

A regular meeting of the Town of Avon was held on Thursday, June 23, 2022 at 6:00 P.M. at the Avon Opera Block/Town Hall, 23 Genesee Street, Avon, New York 14414.

PRESENT: Supervisor David LeFeber, Deputy Supervisor Thomas Mairs, Councilmen James Harrington, Paul Drozdziel, and Malachy Coyne

OTHERS: Code Enforcement Officer Brian Glise, Attorney James Campbell, MRB Group Engineer David Willard, and Sharon M. Knight, MMC/RMC Town Clerk

VISITORS: Kevin Lyons, Eric Huppert, Karen Crater, Carolyn McKee, Bob McKee, Rich Crater, Kevin Lillis, Tom McGovern, Edward Forsythe, and Bob Westfall

Supervisor LeFeber called the meeting to order at 6:00 P.M. and led those in attendance in the Pledge of Allegiance.

### **DISCUSSION – PUBLIC COMMENTS**

Supervisor LeFeber asked for public comments and they are as follows:

Royal Springs Development resident Kevin Lyons addressed the Board regarding the need for repairs of sidewalks. Several photographs were shared, and discussion ensued including it being a safety hazard for the children that use the sidewalk. Supervisor LeFeber will share the photos with Highway/Water Superintendent to discuss repairs. Attorney Campbell stated that we will watch the Development extension more closely and may ask the Developer to make improvements to the current sidewalks. There will be a public hearing prior to re-zoning Royal Springs Development for growth. Supervisor LeFeber thanked Mr. Lyons for coming before the Board.

### **DISCUSSION – ENGINEER REPORT**

MRB Group Engineer David Willard provided the following report:

Grant application deadlines were discussed along with the need to have SEQR (Type I or II) and bonding information ready to submit. Engineer Willard will prepare a cost estimate for the next meeting. Attorney Campbell will bring cost estimates for BOND Counsel Kim McGill.

### **DISCUSSION – OPEN PUBLIC HEARING**

Supervisor LeFeber read the following legal notice to open the public hearing on Local Law T-4A-2022 as follows:

#### LEGAL NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Code of the Town of Avon, and pursuant to Town Law §130 and §264, that a public hearing shall be held by the Town Board of the Town of Avon at 6:15 p.m. on Thursday, June 23, 2022, at the Avon Town Hall, located at 23 Genesee Street, Avon, New York for the purpose of considering public opinion and comment about or concerning a proposed local law relating to the following:

A local law to amend and supersede as applicable the zoning map of the Town of Avon as officially adopted to create an Excavation Operations Overlay Zone, limiting the areas in which Excavation Operations can take place and to modify certain provisions of the Zoning Ordinance of the Town of Avon to effectuate such overlay zone.

A copy of the proposed local law will be available for review by the public at the office of the Town Clerk during regular Town Clerk hours and will also be available on the Town's website at <https://www.avon-ny.org/town-of-avon/town-home.html>.

All interested persons are invited to appear and be heard at the aforesaid time and place.

Dated: May 27, 2022

By Order of the Town Board of the Town of Avon  
Sharon Knight - Town Clerk, MMC/RMC

Attorney Campbell provided an overview of the proposed law stating the County Plan Department response was received.

Supervisor LeFeber asked for any comments, and they follow:

Tom McGovern, 6429 North Avon Road (Against) Our ground water is at risk with bringing in dirt fill at the Oak Openings LLC and if other operations are allowed to do the same it would further jeopardize our water.

Eric Huppert, 1160 Oak Openings Road, stated the problems have continued over the last few years that include but are not limited to traffic and noise. The board is not responsive and responsible to the neighboring residents although we pay the same tax rate as all others within the community. He shared the assessed value and the recent sale amount of a neighboring property. The Town is not taking the issues seriously and he is considering moving based entirely on the current mine debacle.

Karen Crater – 1177 Oak Openings Road (Against) She questioned what we are gaining with an overlay map. She read the following:

6/23/2022

Public Comments for the Avon Town Board Public Hearing on June 23, 2022 pursuant to Town Law §130 and §264 to amend and supersede as applicable the zoning map of the Town of Avon as officially adopted to create an Excavation Operations Overlay Zone, limiting the areas in which Excavation Operations can take place and to modify certain provisions of the Zoning Ordinance of the Town of Avon to effectuate such overlay zone

Submitted by Rick and Karen Crater, 1177 Oak Openings Rd.

