

**MINUTES OF A MEETING OF THE
VILLAGE OF AVON PLANNING BOARD
WEDNESDAY, MARCH 16, 2016
7:00 PM, VILLAGE HALL**

I. ATTENDANCE

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

ABSENT

Laura Nobles

QUORUM, 5 Present, 1 Absent

Timmy Batzel, Village Trustee
Anthony Cappello, Code Enforcement Officer
Brian Glise, Fire Marshal
Robert Hayes, Village Trustee
Kurt Rappazzo, Civil Engineer, MRB Group, Consultant
John Steinmetz, Steinmetz Planning Group, Consultant
Jake M. Whiting for Reid Whiting, Village Attorney

PathStone Development Corporation, Rochester

Amy Casciani, Sr. Real Estate Developer
Robert Cain, Real Estate Developer
Leslie W. Kernan, Jr. General Counsel

Passero Associates, Engineering & Architecture, Rochester

Matthew Newcomb, Project Engineer

SWBR Architects, Rochester

Joseph Gibbons, Architect AIA

Hamilton Stern Construction

Richard Potts, Vice President of Construction

Public

1. Robert Austen, 5 Hal Bar Road
2. Ann Marie Bahrenburg, 16 Pine View Heights
3. Beth Bailor, 2550 Avon-Geneseo Road
4. Scott Baker, 400 Rochester Street
5. Thomas Bartolini, 53 Prospect Street
6. Albert Beach, 150 Linden Street
7. Pamela Bickford, 223 East Main Street
8. James Biondolillo, 340 North Avenue
9. Dwight Brown, 26 Pine View Heights
10. Joan Brown, 26 Pine View Heights
11. Patricia Bruckel, 64 Lacy Street

12. Thomas Bruckel, 64 Lacy Street
13. Clipson Class, 2110 Antonio Drive
14. Kelly Cole, 312 Genesee Street
15. Edward Coleman, 6 Carriage Lane
16. Julie Collins-Ayers, 56 Lacy Street
17. M. Judy D'Angelo, 255 North Avenue
18. Robert D'Angelo, 150 Lake Road
19. Richard Davidson, 41 Hal Bar Road
20. Cathy Dickinson, 50 Clinton Street
21. Timothy Dickinson, 50 Clinton Street
22. Becky Driscoll, 370 North Avenue
23. Deb Cooper Drozdziel, 255 Genesee Street
24. Carol Cottone, 20 South Avenue
25. Joseph Eichhorn, 4968 Linden Street
26. Veronica Eisenhart, 134 Lake Road
27. Ken Emerson, 56 East Main Street
28. Rev. Carin Farmer, 129 Genesee Street, Avon Central Presbyterian Church, Pastor
29. Martha (Marty) Graham, 55 Lacy Street
30. Kenneth Greenwood, 355 Genesee Street
31. Lisa Greenwood, 355 Genesee Street
32. Dorothy Harness, 142 Temple Street
33. Fritz Helmbold, 5160 Lake Road
34. Barbara Herman, 277 Genesee Street
35. Gary Huffman, 295 Spring Street
36. Leslie Huffman, 295 Spring Street
37. Linda Ingersoll, 118 Clinton Street
38. Gary Keenan, 223 Temple Street
39. Durinda LaBarbera, 43 Hal Bar Road
40. Ruth Ann Lewis, 34 Fisk Place
41. Michael Manning, 11 Clinton Street
42. Guy Margiotta, 199 North Avenue
43. Mary Ann Margiotta, 199 North Avenue
44. Christine Martin, 14 Five Lot Lane
45. Herbert Martin, 5540 Avon-East Avon Road
46. Katherine Martin, 14 Five Lot Lane
47. Marjorie Martin, 5540 Avon-East Avon Road
48. Charles McLaughlin, 46 Clinton Street
49. Matthew Meyer, 26 Fisk Place
50. Tonia Meyer, 26 Fisk Place
51. Kyle Montague, 15 Spring Street
52. Joseph Montesano, 2447 Avon-Geneseo Road
53. Charles Morgan, 224 River Street
54. Thomas Murray, 27 Pine View Heights
55. Tonya Murray, 27 Pine View Heights
56. Carole Nadeau, 44 Lacy Street
57. Charles Nadeau, 44 Lacy Street
58. Teresa Nenko, 148 Lake Road
59. James Neubeck, 64 High Street

60. Erika O'Brien, 73 Temple Street
61. Justyna Oldziej, 1790 Athena Drive
62. Mariusz Oldziej, 1790 Athena Drive
63. Arthur Pearson, 48 Bronson Avenue
64. David Piampiano, 42 North Avenue
65. Peter Piampiano, 1929 Pole Bridge Road (Acting Justice)
66. Jeremy Rowland, 2307 Rolling Ridge
67. Steve Rosen, 25 Spring Street
68. Ted Sakshaug, 437 Genesee Street
69. Kathy Salvati, 219 Commerce Drive
70. Steve Salvati, 219 Commerce Drive
71. V. Jean Schoenthal, 254 North Avenue
72. Rebecca Sharman, 115 East Main Street
73. Thomas Smith, 4870 Darby Road
74. Daniel Snyder, 324 River Street (Fire Chief)
75. James Taylor, 10 Carriage Lane
76. Lorri Jo Turner, 170 Temple Street
77. Nicholas Urbanik, 26 Bridge Circle
78. Betty Valentine, 5166 Lake Road
79. Jerry Valentine, 5166 Lake Road
80. Tama J. Webster, 1425 West Henrietta Road
81. Robert Westfall, 207 Genesee Street
82. Adam Wheeler, 5727 Eleni Court
83. Gail Wright, 74 Lacy Street
84. Ann Younger, 93 High Street
85. Cynthia Zhe, 299 Spring Street
86. Dorothy Zito, 60 Richmond Lane

III. OLD BUSINESS

A. Country Hill Estates – PathStone Development Corporation & Passero Associates

60-unit apartment/townhouse complex

North side of Clinton Street across from Avon High School access road

A public hearing had been scheduled on PathStone Development Corporation's application to rezone approximately seven acres of property, between the Avon Nursing Facility and Avon Town Plaza, from A, Agriculture, to PRDD, Planned Residential Development District, said property owned by Richard E. Martin of 22 River Street and optioned to PathStone.

Persons in support of or objecting to the application would be heard. Written comments would be accepted as well.

Drozdziel called the meeting to order, introduced himself and other Village officials then gave Newcomb 10 minutes to present an overview of their project.

Country Hill Estates

Overview - Newcomb

PathStone was active in seven states and Puerto Rico, Newcomb began. Besides developing properties, they helped revitalize communities and build stronger families. PathStone incorporated learning facilities into their developments to help residents progress in their lives and careers, he told the Board.

PathStone had proposed building 60 1-, 2- and 3-bedroom apartments and townhouses with a clubhouse on approximately seven acres north of Clinton Street between the Avon Nursing Facility and Avon Town Plaza. They had called their project, *Country Hill Estates*.

Why had they chosen this location? Because of the resources, Newcomb explained, CVS, Dollar General and TOPs were all close at hand. Residents could walk or drive and Country Hill Estates was centrally located to other amenities, such as the Avon Free Library and Village and Town Halls, as well, Newcomb added

The property was zoned agricultural, but the Village's Comprehensive Plan proposed expanding a multi-family residential zoning classification to the site.

