

PLANNING & ZBA MEETING
2024

MONDAY, SEPTEMBER 16,

MEMBERS PRESENT: PLANNING: CLARA MULLIGAN, BRIAN THORN,
CHRISTOPHER STERNER, COLLIN HAYES, KATHY
MANNIX, STEVE CSAPO, LEE HANVEY

ZBA: DIANE ATTEA, CINDY KELLEN, KITTY
BRESSINGTON, BOB WESTFALL, JEFF MULLIGAN

ABSENT:

OTHERS: BRIAN GLISE (CEO, AVON), JIM CAMPBELL (TOWN
ATTORNEY)

VISITORS: VIN CG, JOSH BRUCKEL, AUSTIN DEGRAFF, KATIE
DEGRAFF

CLERK: KIM MCDOWELL

Collin Hayes called the meeting to order.

MOTION TO OPEN THE MEETING WAS MADE BY BOB WESTFALL; SECONDED BY
KITTY BRESSINGTON.

COLLIN HAYES - AYE
KATHLEEN MANNIX - AYE
CLARA MULLIGAN - AYE
BRIAN THORN - AYE
CHRISTOPHER STERNER - AYE
STEVE CSAPO - AYE
LEE HANVEY - AYE

JEFF MULLIGAN - AYE
CINDY KELLEN- AYE
BOB WESTFALL- AYE
DIANE ATTEA - AYE
KITTY BRESSINGTON -AYE

CARRIED 12-0.

Collin Hayes introduced the new Board members, Steve Csapo and
Lee Hanvey.

The Planning and ZBA Board members, as well as Brian Glise, Jim
Campbell and Kim McDowell introduced themselves to those
present.

Collin Hayes reviewed meeting and public hearing etiquette along
with the emergency exits to all present.

ZBA & PLANNING MOTION TO APPROVE THE MINUTES FROM JUNE 17, 2024, MEETING SUBMITTED WAS MADE BY CHRISTOPHER STERNER; SECONDED BY CLARA MULLIGAN.

COLLIN HAYES - AYE
KATHLEEN MANNIX - AYE
CLARA MULLIGAN - AYE
BRIAN THORN - AYE
CHRISTOPHER STERNER - AYE
STEVE CSAPO - ABSTAIN
LEE HANVEY - ABSTAIN

JEFF MULLIGAN - ABSTAIN
CINDY KELLEN- AYE
BOB WESTFALL- AYE
DIANE ATTEA - AYE
KITTY BRESSINGTON -AYE

CARRIED 9-0.

ZBA MOTION TO APPROVE THE MINUTES FROM JULY 15, 2024, MEETING SUBMITTED WAS MADE BY CINDY KELLEN; SECONDED BY JEFF MULLIGAN.

JEFF MULLIGAN - AYE
CINDY KELLEN- AYE
BOB WESTFALL- ABSTAIN
DIANE ATTEA - ABSTAIN
KITTY BRESSINGTON -AYE

CARRIED 3-0.

ZBA MOTION TO APPROVE THE MINUTES FROM AUGUST 19, 2024, MEETING SUBMITTED WAS MADE BY KITTY BRESSINGTON; SECONDED BY CINDY KELLEN.

JEFF MULLIGAN - ABSTAIN
CINDY KELLEN- AYE
BOB WESTFALL- AYE
DIANE ATTEA - ABSTAIN
KITTY BRESSINGTON -AYE

CARRIED 3-0.

DEGRAFF COLLISION, AUSTIN DEGRAFF/1930 LAKEVILLE ROAD/TAX MAP#35.17-1-8.1/ZBA - SPECIAL USE PERMIT TRANSFER

Austin & Katie DeGraff were here to discuss this application. They are currently located in Mount Morris, and need a larger space, and their customers are closer to this area.

They are currently in the process of purchasing this building and currently are leasing to own. They currently have 3 employees and are hoping to hire 2-3 additional employees within the year.

Brian Glise stated this is General Business zoning and needs a special use permit to operate this type of business.

Currently, they do not intend to sell cars, however they do facilitate with the rental companies for their customers.

Brian Glise asked about painting on the premises and following fire safety codes and they do.

Jeff Mulligan asked them to put the parking spots on the site plan for the public hearing at next month's meeting. They should put where employee parking and customer parking will be on the site plan.