We first want to state that we are **against** this proposed overlay to the zoning map and the code changes for mining and excavating. The reasons why we are against this proposal are as stated below.

We have seen first hand how allowing mining can impact the residents of the Town of Avon without provisions to protect their properties, water supply, and rural character of a neighborhood.

We have had 4 years of living hell with the mine located at 1392 Oak Openings Rd. Here is a list of problems this mine has created for the residents on Oak Openings Rd:

- Increased truck traffic.
- Diesel fumes.
- Semi trucks instead of dump trucks using our road and additional semi trucks from local businesses now using our road.
- Increased noise such as unmaintained trucks and the use of jake brakes.
- Increased dust.
- Damage to our road surfaces from the heavy traffic.
- Traffic safety issues such as speeding, unsafe conditions at the mine entrance, and using routes not designated. You had to post both sides of North Avon Rd.
- Violations of hours of operation.
- Safety issues at the intersection of Works (Oak Openings) and Honeoye Falls #6 Rd. in the Town of Rush – trucks cutting the turn and causing traffic build up as a result.
- As soon as a DEC permit is granted, anything goes and they can get C & D registrations very easily to import contaminated materials as we have experienced. No one can give us a guarantee that our wells will not be affected.

The overlay puts us in even more jeopardy for ruining our quality of life. Therefore, we ask the Town **not** to move forward with this proposal, but to eliminate mining as the Town of Mendon did and change the overlay to only include the two parcels currently being mined in the Town of Avon with no option to expand.

1392 Oak Opening Road.

Carol McKee - 1665 Oak Openings Road (Against) She questioned if there is an overlay map. She asked questions on the local law and Part 1 of the SEQR. The Attorney and Board answered the questions. Homes for sale are typically shown on Sunday as the mine is closed.

Councilman Harrington questioned the assessment of property that was recently sold.

Supervisor LeFeber asked for any additional comments from the public.

**RESOLUTION #130 CLOSE PUBLIC HEARING – LOCAL LAW T-4A-2022**

On motion of Councilman Harrington, seconded by Deputy Supervisor Mairs the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to close the public hearing on Local Law T-4A-2022

**Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye**

**RESOLUTION #131 SEQR PART 2 NEGATIVE FINDING**

On motion of Councilman Harrington, seconded by Deputy Supervisor Mairs the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to declare a negative finding for SEQR Part 2 Identification of potential project impact.

**Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye**

**RESOLUTION #132 SEQR PART 3 NEGATIVE DECLARATION**

On motion of Councilman Harrington, seconded by Deputy Supervisor Mairs the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE that this project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

**Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye**

**RESOLUTION #133 AUTHORIZE SUPERVISOR TO SIGN**

On motion of Councilman Harrington, seconded by Councilman Coyne the following resolution was ADOPTED AYES 5 NAYS 0

Resolve to authorize the Supervisor to sign Part 3 of the SEQR and to request the Town Clerk post to the Environment Bulletin Board.

**Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye**

**DISCUSSION PROPOSED LOCAL LAW T-4A-2022**

Supervisor LeFeber asked for an addition comment from the Board and their comments follow:

Though we were providing more protection but heard comments that it does not offer additional protection.

We can leave it as is.

We were thinking of the residents affected by the current mine on Oak Openings Road  
The overlay map can be changed by future legislation.

Expansion of the mine to Route #5/20 could reduce the traffic on Oak Openings Road

Attorney Campbell stated the law does not provide protection to the current lands near the mining.

**RESOLUTION #134 ADOPT LOCAL LAW 4-2022**

On motion of Councilman Harrington, seconded by Supervisor LeFeber the following resolution was ADOPTED AYES 4 NAYS 1 (Deputy Supervisor Mairs)

RESOLVE to adopt local law 4-2022 as follows:

**LOCAL LAW NO. 4 OF THE YEAR 2022  
OF THE TOWN OF AVON**

A local law to amend and supersede as applicable the zoning map of the Town of Avon, Livingston County, New York, as officially adopted to create an overlay zone for Excavation Operations, limiting the area in which such activities may occur and to modify certain provisions of the Zoning Ordinance of the Town of Avon to effectuate such overlay zone.