Before making application, PathStone had met with Mayor Thomas W. Freeman and Village staffers to find out what the Village was looking for. Over the past 11 months, PathStone had worked-out some of the issues and concerns the village had had.

The location was typical of those in Monroe, Livingston and Ontario Counties, Newcomb said. Often, where there was a commercial area, with stores such as CVS, Dollar General and TOPs, there was a multi-family buffer between that area and the community's single-family homes.

So, the site had had been selected for its connectivity to amenities, its proximity to the school district as well as to Rochester. If Country Hill Estates residents had jobs in downtown Rochester, they wouldn't have a long commute, Newcomb reasoned.

PathStone & Passero had made informal presentations to the Planning Board and Village Board before applying for rezoning in September. Since then, they'd had meetings with the Planning Board and Village engineer and, most recently, with the Village Planner to home-in on what the Village had been looking for and to give Country Hill Estates the "village character."

They had worked with Steinmetz to refine their layout and give the development the village's character and with Rappazzo on technical aspects such as drainage, lighting, traffic, all the items that typically came up during a State Environmental Quality Review (SEQR).

PathStone & Passero had also conducted community meetings at Peppermints Restaurant, October 14 and 16, going through the project and getting good feedback.

How much traffic would Country Hill Estates create? They'd done a traffic study, Newcomb said, the Village engineer had reviewed it and the study showed Country Hill Estates would have little or no impact on area intersections.

All the area's intersections operated at an "A" level of service, it was a grading system with "A" being the best and "F" being the worst, Newcomb explained. After the proposed development was built, the intersections would still operate at an "A" level of service, Newcomb said, so they'd been able to rule out traffic as a major issue.

Street lighting was another consideration and Country Hill Estates' lighting would be "*dark sky compliant*," Newcomb said, adding there wouldn't be any spillage onto other people's property.

The Planning Board had had some suggestions on storage, Newcomb continued. PathStone & Passero had increased the storage in their apartments and townhouses. The Municipal Code called for 200 cubic feet per unit and they'd gone above and beyond that for 1-bedroom units and nearly doubled it for their 2- and 3-bedroom units.

As for density, the Code allowed 10 units per acre, but Newcomb said Country Hill Estates would have just seven.

They'd extended Clinton Street around Avon Town Plaza north to Dream Valley Boulevard and, ultimately, to the signalized light at Routes 5&20. The Village seemed to think that was the best route for vehicular traffic and circulation, Newcomb said.

Passero had planned two storm water management facilities, one on the east and the other on the west side of the development. The Village engineer had recommended a storm water management facility in virtually the same spot PathStone/Passero had proposed one, Newcomb noted.

The two storm water facilities were well over-sized, Newcomb said, and should help alleviate some of the flooding concerns the Village had had, not only serving their development, but helping with catastrophic flooding events whether they were 100 or 200-year floods.

Storm water would run off-site at 75 percent less than it did today, Newcomb said, and across the board, it would be 35 percent less in the event of a 100-year flood.

The backs of the buildings, which would face Clinton Street Extension, had been given more of a "village-feel" with the addition of French doors, peaks, stone fascia and sidewalks out to the main walkway, Newcomb pointed out.

**Joe Gibbons, Principal Architect
SWBR Architects, Rochester**

Gibbons showed slides of a 2-story townhouse. Stone and vinyl siding had been used to provide a variety of looks. The 1-story club house offered 90-square feet of storage, common-area restrooms and a community center that residents could use for parties.

Their 1-story, 1-bedroom units offered 740-square-feet of living space with 35-square-feet, or 7-foot X 5 feet, of storage, Gibbons said. The 2-story, 2-bedroom units offered 50-square-feet, or 10-foot X 5-feet, of storage and the 2-story, 3-bedroom units offered 1,150-square-feet of living space and would also have a 10-foot X 5-foot storage closet.

After the public hearing, the Planning Board would report to the Village Board, the Village Board being the decision-maker. Passero was looking for the public's feedback on their site plan whether it be on pedestrian access, vehicular access or other things that could improve their site plan.

Drozdziel opened the public hearing portion of the meeting, explaining the hearing was meant for the Planning Board's purposes, to hear from the public. The hearing wasn't, Drozdziel stressed, meant to be a debate between the public and the developers.

Members of the public were asked to state their names and addresses for the record and to limit their comments to 3-minutes. Drozdziel asked those speaking to be respectful of each other's time and to be mindful of repetitive questions or comments.

After that night's hearing, Drozdziel said the Planning Board would move forward with additional meetings, working towards a recommendation to the Village Board.

1. Michael Manning
11 Clinton Street

Manning thanked the Board for putting the presentation together and giving the public a chance to speak. He thought there had been a great deal of misinformation out there.

Manning said he'd like to see Passero's **traffic** study. He lived on Clinton Street and at 7:00 in the morning, noon and 6:00 at night there was excessive traffic. He wasn't sure what an "A" rating was, but he couldn't get out of his driveway in the morning.

There was a lot of traffic right now. Manning questioned the study that had been done and when it had been done. If it had been done in the middle of August at 7:00 in the morning, maybe you'd get an "A" rating, but he could tell you yesterday it didn't have an "A" rating when he was trying to get out of his driveway.

Increasing traffic coming onto East Main Street to a light would only increase the traffic on Clinton Street, Manning ventured, explaining motorists would come off the light, down the new by-pass then down Clinton Street . . . and it would increase their traffic, he asserted.

Logic would tell you that so, Manning couldn't see how Newcomb could sit there and tell them differently. When he moved to Clinton Street 35 years ago, it had been a dead-end street. With the school at the top of the street - it was a dead-end street, you planned for that, that was why you moved in, that was why you were living there and you didn't have a lot of traffic - now they did and they'd have more with this development, Manning contended.

His second question was the *"need"* for the development. Manning said he hadn't heard anyone talk about the need for this type of housing in Avon, NY. He hadn't seen any studies. He himself cited a couple of county studies, Livingston County Community Initiative Council Community Assessments for 2013 - Manning said he didn't see anything in there for this type of housing. The Livingston County Housing Task Force Report - likewise, he didn't see anything in there showing any great need for this.

If that existed, if there was some report showing a need for this, Manning said he would like to hear it and have someone explain it to him - how we suddenly had a need for this housing.

With high density housing came low-income housing. Special education needs would come along with that. There would be a need for increased policing and that would mean increased Village taxes.

That's what Manning believed would happen with this type of development. He hadn't seen the need for it and he still didn't. Passero had given a nice looking presentation and he appreciated it, but didn't see the need for the development, the increased traffic, the increased costs or the increased school and village taxes.

2. Ann Younger
93 High Street

Younger had sent a 3-page letter to Deputy Clerk Gary Margiotta, but she'd give the Board the "Reader's Digest" version.

She had lived on High Street for 21 years. This (high-density, multiple family housing) had been in the Village's Comprehensive Plan, but what had gotten her about that was the only good reason that they could cite for that type of development was the Avon Commons had been a good idea, too, it had been successful.

Apples and oranges, Younger asserted. Avon Commons had probably been successful because of location, amenities and the fact that there hadn't been apartments or townhouses built in the village in decades so, Younger didn't think that was a fair comparison.

With regards to traffic, that didn't even make sense. You couldn't add 60 cars per day and not have that have any impact. Younger suspected it was a case of where someone had looked at it through a very sanitized lens and not really looked at what goes on.

