

A regular meeting of the Town of Avon was held on Thursday, June 22nd at 6:00 P.M. at the Avon Village Hall, 74 Genesee Street, Avon, New York 14414.

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

PLANNING BOARD: Kathy Cole, Kathleen Mannix, Thomas McGovern, Brian Thorn, Clara Mulligan, Collin Hayes and Christopher Sterner.

ABSENT: Tom Crye, Highway/Water Supervisor

OTHERS: Attorney Campbell, Brian Glise Code Enforcement Officer, Dave Willard MRB Group Engineer, and Diana Farrell, Town Clerk

VISITORS: Jeff Bauman, RR Representative, Cindy Kellen, Janet Manko, Judy Falzoi, Edward Forsythe, Don Mills, LivWell Representative and Chuck Morgan.

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

PLANNING BOARD: Chairwoman Kathy Cole called the meeting to order at 6:00 P.M. On motion of Thomas McGovern, seconded by Brian Thorn.

VISITOR COMMENTS: Supervisor David LeFeber asked if there were any visitor comments and there were none.

RESOLUTION #139 APPROVAL OF MINUTES OF JUNE 8, 2023.

On motion of Deputy Supervisor Thomas Mairs seconded by Councilmen Paul Drozdziel the following resolution was ADOPTED AYES 5 NAYS 0.

RESOLVE to approve the minutes of June 8, 2023, 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 Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye

DISCUSSION-ATTORNEY REPORT

Attorney Campbell gave the following report:

- Solar committee meeting: Mary Underhill will no longer be able to attend our Solar Committee meetings due to a change of her responsibilities at the County.
- The committee is making significant progress in revising the solar Local Law.

- The Planning and Zoning Board had a lot of discussion on the Twin Cedars expansion project. A lot of discussion around lot size. The Town will also be asking them to redo the meter pit where the master meter currently is.

DISCUSSION- CODE ENFORCEMENT REPORT

Code Enforcement Brian Glise gave the following report:

- Brian talked about the Town Engineer for the Solar Project on Polebridge Rd. Currently are in communication with developers Engineer regarding the storm water drainage from the development.
- Working with Six-Sprouts application for approval of the use of the building and be in compliance so they can be open for business.
- The County Planning Department is planning a Solar tour later this year which participants can gain training credits.

DISCUSSION- HIGHWAY/WATER REPORT

Highway/Water Superintendent Crye was not present but sent the following report:

HIGHWAY:

- Prep for paving
- Pave Pole Bridge Road
- Shop Maintenance
- Parks & Cemetery's mowed
- Work for County
- Swept off loose stone from fiber mat
- Shoulders Pole Bridge Rd
- Mowing roadsides (Town roads)
- Dump days
-

EQUIPMENT: Supervisor LeFeber had conversation with Superintendent Crye who is getting quotes for loader replacement scheduled for next year. Along with the truck we ordered, will be equipment purchases for 2024.

WATER:

- Everyday maintenance & sampling
- THM sampling

DISCUSSION – ENGINEERING REPORT

MRB Group Engineer Dave Willard provided the following report:

- Water study in draft form or the Town and Village. A meeting is planned next week to include stakeholders to review this draft report.
- Based on the draft water study report the Village of Avon is considering two (2) Grant applications from different funding sources which will complete some of the projects identified in the draft water study.
- The Village of Avon is seeking the lead agent status in the Environmental Review process.
- At the next Town board meeting the Town of Avon will be required to grant lead agent status to the Village of Avon in the Environmental Review process.

DISCUSSION – TOWN CLERK REPORT

- Everything is going smoothly. Residents continue to be very welcoming. Still awaiting DEC for their software for hunting/fishing licenses. Records to destroy.
- Supervisor LeFeber mentioned we are evaluating the phones. Looking to see who will be providing service for the Town Hall; we had one presentation. We do have another presentation from another company soon. _
- Supervisor LeFeber also mentioned County is looking into another Tax program for 2024. The Town will continue with BAS for Conservation sales.

RESOLUTION #140 ACCEPT THE DESTRUCTION OF RECORDS

On motion of Deputy Supervisor Thomas Mairs seconded by Councilman Paul Drozdziel the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to destroy records.

Record Series Name or Description	LGS-1 Section Number	Inclusive Dates	Cubic Feet Destroyed	Date of Record Obsolete
US Bank	Fiscal 550	2015-2016	1 inch	2008
Taxation & Assessment	LGS-1b	2008	3 inches	2018

Confidential? Yes No

Department Approval: *Mair* Date: 6/22/23

RMO Approval: *David Mair* Date: 6/22/23

Supervisor Approval: *David Mair* Date: 6/22/2023

Attorney Approval: *[Signature]* Date: 6/22/2023

Date of Destruction 6/23/23

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

RESOLUTION #141 ACCEPT THE CLAIMS

On motion of Deputy Supervisor Thomas Mairs seconded by Councilman Malachy Coyne the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to accept for payment Abstract 2023-12 in the following amounts:

Concerning ABSTRACT of Claims Number 2023-12 including claims as follows:

General Fund	Amounts totaling \$14,271.34
Highway Fund	Amounts totaling \$ 1,795.11
Water Fund	Amounts totaling \$ 554.24
Cemetery Fund	No Voucher
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	No Voucher
Cross Roads Drainage District	No Voucher
Bruckel Drainage District	No Voucher
Royal Springs Drainage	No Voucher
Town of Avon Fire Protection	No Voucher
Rte. 39 Water SW2	No Voucher

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

DISCUSSION JOINT TOWN BOARD AND PLANNING BOARD TOPICS

- Comprehensive Plan update
- Routes 5&20 View Shed
- Local Law Solar
- Over-lay Districts
- Landowner Rights
- Hamlet Zoning four (4) Corners in East Avon

The Planning & Zoning Board are going to investigate the review of the Comprehensive Plan seeing if we secure grant money and assistance in reviewing the document.