Be it enacted by the Town Board of the Town of Avon as follows:

**SECTION 1. TITLE AND SCOPE.**

This local law shall be known as ***AA local law to amend and supersede as applicable the zoning map of the Town of Avon as officially adopted to create an Excavation Operations Overlay Zone, limiting the areas in which Excavation Operations can take place and to modify certain provisions of the Zoning Ordinance of the Town of Avon to effectuate such overlay zone. @***

**SECTION 2. CREATION OF NEW ARTICLE XVII EXCAVATION OPERATIONS OVERLAY ZONE.**

A new Article XVII of Chapter 130 of the Zoning Ordinance of the Town of Avon is hereby added and shall read as follows:

**“Article XVII Excavation Operations Overlay**

§130-100. Authority.

- A.** The Town Board of the Town of Avon adopts this Local Law pursuant to the authority granted to the Town Board under Article I, §130-4 of the Town of Avon Zoning Ordinance and New York State Town Law §§264 and 265.

§130-101. Legislative Intent.

- A.** The Town Board of the Town of Avon recognizes that the mining and extraction of limestone, sand and gravel within the Town of Avon is a desirable and appropriate land use in limited geographic areas where such materials are available in sufficient quantity.
- B.** To these ends, this local law and the zoning map that it amends and supersedes as applicable is designed to:
- (1)** Balance various forms of development that are desirable by the public while protecting the rural character of the Town;
  - (2)** Protect and encourage farming and agriculture and related businesses, which are the dominant land uses in Avon;
  - (3)** Protect property values by regulating uses, buildings and structures that may impact the character of the Town and affect neighboring properties;
  - (4)** Minimize conflicts among the various land uses, both now and in the future;
  - (5)** Protect and promote public health, safety, convenience, order, aesthetics, prosperity and general welfare of the Town of Avon; and
  - (6)** implement the provisions of the Comprehensive Plan of the Town of Avon.

## §130-102. Definitions.

The following definitions shall apply to this Article:

**Excavation Operations**

The Mining of limestone, gravel and sand from the earth by way of surface excavation, from which such product is produced for sale or exchange, or for commercial, industrial or municipal use. Also includes any activities or processes used for the extraction or removal of such minerals from their original location and the preparation such as washing, cleaning, crushing, stockpiling or other processing at the Excavation Operation location that makes the mineral product suitable for commercial, industrial or construction use. Excavation Operations does not include any form of underground or subsurface Mining of minerals.

**Mining**

The extraction of overburden and minerals from the earth; the preparation and processing of minerals, including any activities or processes used for the extraction or removal of such minerals from their original location and the preparation such as washing, cleaning, crushing, stockpiling or other processing at the mine location that makes the mineral product suitable for commercial, industrial or construction use.

**Subsurface and Underground Mining**

Mining that takes place predominantly below the surface of the ground, with access through mine shafts or by elevators. Subsurface and Underground Mining is a prohibited use in all zoning districts within the Town of Avon and is not permitted in the Excavation Operations Overlay created by this Article.

## §130-103. Creation and Boundaries of Excavation Operations Overlay Zone.

- A. An Excavation Operations Overlay Zone is hereby created, the bounds of which are as follows:

All real property bounded on the north by the northerly Town Line of the Town of Avon (where it meets the jurisdictional bounds of the Town of Rush, Monroe County, New York), bounded on the west by New York State Route 15, bounded on the south by New York State Routes 5 & 20 and bounded by the east by the easterly Town Line of the Town of Avon (where it meets the jurisdictional bounds of the Town of Lima, Livingston County, New York).

- B. Within the Excavation Operations Overlay Zone, all of the underlying land use district regulations shall remain in effect except as specifically modified by the provisions of this Article XVII.

- C. Any development of an Excavation Operation within the Excavation Operations Overlay Zone created hereby shall only be permitted on lands designated as Agricultural District (A) and shall be required to have Site Plan review and approval by the Planning Board (pursuant to Article IX, §130-45 E.) and issuance of a Special Use Permit upon approval of the Zoning Board of Appeals (pursuant to Article IX, §130-45 B. and Article VI, §130-35 B. (1) and B. (4) (e).
- D. Excepting for any pre-existing use, no Excavation Operation shall be permitted or expanded in any location within the Town of Avon that is not within the Excavation Operations Overlay Zone as established in §130-103 A. above.”