The Director of Transportation at Avon Central School said the school was responsible for transporting 900 students per day and, if you looked at that through a sanitized lens you'd think, OK, all those kids are on buses, but anybody there who had kids in school knew there were not 900 kids per day riding school buses - they were getting rides.

And, not only that, but the school issued 50 parking passes a year. Those went to 16-, 17- and 18-year-olds. Insurance companies knew those kids didn't have maturity and experience, but you were kind of ignoring that one, too, Younger charged.

With regards to drainage, Younger guessed her big concern with that was the MRB report they had just cited that had been done as the result of the first big storm event that the village had had and that pre-dated the two they had had around Mother's Day last year so, storm water remediation was in every site plan you did. If anything, you had to prove you weren't doing anything to make the situation worse.

What bothered Younger was the report MRB had done, they had been looking at this 100-year storm event, but seemed to have completely missed the pond out in front of the Avon Nursing

Facility – that had been there for years. Every time it rained, or in the spring, when there was snow-melt, there was that pond, Younger said.

And, she may have been getting off topic, as far as taxes went, residential development, it didn't matter what kind of residential development it was, it was a net-loser when it came to taxes. It didn't matter what you built, it demanded more in taxes than got paid in – that's it, she concluded.

3. Justyna Oldziej

1790 Athena Drive

She didn't live in the village, but her kids went to school here, Oldziej began. She had looked at the project and did some quick research that would tie-in to the things the people before her had said.

She had looked at the poverty and employment rates in Avon, things like that, and that had taken her about two hours to go through and this was readily available information on the government census website, she told the Board.

The Planning, Building and Zoning regulations for the Village of Avon: Oldziej said she was specifically looking at Article 8 and specifically Objective 3, (**Chapter 30, Zoning; Article XIII, Planned Residential Development District; Section 30.132, Objectives, Paragraph 3**) of the Municipal Code which stated:

“The proposed residential development will not have a substantial or undue adverse effect upon adjacent property, utility facilities, traffic conditions and other matters affecting public health, safety and general welfare.”

Newcomb had begun his presentation, explaining why the site had been selected, saying how some Country Hill Estates residents might not have cars and would need to walk to TOPs and other nearby stores.

If they were going to bring all of those people here, how would they provide them with jobs? Were they looking into providing them with jobs and would they have a means of transportation if they found jobs outside of Avon? Oldziej wondered.

Only about 17 percent of the people who lived in, Avon worked in Avon, everybody else commuted and about 60 percent of those commuted outside of Livingston County so, again, would that not increase the traffic in the area?

And, if all the residents at Country Hill Estates didn't have cars, how would they provide transportation to those people who could not find jobs in Avon? There was no RTS (Rochester Transit System) stop here. The closest one was in the East Avon plaza. Were they thinking about bringing RTS to Avon or just leave those people to their own means (RTS does stop in Avon)?

Would Country Hill Estates increase, decrease or have no effect on the poverty rate in Avon? Oldziej asked.

Avon's poverty rate was about 6.7 percent. If they were not increasing the poverty rate, had there been a study done on the poverty rate and, if there had been, how would that affect school resources, community resources and social resources?

Oldziej had looked at other properties PathStone had in Scottsville, Lakeville, and she had come across minutes from the Tuesday, September 8, 2009, Scottsville Town Board meeting. This was about the people who lived right behind the PathStone Development and there had been an issue with a sidewalk that was supposed to be re-directed.

The gentleman who had raised the sidewalk issue, reviewed the concept of re-directing the pedestrian sidewalk through his back yard.

"The concept of moving the sidewalk was discussed at the meeting that the Mayor had last week with representatives from PathStone, Briarwood Place, Monroe County Sheriff's Department Captain and several Diana Drive residents. The meeting was held to talk over problems that had been coming out of PathStone such as noise, rock-throwing at dogs, etc."

So, Oldziej's question was what kind of issues should Avon residents expect? Were there going to be similar issues coming-out of this development? Was this Scottsville problem an isolated one that wasn't happening over other properties that PathStone had or was this prevalent and, if it was, what was PathStone doing to help the community and how would this affect us?

4. Kathy Salvati

219 Commerce Drive

Salvati had been born and raised in Avon, but had moved away for six or seven years before returning to raise her kids here.

She understood Passero's traffic study had been one day, a Thursday in October, and not a rainy day – come up here on a rainy day, she suggested.

Too many people in a small area near the high school, Salvati still didn't think the water issue had been addressed and she didn't think there had been shown a proven need for this in Avon.

She gave the Board a petition, it was still open and they were still collecting signatures, but she wanted to give the Board what she had so far. The on-line version had about 510 signatures and the paper copy had about 140 more for a total of about 650 signatures - against the development.

People signing on-line had the opportunity to make comments, not all did, Salvati told Board members, but she submitted about nine pages of comments – and said they would continue to keep it open.

There were PathStone developments in Geneseo (*April Meadows & Clayton Heights*) and Salvati had spoken with the Chief of Police there for about 15 minutes that morning. She wanted to hear from him what, if any, issues they were experiencing in their Village and if the PathStone developments had any impact.

The Chief had said, contrary to popular belief, Geneseo college students were not their biggest problem. The top three sources for police calls were:

- The Walmart store
- April Way (April Meadows, a 24-unit, low-income development on April Way)
- The Highlands, an 88-unit, Section 8 assisted apartment complex on Meadow Drive

When first built, April Meadows, between 2011 and 2013, averaged between 90 and 95 police calls per year, police were there once or twice per week, Salvati related. After police talked with management to get them more involved, the calls dropped, she said, but the call-count had been 95 in 2011, 91 in 2012, 95 in 2013 and then 46 and 55 calls.

April Meadows was a 24-unit complex, Salvati reiterated. Country Hill Estates has been proposed at 60 units.

The calls, Salvati continued, had run the gamut from ambulance calls to domestic disputes - often at 2:00 in the morning - , sexual misconduct, noise complaints, custody issues, juvenile matters, child protective calls, problem tenants, etc.

The Geneseo Police Department was struggling with their workload. They had lost one officer through retirement and were unable to replace him due to their tax cap. Geneseo's Police Chief had said Avon, with a smaller force, would have its hands full.

The average number of calls to April Meadows was far above the call-outs to the average residential neighborhood of single-family homes, Salvati said, where most of those calls were for things such as lock-outs. They did have an occasional domestic dispute, but not like April Meadows, Salvati said.

"I would take a single-family neighborhood, where residents have a vested interest in the community, any day over the problems we are seeing with these rentals," the Geneseo Police Chief had said.

The on-line petitions could be found by going to change.org and by searching key words such as *Stop PathStone Avon*, Salvati said. You could sign the petitions on-line, one computer per household, or you could find people like herself or Bill Nevin to sign the paper copies.

5. Ken Emerson

56 East Main Street

Welcome to PathStone, Emerson began, explaining he had lived at 75 Diana Drive in Scottsville, adjacent to the 32-unit Briarwood Place complex. Briarwood was a low-income housing project PathStone had developed at 2-64 Nathaniel Drive.

While there, Emerson told Board members he had:

- rocks thrown into his pool
- his dog teased
- his fence kicked-in
- heard gunshots in the middle of the night

In the six years he'd lived on Diana Drive, he claimed at least three convicted child molesters had lived at Briarwood Place.

And, as far as location went, there was nothing close to Briarwood, nothing such as a CVS Pharmacy or other stores – you had to go all the way to Scottsville Road for those sorts of amenities so, he didn't know where that argument had come from – and Country Hill Estates would be twice as big as Briarwood Place!

