

**Regular Board Meeting
Avon Town Board
October 8, 2026**

The Regular Meeting of the Town Board of the Town of Avon was held October 8, 2026, with a start time of 6:00 P.M. at the Avon Opera Block/Town Hall, 23 Genesee St, Avon, NY 14414.

Supervisor LeFeber called the meeting to order and led in the Pledge of Allegiance.

<u>PRESENT:</u>	Supervisor	David LeFeber
	Deputy Supervisor	Thomas Mairs
	Councilman	Paul Drozdziel
	Councilman	Malachy Coyne
	Town Clerk	Faye Beshures

ABSENT: Councilman Collin Hayes

OTHERS: Attorney Jim Campbell, and Dave Willard MRB

ATTENDEES FROM SIGN-IN SHEET: Jim Harrington, Christopher Green, Shannon Weiland, Amanda Hoffman, Kris Romano, Ellen Turner, and Robert Westfall

Supervisor LeFeber asked Attorney Campbell if he wanted to start the meeting by going over the paperwork for the new proposed business of AlbertRoss Heavy Industries LLC owned by Christopher Green. Attorney Campbell agreed and read all of the following to the Board and Mr. Green.

TOWN BOARD RESOLUTION NO. 152 OF 2026

RESOLUTION ADOPTING SEQR ENVIRONMENTAL ASSESSMENT FINDINGS

WHEREAS, the Town Board of the Town of Avon has reviewed the proposed project known as; AlbertRoss Heavy Industries LLC and

WHEREAS, the Town Board has reviewed and considered the applicable environmental information and completed the thirteen questions of the State Environmental Quality Review (SEQR) Environmental Assessment Form; and

WHEREAS, the Town Board has considered the answers to the thirteen questions in determining the potential environmental impacts of the proposed action; and

WHEREAS, the Town Attorney has advised the Town Board that a motion, second, and vote are necessary to formally adopt the completed SEQR answers as the Town Board's official findings;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Avon hereby adopts the answers to the thirteen SEQR Environmental Assessment Form questions, as reviewed by the Board, as its official findings for purposes of the State Environmental Quality Review Act (SEQRA); and

BE IT FURTHER RESOLVED, that the completed SEQR Environmental Assessment Form and the Board's adopted findings shall be maintained with the official records for the proposed project.

Motion made by: Deputy Supervisor Mairs

Seconded by: Councilman Coyne

Vote:

Supervisor LeFeber: Yes

Deputy Supervisor Mairs: Yes

Councilman Hayes: Absent

Councilman Drozdziel: Yes

Councilman Coyne: Yes

Dated: October 8, 2026

TOWN BOARD RESOLUTION NO. 153 OF 2026

A RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE SEQR NEGATIVE DECLARATION

WHEREAS, the Town Board of the Town of Avon has reviewed the proposed action and completed the Environmental Assessment Form (EAF) pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board has reviewed and considered the answers to the applicable questions on the Environmental Assessment Form and adopted those answers as its official findings; and

WHEREAS, based upon its review of the proposed action and the Environmental Assessment Form, the Town Board has determined that the proposed action will not result in any significant adverse environmental impacts and that a Negative Declaration is appropriate under SEQRA;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Avon hereby authorizes Supervisor David LeFeber to sign the SEQRA Negative Declaration on behalf of the Town Board and to complete any necessary documentation and filing required in connection therewith.

Offered by: Deputy Supervisor Mairs

Seconded by: Councilman Drozdziel

Vote:

Supervisor LeFeber: Yes

Deputy Supervisor Mairs: Yes

Councilman Hayes: Absent

Councilman Drozdziel: Yes

Councilman Coyne: Yes

Dated: October 8, 2026

TOWN BOARD RESOLUTION NO. 154 OF 2026

RESOLUTION

At a regular meeting of the Town Board of the
Town of Avon, Livingston County, State of New York,
held at the Avon Town Hall on October 8, 2026

WHEREAS, the Code of the Town of Avon (hereafter ACode@) establishes the zoning classification of Planned Development District (hereafter APDD@) as set forth in '130-18 thereof; and

WHEREAS, the intent of the PDD is to permit the development of land for commercial and industrial purposes where tracts of land suitable in location, area and character for the uses and structures proposed are to be planned and developed on a unified basis; and

WHEREAS, the Town Board has the authority and responsibility under '130-18 of the Code to approve of all uses contemplated in a PDD, which such uses are also subject to site plan approval by the Town of Avon Planning Board (hereafter APlanning Board@); and