### **SECTION 3. AMENDMENTS TO ARTICLE I, §130-5 DEFINITIONS.**

The current Article I, §130-5 of the Zoning Ordinance of the Town of Avon is hereby modified and amended to add the following new definitions of “Excavation Operations”, “Mining” and “Subsurface and Underground Mining”, which shall be as follows:

#### **“Excavation Operations**

The Mining of limestone, gravel and sand from the earth by way of surface excavation, from which such product is produced for sale or exchange, or for commercial, industrial or municipal use. Also includes any activities or processes used for the extraction or removal of such minerals from their original location and the preparation such as washing, cleaning, crushing, stockpiling or other processing at the Excavation Operation location that makes the mineral product suitable for commercial, industrial or construction use. Excavation Operations does not include any form of underground or subsurface Mining of minerals.”

#### **“Mining**

The extraction of overburden and minerals from the earth; the preparation and processing of minerals, including any activities or processes used for the extraction or removal of such minerals from their original location and the preparation such as washing, cleaning, crushing, stockpiling or other processing at the mine location that makes the mineral product suitable for commercial, industrial or construction use.”

#### **“Subsurface or Underground Mining**

Mining that takes place predominantly below the surface of the ground, with access through mine shafts or by elevators. Subsurface or Underground Mining is a prohibited use in all zoning districts within the Town of Avon and is not permitted in an area encompassed by the Excavation Operations Overlay created by this Article.”

### **SECTION 4. AMENDMENTS TO ARTICLE III, §130-11 AGRICULTURAL DISTRICT (A)**

The current Article III, §130-11 D. (4) of the Zoning Ordinance of the Town of Avon is hereby entirely repealed and is hereby replaced with the following new §130-11 D. (4):



“(4) Excavation Operations on Lots or property that is entirely located within the Excavation Operations Overlay Zone, as created and defined by Article XVII, §130-103, subject to Site Plan review and approval by the Planning Board (pursuant to Article IX, §130-45 E.) and issuance of a Special Use Permit upon approval of the Zoning Board of Appeals (pursuant to Article IX, §130-45 B. and Article VI, §130-35 B. (1) and B. (4) (e) and subject to those requirements of Article XVII.

**SECTION 5. AMENDMENTS TO ARTICLE VI, §130-35 USES REQUIRING SPECIAL USE PERMIT**

The current Article VI, §130-35 B. (4) (e) of the Zoning Ordinance of the Town of Avon is hereby entirely repealed and is hereby replaced with the following new §130-35 B. (4) (e):

“(e) Excavation Operations. Excavation Operations may be permitted by Special Use permit only in those portions of the Agricultural District (A) that are located within the Excavation Operations Overlay Zone, as created and defined by Article XVII, §130-103 of the Town, provided that the following conditions and standards are observed:

- [1] The minimum lot area for any such use shall be 10 acres; all buildings and excavation operations shall be located or shall occur not less than 100 feet from any street or property lines. The Board of Appeals may require fencing or some similarly effective barrier six feet in height where excavations are to exceed a depth of four feet.
- [2] All buildings and structures used in such operations shall be dismantled and removed within 12 months following the termination of the operations, shall be made at the expense of the operator, and shall be a condition of approval of the special use permit.
- [3] All buildings, structures and plants used for the processing of excavated materials shall be maintained so as to assure that such buildings, structures and plants shall not become dangerously dilapidated.
- [4] All equipment used for the excavation of sand and gravel and processing thereof shall be constructed, maintained and operated in such a manner as to eliminate, as far as is practicable, noises and vibrations and such conditions which are injurious or substantially annoying to all persons living in the vicinity; all operations shall be conducted only between the hours of 7:00 a.m. and 6:00 p.m. except on Sundays. In the case of public or private emergency or whenever any reasonable or necessary repairs to equipment are required to be made, it shall be permitted at any time.