"I'm all for helping people," Emerson said, "but do we need something that big? Do we really? What's wrong with 10 units?"

Why do we need 60? Emerson asked. Was it because they couldn't get enough money from the government? It wasn't profitable enough for them so they could buy a new Lexus or something?

"I don't get it," Emerson said, adding, "there's got to be an easier way to help people than to shove this down our throat. I'm all for helping people. I give to my church. I give to charities, but this is ridiculous."

Six hundred-some people had signed petitions, Emerson said, stating that we do not want this. This is our village, this is Avon, this is not Russia, this is not the Ukraine, this is not the Soviet Union – we should have a say in this.

Emerson said he understood the decision was up to the Board members, but the Board members were elected and they should understand that. He concluded, thanking the Board.

**6. James Biondolillo
340 North Avenue**

Couple questions regarding our mechanical aspects of this project, sewage treatment plant, has that been all been digested by our engineers, will that handle the capacity of the sewage we're going to be putting down there? Do we have a study on that? Where's the MRB Group?

Have you done a study on our treatment plant? Biondolillo asked, directing his question to Rappazzo. Whether it will handle the sewage going down there?

Drozdzziel intervened and told Biondolillo he should be directing questions to the Board at this point. The Board wouldn't answer that night, but would research the questions asked.

Biondolillo apologized then restated the question, "Has that treatment plant been analyzed for the capacity of this unit that you're proposing?"

When he didn't get an answer, Biondolillo pointed out they weren't answering his question and reiterated, "Have you done it?"

Drozdziel said he wasn't going to give him an answer that evening.

"Why not?" Biondolillo persisted, "You've got all kinds of drawings here."

This was a public hearing, not a debate, Drozdziel responded. What they were going to do that night, they were going to take those comments, those questions and concerns then continue to debate them after this meeting.

Another question, Biondolillo asked, it was his understanding that there was a proposal in the works, farther along than this one, to put 45 units in the TOPs area (*Avon Commons*). Was that a fact?

Once again, Drozdziel said he wasn't going to answer questions that night.

Fine, Biondolillo continued, if that was a fact, you had 100 units that you were going to dump on that sewage treatment plant and he didn't know if the plant could handle it or not. If alterations had to be made, who was going to pay for them? Was he going to pay for them as a taxpayer?

As a taxpayer, would PathStone be assessed a tax rate for each unit for the sewer use at that plant – like he was for his private home? Biondolillo wondered.

They would note the question and discuss that, but he didn't have an answer for him, Drozdziel responded.

When can we get answers to some of these questions, sir? Biondolillo asked.

Again, as he had said before, Drozdziel said the Board would continue the debate, with regards to the application, at their April 19 meeting.

To sum up, Biondolillo said he was very interested in the sewage treatment plant's capacity to handle all this capacity that they were about to put in there, the 45 units behind TOPs and the 60 units here – you had 100 units you were going to dump into that treatment plant. He'd like to get an answer to that question at the Board's April 19 meeting.

7. Rebecca Sharman
115 East Main Street

Her concern was with the infrastructure and these 100- and 200-year floods we were having every nine months.

"I don't think they're '100-year' floods anymore, you guys."

The types of rains we've been getting and the infrastructure was old and was not handling them for the people who were there. She had concerns about a property coming in with a lot of impermeables, a big impermeable parking lot, impermeable roofs and then all this water came

down and the infrastructure just wasn't there to handle it because it had changed and then it wound-up in her basement and somebody else's basement, too.

8. Gail Wright

74 Lacy Street

She had 49 years in Avon, 46 of them on Lacy Street, and her kitchen sink window looked out on the intersection of Lacy and Clinton Streets and she could tell you, it wasn't pretty. She watched cars blow through that STOP sign all the time. She just could not imagine it with more traffic and more kids walking – it was frightening.

Wright had a couple questions – that she understood wouldn't be answered - but, first, was the Village Board looking for a developer or was the developer looking for a village? To her, that was pretty important.

The second thing was, Wright really hoped due consideration would be given to the petitions and comments Salvati had turned in.

9. Kathleen Engstrom

33 Clinton Street

Engstrom told Board members she was an architect. She'd lived in Avon for 12 years now and one of the things that had attracted her was the quaint village atmosphere that was here – which came with 1- and 2-family residences.

Unbeknownst to her, she'd moved into a house that had apartments next to her and she had dealt with, over the past 10 years, people who had not been scrutinized. She had had at least two drug dealers, one person selling drugs was at the jail in Mt. Morris.

Engstrom had calls and she had bands playing at 2:00 in the morning. She had cars coming and going and had had one car that wound-up in her yard and nearly took out her porch because the people who rented there were careless, they didn't take pride in their residences as the rest of them who owned and struggled to keep a nice house.

Now, as far the development went, it looked "lovely" on the outside, but they were telling her the street side would be the back sides of those residences. Would the residents be allowed to have animals? What about toys? What about storage? Without garages, there would be tires, implements to take care of their vehicles, trash cans.

With the back sides of the residences facing the street, children walking by the development would be exposed to that, Engstrom pointed out.

Engstrom has a dog and walked it during the morning and during the evening and the drag racing had increased over the last five years. Extending Clinton Street, even though it would come out to a traffic light on Routes 5&20, she could only imagine it would increase further. Those people were not doing 30 mph, they were doing 50 and 55 mph when they thought no one was looking, Engstrom contended.

We have children, we have dogs, we have a more aging population – they had been here for decades because they enjoyed it. Engstrom could not imagine these younger folks, these families would take the time to slow down and respect the people who had been there.

And, as far as the retaining ponds, Engstrom asked where the water being diverted into them was going? Was it being sent out to the Route 5&20 storm sewer which probably wasn't sized to take care of that volume of run-off?

If the water were just being percolated through the ground, Engstrom imagined they would all be receiving it in their basements. She had a neighbor who had, three times, had water 5-feet deep in their basement. Their insurance company would not cover it. She was talking electric, heat, hot water tank.

With the retaining ponds, were they stagnant, were they being percolated so residents didn't get mosquitoes and West Nile Virus. There was a retaining pond behind the high school and their kids were out in those yards, playing soccer, baseball and football.

The other thing was snow removal. If you put two cars per unit, that would be 120 parking spots. Right now, the Village plowed and filled that area with snow because of the high school and the Avon Nursing Facility. If you added that much more imperviousness and the amount of snow, even though we had been blessed with a couple good years, a year or two ago we had an incredible amount of snow. Where was it going to be stacked and where would that run-off go?

Engstrom lived downhill from the Country Hill Estates site. Last Mother's Day, she had spent five hours bailing-out her basement, watching the water coming across the lawns, coming towards her house.

With the storage, if this went through, Engstrom advised that there be additional storage for each unit to the exterior of the buildings because everyone knew there were lawn chairs, tables, bikes and tires and putting all the bulk storage on the second floors of those units wouldn't help those folks, they would not store those pieces up there.

They had a tidy neighborhood and a nice attitude in the neighborhood and would like to keep it and keep it safe – that's why she moved out of Rochester and she was proud of this Village.

10. Betty Valentine

5166 Lake Road

This week, there had been dedicated ladies and a few men up at the Fire Hall, working for the Food Pantry. At Christmas time, they'd had 119 families that needed help. Today, they'd worked on 77 families that needed help for Easter. It was hard to find drivers and they didn't always have enough food for their baskets or boxes.