Collin Hayes stated the code requires 1 space for each 300 square feet of floor area. They are required to have 32 parking spaces on the parcel, but the ZBA can grant a variance for this requirement.

Kathy Mannix would like to know about the signage on the building and they would use the sign they have right now and put it on the building where the current sign is.

Brian Glise stated they are allowed 120 square foot of signage per parcel and if they wanted more, they would need a variance.

For the most part, the cars will be inside not storage overnight unless people drop off the cars and they will be outside until they are worked on.

MOTION TO SCHEDULE THE PUBLIC HEARING FOR OCTOBER 21, 2024 WAS MADE BY BOB WESTFALL; SECONDED BY DIANE ATTEA.

**JEFF MULLIGAN - AYE
CINDY KELLEN- AYE
BOB WESTFALL- AYE
DIANE ATTEA - AYE**

KITTY BRESSINGTON -AYE

CARRIED 5-0.

Kim will get in touch with them for the sign on the property.

2697 LAKEVILLE ROAD LLC, PETER BRUCKEL/2697 LAKEVILLE ROAD/TAX
MAP#55.-1-6.1/PLANNING - 5-LOT SUBDIVISION - CONCEPT PLAN

Josh Bruckel was present to discuss this application.

Brian Glise stated that they have been storing concrete and constructing a road that hasn't been approved for storage on this parcel that is zoned PDD. Mr. Bruckel submitted a subdivision application, but the violation hasn't been resolved yet.

Collin Hayes stated that in a PDD zoning the storage of concrete needs to be approved by the Town Board.

Jim Campbell stated the material was brought in to extend the road according to Mr. Bruckel's attorney. The use also triggers site plan review since it disturbs over an acre and a SWPPP needs to be done as well.

Josh stated that with the construction on 390, they were asked if they wanted the concrete and they did so they are storing it on this parcel and the parcel owned by Isaac Heating, which also had a violation sent to them.

Josh stated they are going to be moving the pile from the Isaac Heating parcel to the parcel labeled Lot 2 on the tentative subdivision map. They plan on digging a ditch to put all the concrete into, so it isn't so visible.

Jim Campbell stated that the process to come into compliance with the violations and the subdivision and working with NYS DEC on the SWPPP are as follows.

The first step is to send a letter to the Town Board requesting the use of storing the concrete on the parcel and define where on the parcel exactly the storage will be.

Then they will need to submit a formal major subdivision application since it is a 5-lot subdivision. Land Tec can do the survey map for the subdivision, as well as the site plan.

Brian Thorn asked what material is being stored on the property and it is all the material from 390 construction.

Collin asked what the ultimate goal for the subdivided properties will be; and it is for commercial businesses and will have to go to the Town for approval of those uses.

Brian Glise has some concerns on the timeframe that this will take to get approval and become compliant, and Jim Campbell reiterated the process steps for Bruckel to follow.

Cindy Kellen asked how long it will take before the Town can take action since it looks horrible right now. Jim Campbell said the violation has been issued and the Town could issue appearance tickets for court at any time.

Collin Hayes asked about the lot sizes on the proposed subdivision, is there any minimum size in a PDD. Jim Campbell is not sure, but the Town Board has the ability to control that issue with its approval power. The lot size issue should be brought before the Town Board at the same time as the proposed use application for storage of construction debris.

Josh Bruckel will start on the letter to get on the Town Board agenda for their September 26, 2024 meeting.

Brian Glise discussed a complaint about water from a parking lot into another parking lot that the Planning Board had approved regarding gravel parking lots to take into consideration for any future site plans.

There was discussion on how complaints are handled and the process for the Code Enforcement Officer.

Clara Mulligan asked if the violation at the solar field on Route 5 & 20 has been resolved and it has.

MOTION TO CLOSE THE MEETING WAS MADE BY CHRISTOPHER STERNER; SECONDED BY BRIAN THORN.

COLLIN HAYES - AYE
KATHLEEN MANNIX - AYE
CLARA MULLIGAN - AYE
BRIAN THORN - AYE
CHRISTOPHER STERNER - AYE

STEVE CSAPO - AYE
LEE HANVEY - AYE

JEFF MULLIGAN - AYE
CINDY KELLEN- AYE
BOB WESTFALL- AYE
DIANE ATTEA - AYE
KITTY BRESSINGTON -AYE

CARRIED 12-0.

MEETING CLOSED.