- [5]** All land which has been excavated must be rehabilitated in accordance with standards set within one year after the termination of operations, at the expense of the operator and shall be a condition of the approval of the special use permit. It is further provided that, where an excavation operation has lasted longer than one year, rehabilitation of land in accordance with standards set must be begun and completed within one year's time. The Code Enforcement Officer shall require the operator to cease excavation operations when the above standard is violated until the operator complies.
- [a]** All excavations must either be made to a water-producing depth or graded and backfilled.
- [b]** Excavations made to a water-producing depth shall be properly sloped to the waterline, with banks sodded or surfaced with soil of an equal quality to adjacent land area topsoil; such topsoil required under this section shall be planted with trees, shrubs, legumes or grasses upon the parts of such area where revegetation is possible.
- [c]** Excavations not made to a water-producing depth must be graded or backfilled with nonnoxious, nonflammable, noncombustible solid material and in a topographic character which will result in substantial general conformity to adjacent lands; such grading or backfilling shall be designed to minimize erosion and shall be surfaced with a soil equal in quality to that of adjacent land area and planted with trees, shrubs, legumes or grasses upon the parts of such areas where revegetation is possible.
- [6]** The Zoning Board of Appeals shall not grant a special use permit for an excavation operation when the area in which the operation is proposed exhibits a residential character. The Zoning Board of Appeals shall consider an area to have a residential character when a circle (radius of 2,980 feet) drawn around the center of the proposed use contains 1/3 of the homes the area (approximately one square mile) of the circle would have if developed to the density allowed by this chapter.
- [7]** The Zoning Board of Appeals may require a performance bond or some other financial guaranty that the conditions of the granting of the special use permit are carried out.
- [8]** No Special Use Permit shall be approved for an Excavation Operation or other form of Mining operation that is not located within the Excavation Operations Overlay Zone.
- [9]** No Special Use Permit shall be approved for any Subsurface or Underground Mining.”

**SECTION 6. AMENDMENTS TO ARTICLE IV, §130-24 OTHER REGULATIONS APPLICABLE TO ALL ZONES**

The current Article IV, §130-24 M. of the Zoning Ordinance of the Town of Avon is hereby entirely repealed and is hereby replaced with the following new §130-24 M.:

**M. Prohibited uses.**

(1) No mobile home may be occupied as a dwelling in the Town, except in a mobile home park.

(2) Subsurface or Underground Mining is not a permitted use within the Town of Avon.

**SECTION 7. AMENDMENTS TO OFFICIAL ZONING MAP REFERENCED IN ARTICLE II. DISTRICTS; ZONING MAP.**

The Official Zoning Map as referenced in Article II, §130-7 C. is hereby amended to include the Excavation Operations Overlay Zone created by Article XVII and shall become a part of the Zoning Ordinance of the Town of Avon.

**SECTION 8. INCORPORATION OF AMENDED OFFICIAL ZONING MAP INTO TOWN OF AVON ZONING ORDINANCE.**

A. The Official Zoning Map of the Town of Avon as amended by this local law shall be incorporated into the Zoning Ordinance of the Town of Avon.

B. The Official Zoning Map of the Town of Avon as amended by this local law shall be on file in the Office of the Town Clerk.

**SECTION 9. EFFECTIVE DATE.**

This local law shall be effective immediately upon its filing with the Office of the Secretary of State.

**Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Nay, Supervisor LeFeber – Aye**

**RESOLUTION #135 EXECUTIVE SESSION**

On motion of Supervisor LeFeber, seconded by Councilman Harrington the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to enter executive session for the purpose of discussions regarding proposed, pending, or current litigation, inviting Assessor Tami Snyder and Attorney Campbell. TIME 7:06 P.M.

**Vote of the Board: Councilman Drozdziel - Aye, Councilman Harrington - Aye, Councilman Coyne - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye**

**RESOLUTION #136 CLOSE EXECUTIVE SESSION**

On motion of Councilman Harrington, seconded by Supervisor LeFeber the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to close executive session with no action taken at 7:57 P.M.

**Vote of the Board: Councilman Drozdziel – Aye, Councilman Harrington – Aye, Councilman Coyne – Aye, Deputy Supervisor Mairs – Aye, Supervisor LeFeber – Aye**

**DISCUSSION – ATTORNEY REPORT**

Attorney Campbell reported on the following:

Update on solar projects.

Will be meeting with Assessor Snyder to hammer out parameters of numbers for PILOTS as the state law that had restrictions has been suspended.

**RESOLUTION #137 APPROVAL OF MINUTES**

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of June 9, 2022 as presented by e-mail and to request they be published on the Town of Avon website at townofavon-ny.org.

**Vote of the Board: Councilman Drozdziel - Aye, Councilman Harrington - Aye, Councilman Coyne - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye**

**DISCUSSION – HIGHWAY/WATER DEPARTMENT REPORT**

Supervisor LeFeber stated the Highway/Water Superintendent Crye provided his report by email.