A friend of hers, who lived in Geneseo, had said the development there (April Meadows) was constantly in need of help. Valentine didn't see how Avon, which may not have asked for Country Hill Estates, could be expected to take on the number of families that may be coming here for help when they were stretching right now to meet the needs of the people here in Avon.

11. Robert Westfall

207 Genesee Street

Most of his concerns had been stated more eloquently than he could have done. One of the things he hadn't heard brought-up was that they were going to rezone that property from A, Agricultural (to PRDD, Planned Residential Development District).

Ag was the number #1 industry in the Town of Avon, some people didn't realize that. This Town was built on ag and Westfall realized the Country Hill Estates property hadn't been used for ag in awhile and might not be for awhile longer, but felt:

"Every time we rezone a piece of ag I think we're losing a little bit of our soul – that's really all I have to say."

Westfall hoped some thought would be given to that.

12. Lisa Greenwood

355 Genesee Street

Her question tied in with Westfall's comment. She understood this was a discussion about zoning, but wondered how it fit in with the Comprehensive Plan. Eight or nine acres were being proposed for rezoning, but those were part of a larger area zoned for agriculture. So, what was the plan overall for the rest of that property? Greenwood wondered.

13. Ruth Ann Lewis

34 Fisk Place

Lewis wanted to reiterate what someone had said before: Avon was not an uncaring community, it wasn't elitist or a *"keep them on the other side of the fence"* sort of community. Avon, Lewis continued, was one of the most caring communities she had ever been involved with. She was raising three kids here and was active at the school. Whenever you went out for a charity event, Lewis said everyone came out, the whole town was involved.

Her concern, up to two months ago, she had rented space at 55 Genesee Street for the Sweet Arts Bakery. Lewis had gotten to know a lot of the residents who had lived in the upper apartments. And, a lot of them were lower-income and, while that was a drop in-the-hat statistically, there were people that were unemployed, that were not able to get jobs in the community, that were not able to work-out public transportation to get to somewhere else.

There were people that were working in another community, Lewis continued, and eventually moved to the other community because they were not able to get work here. What she wanted to know: the need for a Country Hill Estates-type development in Avon.

She didn't think that there were issues of Gray Metal, Barilla and Kraft having those entry-level jobs. Avon did not have entry-level jobs that she could see and, having been a business owner for four years, there had been high school kids pouring out of the woodwork, trying to get a job and there just weren't enough jobs in Avon at that entry-level.

Lewis wanted to see a clear presentation as to why the Village needed a development like Country Hill Estates – with all the negative impact it would have on our community.

14. Robert D'Angelo

150 Lake Road

D'Angelo identified himself as a native of Avon and a fourth generation Avonite in the D'Angelo family. His daughter represented the fifth generation and he was proud and honored to raise her in the neighborhood, community and school he had grown-up in.

A couple of his concerns, first of all, on the development, the site plan looked nice. D'Angelo noticed there were sidewalks going around along with the access road. He wanted to know if the Village would be maintaining that road when it needed resurfacing or paving. Also, with the sidewalks, would the Village be taking on the maintenance of the sidewalks around the corner?

One other concern, as D'Angelo looked at Clinton Street Extension, where it goes into the high school (4-way intersection), what was going to be the traffic control device there? Would it be a single STOP sign from the high school to the access road and what's now Clinton Street by the Avon Nursing Facility? Or would it be a 3-way stop?

A couple of things D'Angelo had thought were important, especially considering you were going to have fairly new drivers going into the school in the morning and afternoon.

One other concern, the impact, as they had heard, on sewage – how about the water system? You were going to be adding 60 units, say two or three people per unit, at 7:00 in the morning everybody would be taking a shower – that's a lot of impact on a water system not to mention the sewer system.

Bottom line, D'Angelo loved this community, they did care - as others had pointed out, Avon always came when the need arose – he just wanted to make sure it was done properly for everyone.

15. Herbert Martin

5540 East Avon Road

Some of his concerns: #1 - this PathStone – who were they affiliated with? Were they affiliated with MCM, Michael Valle, by any chance because the name sounded familiar?

(the Penfield-based business, MCM Natural Stone, had proposed developing a cement business in the East Avon Plaza in November 2014. Michael Valle was the firm's president.)

No, a PathStone representative answered.

Folks, we had a similar *“thing”* about a year ago, those that weren't from the east-end of town probably weren't aware of it, that's why they had to start communicating with each other, Martin said.

They had a **“thing”** with Michael Valle, Martin continued, that this Board (MCM had been before the Town of Avon Planning Board) had shoved it through on them - the public had talked about it and had opposed it - but every board had just done what they wanted, disregarded the public – that’s a fact, Martin asserted.

That development that was supposed to go in there, there’s been nothing there coming up on a year. Martin didn’t know, perhaps Valle had some plan, but the last he had heard, the cement business had something to do with the environmental aspect where it just happened to be Valle’s environmental company that gave the approval to it in the first place to shove it through.

So, it was coming up on a year and Martin lived right next to the East Avon Plaza property and there hadn’t been one, single-thing done there and it was the same thing, they were trying to ask why did they want to put all this money in this one spot when they had industrial development, everything they needed, down at the other end of town and, again, this Board went along with him.

So, Martin’s question was #1 – you’re bringing in low-income development and, he wasn’t afraid to say it, that’s trouble, nine times out of 10 – he wasn’t saying every case – he had seen some where they’d worked good, but most of the time you were bringing in low-income people, people that were minorities that didn’t really . . .

There were gasps and Martin turned and said he was saying what needed to be said. He wasn’t worried about it, he was speaking his mind and he was speaking the truth.

“I don’t have anything against minorities coming in, if they’re respectful and they maintain the property –most times they don’t.”

And, you were putting it right next to where a school was, Martin continued.

“Why in the freakin’ world, why you put a development right there with people that are of questionable integrity and stuff and you’re going to put it where our kids are at.”

Now, he was fortunate, Martin said he didn’t have any kids going to school here now – he had – and so why was this Board so happy to get on board with this and try and shove this through again when the other thing failed? Martin wondered.

Another thing Martin wanted to bring-up, so far as these Board meetings went, this stuff of three minutes, when the person presenting, they get to have an hour, that’s fine, he didn’t have a problem with that, that’s awesome because they had something they’re trying to sell, that’s understandable, but then turn right around and when the people have legitimate concerns and it’s all they’re asking and you’re limiting them to three minutes, that’s got to change, Martin asserted.

And, this stuff of every time we bring it up, you can’t answer, that’s got to be changed, Martin told Board members.

“We pay your salaries. You answer to us,” Martin said. ***“We don’t answer***

to you, you answer to us."

Having come from St. Louis, Martin said he had had property there, rental property, and friends who had rental property, too, and they'd brought-in the Section 8 stuff, which was low-income, and it was a disaster. Martin recalled warning his friend against it, but he had done it anyway.

Couple years later, his friend had had so many involvements with the law, had prostitution, had drug users, the whole shebang. Martin said he wasn't saying that would happen here, but they were definitely things they should be aware of and should make them a top priority.

What was it going to do to our community? Martin asked. And, if they couldn't legitimately answer that, if they couldn't have legitimate safeguards against any problems then Martin said, *"don't do it."*

16. Mary Ann Margiotta

199 North Avenue

Margiotta wondered if PathStone had considered any other properties in Avon where there might not be a drainage problem. How about the aborted Alexander Crossing subdivision on Pole Bridge Road? she asked.