OPEN PUBLIC HEARING

LEGAL NOTICE

OF JOINT MEETING AND PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Code of the Town of Avon, and pursuant to New York State Town Law, that a joint meeting and a joint public hearing shall be held by the Town Board and Planning board of the Town of Avon at the Avon Village Hall, located at 74 Genesee Street, Avon, New York at 7:00 p.m. on Thursday, June 22, 2023, for the purpose of considering public opinion and comment about or concerning a proposed local law relating to the following:

A request to change the zoning classification of a parcel known as 2851 and 2861 Lakeville Road (New York State Route 15), Town of Avon, County of Livingston and State of New York, also being known as Tax Identifier Map Parcel No. 55.-1-70.11, said parcel being located on the south side of New York Interstate 390 and being on the east side of Lakeville Road and containing approximately 113.60 +/- acres of land.

Said parcel is currently zoned as Agricultural District (A) and such area is being requested to be reclassified to a zoning classification of Planned Development District (PDD) pursuant to section 130-18 of the Zoning Ordinance of the Town of Avon. The applicant is seeking the following uses to be specifically permitted, subject to Site Plan approval:

Community Wellness and Fitness Center which would provide indoor recreation and community space and programs to include community meeting space, a senior center, academic classroom space, prepared food café, concession stands, childcare center, indoor playground, indoor ice facility with event seating, indoor turf and multi-purpose hard court space with event seating, an indoor walking track, physical therapy space and a fitness center. The grounds outside may include an outdoor pool, park space, outdoor

playground, alpine tower, climbing wall, teambuilding ropes course, splash pad, recreational sports fields, community meeting space, alternative energy producing infrastructure and an amphitheater to host events.

Railroad first business opportunities, including transload facility to support shipping and receiving needs of area businesses that are not otherwise located on railroad property, but would benefit from rail to truck logistical assistance.

All permitted uses, permitted accessory uses and uses allowed with a Special Use Permit that would be allowed in the General Business District (B1) as set forth in §130-15 of the Code. All development standards contained in §130-15 shall apply to all such uses.

All permitted uses, permitted accessory uses and uses allowed with a Special Use Permit that would be allowed in the Light Industrial District (L-I) as set forth in §130-16 of the Code. All development standards contained in §130-16 shall apply to all such uses.

A copy of the proposed local law and the concept plan provided by the Applicant is available for review by the public at the office of the Town Clerk during regular Town Clerk hours, or by visiting the Town web site at www.avon-ny.org.

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

Dated: _____

By Order of the Town Board of the Town of Avon

Diana Farrell - Town Clerk

Supervisor LeFeber opens Public Hearing after reading Notice.

Supervisor David LeFeber asked if there were any public comments. Supervisor David LeFeber did state that we will keep the Hearing opened after tonight's meeting as we have not yet received the decision from the County Planning Board.

Jeff Bauman, RR Representative: Supports the LivWell Project.

Don Mills, LivWell Representative: Gave a brief overview of the LivWell project. It will benefit the Community.

CPL Engineers did provide a Concept Plan. The Town Board realizes that this may not be the final plan but do need a plan to consider the rezone.

Discussion occurred about the ingress and egress of the area with the proximity along Rte. 15 and talked about a second road in addition to Bruckel Drive.

Discussion occurred about usages being permitted at the time of the rezone verses uses being considered by the Town Board at the time of future development of the parcel.

PDD zoning in this area is consistent with the majority of the adjoining parcels currently zoned PDD.

The Town Board and Planning Board will review the Law as written to be determined what uses will be in the final Local Law.

Cindy Kellen made comments about the two residential homes on the south side of the railroad that are currently zoned Agricultural. Cindy also mentioned the traffic concerns in the area of the rezone. She mentioned the need for a traffic light at the travel plaza entrance.

The Town Board has the ability to set certain criteria for certain portions of the property that we are rezoing such to address the two residential homes or other factors important to adjoining properties.

Bob Westfall stated that no land should be rezoned out of agricultural.

Brian Glise contacted the State regarding traffic study of the area.

Kathy Cole is concerned with the truck stop and LivWell traffic being separated.

Jeff Mulligan is concerned with separation of LivWell traffic and truck stop traffic but supports the LivWell Center. Also concerned about other businesses located and that proximity does not interfere with public health and safety.

Judy Falози commented that the LivWell Center is needed in the Community. She is concerned about the existing businesses plus the potential development of the Railroad property.

Edward Forsythe asked about what other developments the Railroad has planned for the future.

DISCUSSION - OPEN ITEMS:

- Councilman Malachy Coyne asked about the phones. We did have a presentation and are waiting for a proposal. Also, we are getting a proposal from the Burke Group.
- Councilman Paul Drozdziel stated renovations are proceeding.

Visitor comments: Edward Forsythe commented about the Twin Cedars expansion and asked if there will be any open space for the residents in the expansion.

On motion of Deputy Supervisor Thomas Mairs, seconded by Councilmen James Harrington the meeting was adjourned at 8:20 P.M.

PLANNING BOARD: Chairwoman Kathy Cole called a motion to adjourn at 8:20 P.M.
On motion of Thomas McGovern, seconded by Colin Hayes.

Respectfully submitted by:

Diana Farrell, Town Clerk