**DISCUSSION – CODE DEPARTMENT REPORT**

Code Enforcement Officer Glise provided the following quarterly report:

**D+A1:174EPARTMENTAL REPORT  
BUILDING & ZONING  
MARCH 22, 2022 TO JUNE 22, 2022**

The following Building Permits were issued during the time period March 22, 2022 to June 22, 2022

2022-0037	Hyde	pole barn	3/24/2022	\$256.00
2022-0038	Champaneri	interior renovations	3/29/2022	\$201.60
2022-0039	Carroll/Studio Sales	demolition	3/30/2022	\$50.00
2022-0040	Swan Property LLC	sign	3/30/2022	\$25.00
2022-0041	Stanton	garage and mudroom addition	4/6/2022	\$177.84
2022-0042	Holmes	pole barn	4/7/2022	\$57.20
2022-0043	Twin Ceders	mobile home	4/8/2022	\$200.00
2022-0044	Paganin	deck replacement	4/8/2022	\$52.50
2022-0045	Bailor	geothermal system	4/19/2022	\$40.00
2022-0046	Michael Carroll	new studio	4/19/2022	\$182.00
2022-0047	Calabria	new door	4/20/2022	\$25.00
2022-0048	Twin Cedars	mobile home	4/22/2022	\$200.00
2022-0049	Cole	fence	4/26/2022	\$30.00
2022-0050	Kriewall	generator	4/26/2022	\$40.00
2022-0051	Crandall	fence	4/26/2022	\$30.00
2022-0052	Switzer - Twin Ceders	AC unit	4/26/2022	\$40.00
2022-0053	Bovee	re-roof	4/27/2022	\$40.00
2022-0054	Kelly	AG Pool	4/27/2022	\$50.00
2022-0055	Gilliam	ground mount solar	5/11/2022	\$83.60
2022-0056	Anderson	dairy barn	5/11/2022	AG exempt
2022-0057	Southwest Corner	bldg renovations	5/11/2022	\$295.68
2022-0058	Chittenden	pole barn	5/12/2022	\$240.00
2022-0059	Johnson	pole barn	5/16/2022	\$60.00
2022-0060	Glaes	geothermal system	5/18/2022	\$40.00
2022-0061	Benedict	geothermal system	5/18/2022	\$40.00
2022-0062	Arend	re-roof	5/18/2022	\$40.00
2022-0063	Patyman Catering	sign	5/20/2022	\$52.50
2022-0064	Tauch	AG pool	5/20/2022	\$50.00
2022-0065	Brokaw	re-roof	5/20/2022	\$40.00
2022-0066	Bellonte	stairs	5/20/2022	\$50.00
2022-0067	Brooks	desk	5/20/2022	\$50.00
2022-0068	Wowkowych	re-roof	5/27/2022	\$40.00
2022-0069	George	pool	5/31/2022	\$50.00
2022-0070	Crawford	pool	5/31/2022	\$50.00
2022-0071	Baraniak	deck	6/1/2022	\$50.00
2022-0072	Lisena	deck	6/3/2022	\$50.00
2022-0073	Schillinger	garage addition	6/3/2022	\$50.00
2022-0074	Ferrara	pool & front deck	6/3/2022	\$50.00
2022-0075	Ostrander	re-roof	6/3/2022	\$40.00
2022-0076	Marshall	roof over existing deck	6/7/2022	\$40.00
2022-0077	Wetherwax	fence around pool	6/8/2022	\$30.00
2022-0078	VandeWater	roof mounted solar	6/8/2022	\$114.70

2022-0079	Davis	AG pool	6/10/2022	\$50.00
2022-0080	Bruckel	EV chargers	6/10/2022	\$80.00
2022-0081	Sturninc	sign	6/13/2022	\$48.00
2022-0082	Johnson	deck	6/16/2022	\$50.00
2022-0083	Hite	fence	6/20/2022	\$30.00
2022-0084	Cole	AG pool & deck	6/20/2022	\$100.00
		add master bedroom &		
2022-0085	Gage	kitchen	6/22/2022	\$75.00

<b>TOTAL PERMIT FEES FOR TIME PERIOD</b>	\$3,736.62
<b>FEES OUTSTANDING FOR TIME PERIOD</b>	\$0.00
<b>TOTAL FEES COLLECTED</b>	\$3,736.62