(on Pole Bridge, near Lake Road, 60 lots with access from Pole Bridge Road, Lake Road and Five Lot Lane, sold at a foreclosure auction for about \$42,000).

There was a lot of room, have that re-zoned, it might be a more ideal spot for something like this, she concluded.

17. Rev. Carin Farmer, Central Presbyterian Church

129 Genesee Street

Farmer couldn't speak for every day, but today she was an expert on the traffic on Clinton Street. She had done her first run up Clinton about 7:30 that morning, dropping off three of her children, two had decided to walk.

Her second run up Clinton had been at 9:15 in the morning into the teeth of the primary school traffic so, she had done one run with the middle school/high school traffic as it was starting to drizzle. Her second run up was as it was raining into the 9:15, frantic parents trying to drop-off their late kids who missed the bus at the primary school traffic.

Her child had forgotten his competition T-shirt, it had been *"Page-Turners"* competition that day so, it had been back down Clinton to get the T-shirt and back up Clinton to give it to him. Traffic had cleared out a little bit by 9:30.

At 2:25 in the afternoon, Farmer got her first call from her walker who had heard thunder, *"Could you come and get me?"* Farmer drove up and got him and drove him home.

At 2:50 in the afternoon, Farmer got her next call because the tennis meeting was over and could she go get him? And, she drove up and this time, the line had gotten longer and you could see traffic backing-up down Clinton.

The next round had been at 3:15 in the afternoon when Student Council was over and the last one was out and, again, that's into the primary school's let-out time. They had buses doing that loop and they had parents driving kids every time the weather is bad.

If you wanted a perfect traffic study, Farmer suggested starting around 7:30 in the morning when it was raining and stay there because 10:00 AM on a sunny day was not going to give you an accurate picture of the traffic at that intersection.

Farmer had also watched the high school kids and parents dropping them off, trying to come back around when they were already dealing with the construction from all of the solar panels going in and sometimes you had construction work. She knew those wouldn't be there forever, but it was a narrow curve, if you were coming back around the high school and around the Avon Nursing Facility.

And, so Farmer would just ask PathStone to go find an awful day and go sit in the rain and check out the traffic on Clinton and how many parents do and friends of parents get their kids to school, driving all of the walkers in addition to all of the buses.

18. Ted Sakshaug

437 Genesee Street

Sakshaug had been in the Village about 15 years now. Couple of things here: with the Clinton Street Extension, Sakshaug wondered if there was any way to make it more attractive for the riders and drivers of the people who didn't like to put their kids on the big yellow thing that went through their neighborhood.

So, Clinton Street would be a little relieved from the pressure with people coming up the Extension. If you could somehow discourage motorists from going down Clinton Street and encourage them to take the new Extension. Sakshaug thought that would be a great thing to somehow look at because that seemed to be a great sticking point.

As for Country Hill Estates, it looked like the development would be within the ½-mile walking distance so it shouldn't put any more kids on buses, which was a nice thing.

Just for the developers, Sakshaug knew this wasn't a permanent sketch or anything, but they knew dang well, people were going to be walking from those apartments through the woods, through Tom Wahl's Restaurant, through the other things – be nice to have a sidewalk instead of going around somehow cutting through because people were going to make that path anyways.

19. Kyle Montague
15 Spring Street

Montague just wanted to see what Board members' thoughts were on the school taxes and the impact there.

At an October Planning Board meeting, PathStone had talked about, possibly, \$35,000 going towards school taxes. At September's Board meeting, it had been \$7,000 to \$9,000 so, Montague was just wondering which one should be considered.

Also, going back to July's Planning Board meeting, PathStone has the 32-unit Creekside Clearing development off Route 20A in Lakeville. At that 32-unit facility, Montague said there were 25 to 30 school-age children. If we were looking at 60 units, here in Avon, were they looking at 60 school-aged children or 50 or 40?

Even at 40, and taking PathStone's high-end tax number of \$35,000, Montague said that was \$875 per kid going to the school. Was that really enough? he wondered. If you looked at the rest of the community, outside of multi-family zoning, Montague believed your tax per household would be higher so, he asked Board members to please consider that.

20. Charles McLaughlin
46 Clinton Street

McLaughlin had been in Avon more than 30 years on Clinton Street and he had talked to a number of people not only on Clinton, but on other streets who indicated that they would be very willing, if this occurrence really messed-up Clinton Street, that they were prepared to look at a legal approach to what was going on so, McLaughlin wanted Board members to consider the fact that this was very important to them as a community and there could be ramifications.

21. Arthur Pearson
48 Bronson Avenue

Pearson had been a resident of Avon since 1970. His comments weren't addressed, particularly, to PathStone, but, rather, to the Village:

"Before you start developing at the eastern edge of the valley, take care of the infrastructure down on West Main Street, you know, storm sewers primarily. You look around there, there's stuff down there they don't even know where it goes and where it comes from."

With the rains Avon had had this past year, Pearson said he had never had water in his cellar, this year he did – it was all drainage. So, before you start doing things up here at the top of the valley, Pearson urged them to remember:

"Crap runs down hill."

22. Guy Margiotta
199 North Avenue

Margiotta said he had lived in Avon for 84 years. He was a retired builder so, he understood what PathStone was trying to do. He wasn't for them and he wasn't against them. Addressing Village officials, he said you guys got too many things to take care of that weren't done.

Just like this water thing that we've had. There were so many things that needed to be done in the Village.

"You're letting the Village go to hell and, like I say, I've lived here 84 years and I can see it. You come right down (Route) 39, the first thing you come in to, buildings falling down. Go down Wadsworth Avenue, there's houses that should be torn down. And, again, you guys, what are you doing about it? The Village is going into the ground and, like I say, there's not-a-one of you around there that take the bull by the horns and take care of our Village. You shouldn't even be on the Board."

Why should he have to look at those messes up the road? Margiotta asked. He tried to keep his place cleaned-up, why shouldn't the neighbors? So, Margiotta didn't think Village officials were doing their jobs.

23. William Nevin
45 Hal Bar Road

Nevin said he was precariously located at 45 Hal Bar Road (the corner of Hal Bar & Clinton Street). He'd waited until the end to let other people speak because he had done enough and didn't have a whole lot to add, couple of points of emphasis, possibly.

They had talked about need. The thing Nevin said he would like the Board to remember, need was part of their recommendation for a PRDD. A *"marketing study"* was different from a *"needs study,"* Nevin pointed out.

A marketing study was what PathStone had presented to this point, Nevin continued. PathStone was very confident they could fill the Country Hill Estates apartments. Filling them did not equate to local need.

Nevin asked Board members not to be led to believe a great many people from the Avon community, who either currently lived or worked here, were going to occupy the Country Hill Estates apartments. There had been no information presented to support that.

Nevin would certainly have to believe PathStone knew where their clients came from and where they worked, but he hadn't heard anything to substantiate their claim that Country Hill Estates would be filled by local people.

As far as Nevin knew, those apartments would be filled by qualified individuals without regard to their current residence or where they worked.

The Livingston County Initiative Council's Community Assessment Survey, that Manning had mentioned, was the study the county used to determine where available grant monies should go and every five years they tried and determine what were the greatest needs in Livingston County as a whole.

Housing ranked fourth out of 10, Nevin told Board members. Eleven percent of the statistical study felt housing was their top priority – not a high need area, at least, from the county's statistical study.

