbons said.

What about screening between the patio and the street? McCormick followed-up.

There would be landscaping, Gibbons said.

What about the photometrics for the streetlighting? Drozdziel asked.

Streetlighting would have a 1-foot candle minimum and LED was the way to go. Newcomb asked, if the Planning Board could set the public hearing on their site plan review.

**Review period extension**

Drozdziel asked for a motion to extend the review period.

**MOTION:** McCormick moved to extend the review period 90 days from today. Seconded by Wall. Voting in favor were: Drozdziel, McCormick, O'Donoghue and Wall. Voting against were: none.

**CARRIED, 4 Ayes, 0 Nays**

#### IV. NEW BUSINESS

##### **Tom Wahl's parking lot expansion – Keith Herman, Vice President 283-293 East Main Street**

The Tom Wahl's Restaurant wanted:

- To expand its parking lot by 37 spaces and 6 RV spaces
- To extend Dream Valley Boulevard & connect to the SW corner of their lot
- To replace their dumpster enclosure with a new one to the southwest
- To dig a stormwater detention basin to collect parking area runoff

Keith Herman, vice president for Wahl's, offered to answer questions on their proposal. Theirs, he said, was a "good" problem, sales had been favorable and, as such, Wahl's was seeking to expand their parking lot from 112 to 149 spots.

And, as their parking lot was, a heavy rain could fill it. Herman said rainwater eventually ran-off into a culvert between the restaurant and the CVS Pharmacy next door.

Wahl's also hoped to improve their dumpster area, Herman continued, and, by extending Dream Valley Boulevard into the southwest corner of their parking lot, to give their customers - who wanted to make a left-hand turn on to Routes 5&20 – a way to get to the lighted intersection at Dream Valley Boulevard and 5&20.

More pavement would mean more run-off, McCormick observed.

And, Drozdziel wondered about Wahl's timeline.

On the latter, they had flexibility, Herman said, but they were running out of parking now – spring or early summer would be favorable, he told Board members.

And, as for the increase run-offm Newcomb suggested the Country Hill Estates east detention pond could be extended on to Wahl's property to handle their needs as well.

Wahl's, Rappazzo said, would have to submit a short form State Environmental Quality Review form.

And, move forward with a site plan review application, Drozdziel said.

Would Wahl's be able to expand their parking lot without the Clinton Street Extension? Snyder wondered.

The answer to that was "maybe," Drozdziel responded.

Additional information was expected at the Board's December 15 meeting.

**V. ADJOURNMENT**

**MOTION:** McCormick moved to adjourn at 8:54 PM, seconded by Wall. Voting in favor were: Drozdzial, McCormick, O'Donoghue and Wall. Voting against were: none.

**CARRIED, 4 Ayes, 0 Nays**

Gary Margiotta  
Deputy Clerk