**The following are permits currently renewed for one year:**

- Peter Farr, #2019-0012 - garage addition - expires 4/4/2023
- Avon Solar Farm, #2020-0017 - solar array farm - expires 4/13/2023
- Andrew Pike, #2020-0022 - sign - expires 5/5/2023
- Andrew Pike, #2020-0023 - privacy fence - expires 5/11/2023
- Twin Cedars of Avon, #2020-0081 - new mobile home - expires 8/26/2022
- Twin Cedars of Avon, #2020-0122 - new mobile home - expires 10/10/2022
- James Anderson, #2021-0012 - house remodeling - expires 3/8/2023

**The following are projects/permits currently working on:**

- **2 Applications for solar arrays - Starkey/Wolcott Drive, Lake Road - APPROVED**
- **White Horse site plan for changes to current lot and adding another lot on West Henrietta Rd. - approved**
- **Dutch Hollow Liquor store - site plan approval for renovations of building for liquor store - APPROVED**
- **One new solar applciation - Stokoe Farms between Lake Road and Henty Road - just started the process**

**The following actions occur on a daily basis in the code office:**

- processing all paperwork through the correct channels on a timely basis
- clean up of outstanding permits, violations and Laserfiche filing system

Code Enforcement Officer Glise reported on a request for the Town Board to adopt a resolution requesting a light and/or speed reduction for Route #390, Exit 9. Attorney Campbell suggested a traffic light and discussion included to also request a reduction in the speed limit to forty-five miles per hour.

**RESOLUTION #138 REQUEST A TRAFFIC LIGHT BE INSTALLED AND SPEED LIMIT REDUCTION**

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to request the Town Clerk complete TE-9 requesting a light be installed at Route #390, Exit 9 and to reduce the speed to forty-five miles per hour.

**Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye**

**DISCUSSION – CODE DEPARTMENT REPORT**

Code Enforcement Officer Glise continued to report on the following:

Gary Wheat Solar application was approved.  
Stokoe Farms submitted a solar application  
Building permits are on the rise.  
Flee market opening across the street from the East Avon Flee Market.

He questioned if regulation would help with the increase of local temporary events such as the American Legion, selling of fireworks display on private property, food trucks, people putting up tents in their yards without inspections.

Attorney Campbell stated that if someone is violating our code the Town does not have to enforce. Priority should be given to health and safety. The Code Department continues to be working on codification of our Town Code.

**DISCUSSION – TOWN CLERK’S REPORT**

Town Clerk Knight confirmed receipt of her report dated June 22, 2022 as received by the Town Board.

**DISCUSSION SUPERVISOR’S ITEMS**

Supervisor LeFeber report Livingston County has put in a purchase offer on the property in East Avon. The property would be used to house homeless people with the assistance of Catholic Charities. We are currently housing them in other areas.

**DISCUSSION – RENOVATION PROJECT**

Councilman Drozdziel provided an update on the third-floor renovation project. He shared the construction schedule by email. The 1<sup>st</sup> of July the contractors will be mobilizing. November 10th we will change the location of our meetings to the Village of Avon. November 14th is the deadline for the Historical Society to move their files from the Historian's Office. The Board needs to consider approving a third-party material testing agreement. The Board took the following action.

**RESOLUTION #139 APPROVAL TO AUTHORIZE THE SUPERVISOR TO SIGN AGREEMENT WITH ATLANTIC TESTING**

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to authorize Supervisor LeFeber to sign an agreement with Atlantic Testing with the approval of Attorney Campbell.

**Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye**

**RESOLUTION #140 ACCEPT THE CLAIMS**

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the following was ADOPTED AYES 4 NAYS 1 (Supervisor LeFeber)

RESOLVE to accept for payment Abstract 2022-12 in the following amounts:

**Concerning ABSTRACT of Claims Number 2022-12 including claims as follows:**

<b>General Fund</b>	Amounts totaling \$16,518.26
<b>Highway Fund</b>	Amounts totaling \$193,129.53
<b>Water Fund</b>	Amounts totaling \$11,811.97
<b>Cemetery Fund</b>	Amounts totaling \$925.00

**Vote of the Board: Councilman Drozdziel – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Nay**

**OPEN ITEMS**

Deputy Supervisor Mairs stated that he is excited the 3<sup>rd</sup> floor project is going to get started.

Councilman Coyne reported he continues to work on the Sewer Study, and it is taking more time than expected but is moving forward.



**DISCUSSION – VISITOR COMMENTS**

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the meeting was adjourned at 8:33 P.M.

Respectfully submitted by:

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Sharon M. Knight, MMC/RMC Town Clerk