By the way, Nevin noted Alexander Crossing, to which Mrs. Margiotta had referred, was already zoned Planned Residential Development District (PRDD) in case they were thinking of moving the project down there – that was a problem they wouldn't have. Just go right on down there and put it in there because it's already a PRDD, you won't have to worry about that.

"My apologies to anybody who lives on Lake Road by the way," Nevin added (in response to a titter of comments behind him).

Another point he wanted to emphasize, specifically, because of his location was the comment about the mosquito population and their inherent health problems as they went. He still didn't know if PathStone & Passero were talking about a "*detention*" pond or a "*retention*" pond.

Nevin had talked to the engineer who had intimated a 4-foot-deep pond wasn't going to breed mosquitos. OK so, there were a lot of swimming pools around that, evidently, didn't have mosquitos anywhere near them either.

But, Nevin wasn't an engineer and wasn't about to offer anything that might help PathStone/Passero in their site plan review, but any standing body of water was going to create problems and create problems, specifically, for him so, he was very concerned about the water retention.

Certainly, if it were a detention pond, the water would run out and they'd be fine, but, if they were going to store water in that thing, Nevin was just afraid it would have health risks.

Nevin didn't know if the Board was concerned in tonight's meeting about taxes, but if that were part of their decision-making process in recommending a PRDD, then his concern was that this project put increased stress on municipal services: police, fire, ambulance, public works.

Without sufficient additional revenue to offset those costs, Nevin continued, the increase to the school district population of, the last number PathStone had mentioned, 55 school-aged students. Again, with \$35,00 or \$36,000 of school tax revenue – insufficient. The \$800 per child estimate was correct.

The current Avon Central School District estimate was \$8,500 per student to educate a child in Avon. The District's \$8.5 million tax levy, divided by 1,000 students, came-out to \$8,500 per student. Adding one student didn't mean adding \$8,500 in cost, but \$850 was a far cry from what it would cost the school district to educate the students Country Hill Estates would bring.

When the school district didn't have a choice, they would educate them, Nevin said. The resultant shortage in their revenue would be passed back to the Village taxpayers.

Passero's traffic study might be correct . . . in a different area, possibly Henrietta, Nevin allowed, but said it wasn't acceptable here. A study that said the intersection of Hal Bar and Clinton Street, at 7:30, quarter-to-eight in the morning, needed no remediation right now and certainly wouldn't need any if you added 120 cars to it - was simply not correct, Nevin maintained, stressing it simply wasn't "*functionally*" correct.

Two hours ago, when Nevin had come down to Village Hall from his house, he had to wait for seven cars to get out of his driveway and that was at 6:30 at night on a Wednesday night he had to wait for seven cars coming out of school, the Avon Nursing Facility, Hal Bar and up Clinton Street making turns.

"Traffic is going to be a problem," Nevin maintained.

There had been no demonstrated need for a project of this type and size, Nevin continued. Insufficient tax revenues were not going to offset the additional costs either to the municipality or the school district.

24. Ken Greenwood

355 Genesee Street

Expanding on Nevin's comments on "*need*," Greenwood said he'd looked at the Village's Comprehensive Plan and realized it was "a little out-of-date" (adopted in 2011).

Nowhere in the beginning of the plan - through the strengths, weaknesses, opportunities and threats (SWOT) - did it say the Village needed affordable housing. In fact, Greenwood continued, the plan, under strengths, said Avon HAD affordable housing while, under opportunities, said the Village was looking for high-end housing - this project didn't fit that in his mind.

So, Greenwood didn't really see that need until he got clear to the end, where they were talking about future development of the land, and just sectioning that off and saying we can now make this section multi-residential.

But, if you looked in the key improvements area even, it wasn't listed in there. In fact, the first statement under neighborhoods and residential living was that it was a policy of Avon to have town and village residential development in neighborhoods that were "*a source of community pride*" and Greenwood didn't think he had heard a lot of pride about Country Hill Estates in there that night.

Greenwood thought that was important. There were other words in there that talked about a development, such as Country Hill Estates, fitting the existing style of the town. Certainly, there may be a place for it, but Greenwood didn't think, across from the school, in the neighborhood that it was proposed to be in, was the right neighborhood.

Country Hill Estates was definitely not going to be a source of pride for, pretty much, everybody sitting in that room except for a handful, Greenwood concluded.

25. Marjorie Martin

5540 East Avon Road

Martin's concern was the lens of the direction and the view and the vision of why this project was being presented in this manner. She didn't know if it was a profit lens, a monetary lens, was it a lens of compassion?

Did they want to extend a better reach to people with low incomes? What Martin would like to see instead, and she had come from the St. Louis, MO, area, where the state had helped or allowed people to earn their own way to get their own homes.

Maybe Avon needed to step-out – and she was spending other people's money obviously - and banks and investors instead helped people come to our community and purchase a home and establish that pride and be a part of the community that way, Martin suggested.

Coming from the St. Louis, MO, region, the *"housing project"* had been a failure there, it had been demolished with the exception of senior citizen high rises. People were dispersed throughout the city for better and improved socialization.

There were landlords who chose to do Section 8, subsidized housing, but it wasn't forced and it improved and helped the city out of a hole, at least, on the south side.

"I disagree with bringing 60 families in to subsidized housing. It is not a healthiest choice for our community."

Martin said they had only lived here since 2003, but they loved Avon and they loved the people here, they had been great neighbors and great friends. Not all of what PathStone was proposing was a failure, but . . .

"Instead of giving a hand-out, let's give a hand-up," she suggested.

26. Deb Cooper Drozdziel

255 Genesee Street

If the Village gave PathStone their eight to 10 acres to put their 60 units on, what would be done with the other acres (*the Country Hill Estates site was part of an approximately 27-acre plot owned by Richard E. Martin of 22 River Street*)? Drozdziel asked.

Was anybody going to want to use the remaining acres to build single-family homes like everyone else in the room had? Would Country Hill Estates bring in a business like Avon Commons had – where they had Lattimore of Avon Physical Therapy, the Strong Health Laboratory Collection Station and others?

So, Drozdziel's question was, if PathStone got their 10 acres, those other acres, were they going to be desirable to other businesses that were looking at Avon to possibly coming here? she wondered.

27. Fire Chief Daniel Snyder
324 River Street

Snyder had been the Village's Fire Chief for 10 years and a member of the department for 35 years.

Not one single person on the Planning Board had asked one single question of the Fire Department, Snyder began. Why wasn't Country Hill Estates going to have sprinklers? Were there going to be fire walls?

And, Snyder said he didn't need another pond, he didn't want to have to go to the taxpayers for a boat. The water problem, if it happened, the department would try to take care of it. But, these ponds, Avon was not the "*home of ponds*," Snyder said.

This water had to go somewhere, Snyder continued, and as had been said before, if they didn't fix the infrastructure, we couldn't get rid of the water.

When the department pumped out basements and put it on the road, it went into the next person's basement, then they'd go there and pump it into the next basement. Eventually, Snyder said, it made it to the river – fix it!

Don't keep adding stuff, Snyder urged. Did he need another building to protect with no fire walls, no sprinkler system? They had changed the way Avon-on-the-Green worked – let lower income come in there, three structure fires in six months. The only reason the building was still standing was the sprinkler system hit the fires before the department got there, Snyder related, minimal damage, all water damage, no structural damage.

Something like this comes to you people, come ask us questions, Snyder encouraged. There were hundreds of years of knowledge sitting on the other side of that wall (the Fire Department was in the Village Hall complex). Nobody had asked them one single question.

Water Department Member Kirk Vanderbilt had spent a half-hour one night asking Snyder about fire hydrants – where they were located on the Country Hill Estates site plan – the department didn't want them there, Snyder said. Fire hydrants sitting by those sidewalks didn't do him a bit of good with five cars sitting in front of them.

Turning radius were all wrong, Snyder continued. His trucks wouldn't fit in there. These were all questions the Planning Board could have asked.

The department was a resource. Others used them all the time, the Planning Board hadn't used them at all.

28. Thomas Bruckel**64 Lacy Street**

Bruckel understood the Country Hill Estates site, in the Village's Comprehensive Plan, had been proposed for multi-family use, but just because it was in the Comprehensive Plan that way didn't mean it should be in the public's plan that way.

It was the Planning Board's job to think of the total Village and what the project would do to affect the feel of the entire Village. Just because it was in the Comprehensive Plan didn't make it a great idea, Bruckel said.

29. Paul Phillips**55 Temple Street**

He had been proud to be a resident of the town for 20 years and had raised his family here. He had been involved in providing housing, in one way or the other, for his entire career. So, this wasn't a statement about housing, but where housing fit and where it didn't.

He had gotten there a little late, but unless he had missed something, Phillips said he hadn't heard one word of support from any community member there. So, he thought when you combined that with over 600 signatures on a petition and more coming, he thought the debate needed to be a good healthy one about public will.

Phillips didn't envy the task before the Planning Board, but he encouraged them to think carefully about the potential for the Country Hill Estates project to fit into this town. He thought the Board was hearing loud and clear – and he concurred, this was not an uncaring community by any stretch.

Phillips was routinely a provider of support to others just as his neighbors were a provider of support to him – that's what this town was about – and they wanted to preserve. Phillips thought this was the wrong location for Country Hill Estates.

Phillips thought Avon's infrastructure needs – and he wouldn't reiterate because they had been hit over and over again. There were questions that needed to be squared-away before anything before anything substantial were done with that property.

The economics of the project made zero-sense for this town, Phillips contended. Avon just didn't have the size or tax base to support the level of subsidy Country Hill Estates would require for the school district – we just cannot afford this.

Phillips ended with a question:

“Do you wish to be the Planning Board that goes down in the history of this Village of approving a proposal that had absolutely zero-public support?”

30. Betty Valentine
5166 Lake Road

Valentine used to take taxes for the school and little old ladies would come in, believe it or not, and would have cash to pay their taxes and they would give up everything so that they could keep their house.

Valentine said she was a senior citizen and she knew they were stretched on different things and, a single person trying to keep the house they had always had and, if the taxes go up because of this new development some seniors may have to leave their homes, their homes here in Avon.

31. Rebecca Sharman
115 East Main Street

When she had expressed concern before about the water situation, she knew that there had been the retention ponds put in to help with this situation, but residents didn't have a history of how well they worked since the last flood.

The last flood had been in May, 2015, and it had only been 10 months. Residents didn't know if those ponds were really going to help, Sharman hoped they would. So, the idea of PathStone putting in another pond might be great – and it might not, they didn't know, yet.

They would probably know this spring or summer after we got another rain like last year's, but we had no history to show it worked.

32. Lorri Jo Turner
170 Temple Street

Turner had been a resident for 35 years and she was very much against the project, everything she had heard for many reasons, but she wanted to say that she was really proud to live in a community that was always willing to help others.

Turner just didn't see any good in this project and everybody had mentioned that. She worked at a university and when Avon made the news for the horrific floods that had occurred, many of the engineering professors, who knew she lived here, had said the problem with Avon was 100 years of development and not enough planning of what to do when a storm came, a big storm that we hadn't experienced previously.

Turner thought this project had numerous bad impacts on our community and more development with so many negatives was just not a good idea and she hoped the Planning Board would consider that before any plans to go forward.

33. Robert D'Angelo
150 Lake Road

D'Angelo thanked the Village and Planning Board for setting up this forum. He worked in the radio news media. They were constantly suggesting that people come to Board meetings and get involved.

When he had first heard about the Country Hill Estates project, D'Angelo said he'd thought, "Hey, this sounds great," but, like an onion, as you peel it maybe it wasn't so good so, he thought it was important that people get involved, community involvement was key.

34. Dorothy Zito

60 Richmond Lane

Zito lived very close to this project. Richmond Lane was a short street and they had a lot of walkers. Most of Richmond's residents were senior citizens and she really wasn't interested in having another 100 people unknown to them, walking down the streets. Zito was also concerned with the potential effect on their property values.

35. Arthur Pearson

48 Bronson Avenue

Did any Village officials know of any "zombie" houses in Avon? Pearson asked. He had one two doors from him and it had been empty for, at least, a couple years (*Emily McIlwaine, 30 Bronson Avenue*) and it was just sitting there.

Pearson said he would see a couple of trucks in there from the bank doing a little work on it, but it was sitting there. And, now the Planning Board was talking about low income people coming into the community. It had been the misfortune of the people who had lost 30 Bronson Avenue – but it was still sitting there.

HEARING CLOSED

MOTION: Wall moved to close the hearing at 9:00 PM, seconded by McCormick. Voting in favor were: Drozdziel, Borkhuis, McCormick, O'Donoghue and Wall. Voting against were: none.

CARRIED, 5 Ayes, 0 Nays

II. APPROVAL OF THE MINUTES

MOTION: McCormick moved to approve the minutes of the February 23, 2016, meeting. Seconded by Borkhuis. Voting in favor were: Drozdziel, Borkhuis, McCormick, O'Donoghue and Wall. Voting against were: none.

CARRIED, 5 Ayes, 0 Nays

MOTION: Borkhuis moved to stay with the established timeframe for the PathStone rezoning application, to further discuss the application at the Board's April 19 meeting then to hand-up a recommendation to the Village Board no later than the May 17 meeting. Seconded by Wall. Voting in favor were: Drozdziel, Borkhuis, McCormick, O'Donoghue and Wall. Voting against were: none.

CARRIED, 5 Ayes, 0 Nays

Borkhuis asked for an accurate statement of the acreage in PathStone’s rezoning application.

Newcomb said he could submit that revision.

McCormick commended Drozdziel on an excellent job chairing the hearing.

III. ADDITIONAL OLD BUSINESS

Miniature Horse in an R-1 District

Susan Ware, 173 East Main Street

Ware was expected to attend the Board’s April 19 meeting to address a use variance allowing her to keep a miniature horse in an R-1, One Family Residential District.

Her request is contrary to Chapter 54, Animal & Dog Control, of the Municipal Code. Cappello had previously denied the request. Ware is interested in pursuing a use variance.

IV. USE VARIANCE

Michael Countryman, who operates a vehicle repair shop at Avon Gas Way, 338 Wadsworth Avenue, has expressed interest in a use variance to allow him to sell used vehicles. Avon Gas Way is located in an R-1 District. Countryman’s request would entail the expansion of a non-conforming use. He, or an agent, is expected to bring his request before the Board at the Board’s April 19 meeting.

V. ADJOURNMENT

MOTION: Borkhuis moved for adjournment at 9:15 PM, seconded by Wall. Voting in favor were: Drozdziel, Borkhuis, McCormick, O’Donoghue and Wall. Voting against were: none.

CARRIED, 5 Ayes, 0 Nays

Gary Margiotta
Deputy Clerk