WHEREAS, after initial approval, construction and occupancy of a PDD, '130-18 H provides that the Town Board shall approve any changes in use by way of a special permit; and

WHEREAS, AlbertRoss Heavy Industries LLC (hereafter AApplicant@) will be the lessee/tenant of one of the commercial garage bays located in an existing commercial building, as well as three (3) contiguous tractor trailer sized parking spots located on the south westerly portion of the existing parking area serving said commercial building ("Leasehold Property"), all of which are located on a portion of a 14.53 +/- acre property owned by Fisher Rental Properties, LLC, known as 2926 Lakeville Road in the Town of Avon, County of Livingston and State of New York (also identified as Tax Map Number 54.-1-3.2), which said parcel is located within a Planned Development District; and

WHEREAS, pursuant to '130-18 H of the Code, Applicant is seeking approval from the Town Board to use the Leasehold Property for the following purposes (collectively "Uses"):

- Fabrication repairs on grain, flat bed, dump and live bottom transfer semi-trailers using arc welding and cutting processes

- Body repairs on dry van semi-trailers and trucks, specifically roofs, walls, doors, and floors, which does not include any painting of the same
- Service and repair truck mounted equipment such as liftgates and cranes
- Service and repair medium duty flat bed, equipment and car transport trailers; and

WHEERAS, the Town Board has conducted a single agency environmental review under 6 NYCRR 617 (New York State Environmental Quality Review Act) and at the conclusion of such review, issued a Negative Declaration regarding Applicant's request for approval of the proposed Uses; and

WHEERAS, the Town Board wishes to authorize the proposed use on and within the Leasehold Property within the Planned Development District as requested by Applicant and to hereby memorialize and specify the parameters of its approval of Applicant's request for issuance of a special permit.

NOW, THEREFORE, upon motion by Councilman Drozdziel, seconded by Councilman Coyne, it is hereby

RESOLVED, that the Town Board of the Town of Avon, pursuant to '130-18 H of the Code, hereby approves of Applicant's request (to the limited degree specifically stated herein) with regard to the proposed use and authorizes a Special Permit to be issued to Applicant by the Code Department to the following extent:

1. Subject to provisions stated hereafter, Applicant shall be permitted to use the use the Leasehold Property for purpose the following purposes and uses:
 - Fabrication repairs on grain, flat bed, dump and live bottom transfer semi-trailers using arc welding and cutting processes
 - Body repairs on dry van semi-trailers and trucks, specifically roofs, walls, doors, and floors, which does not include any painting of the same
 - Service and repair truck mounted equipment such as liftgates and cranes
 - Service and repair medium duty flat bed, equipment and car transport trailers; and
2. Applicant, its successors and assigns shall not use any portion of the Subject Property for any use not authorized by this resolution;
3. This approval applies only to the Leasehold Property as it exists as of the date of this Resolution and shall not be deemed to extend to any portion of the remainder property owned by Fisher Rental Properties LLC;
4. Any development of the Leasehold Property and subsequent use thereof as

authorized herein shall be subject to and comply with the off-street parking and loading requirements set forth in Article VII of Chapter 130 of the Code at '130-36 through '130-38;

5. Any development of the Leasehold Property and subsequent use thereof as authorized herein shall be subject to and comply with the Exterior Lighting requirements set forth in Chapter 49 of the Code;
6. Any noise impacts related to any use of the Subject Property shall be mitigated so as to not unreasonably create a negative impact on nearby or adjacent parcels;
7. Should Applicant or its successors and/or assigns wish to utilize any portion of the Leasehold Property for a use other than what is provided for above, or in any way inconsistent with the provisions made herein, Applicant or its successors and/or assigns shall be required to make application for approval and issuance of a Special Permit from the Town Board, which such approval and Special Permit may be granted or denied at the sole discretion of the Town Board, and the Town Board shall have the right to refer any such application to the Planning Board for its comments prior to making a determination on the Special Permit request;
9. As a condition of the limited approvals granted herein, Applicant, its successors and/or assigns shall append, affix and maintain a copy of this Resolution to the underlying Lease Agreement relating to the Leasehold Property between Applicant and Fisher Rental Properties LLC;
10. The hours of operation of Applicant's business shall be limited from Monday – Friday from 8:00 a.m. to 5:00 p.m.
11. All vehicles being worked on and equipment, machinery or materials related thereto shall be housed either within the garage bay leased by Applicant, or confined to the three (3) parking areas leased by Applicant. In no instance shall the number of parking spaces upon which Applicant may store such vehicles, machinery, equipment or materials be increased without Applicant first obtaining approval from the Avon Town Board through a modification request regarding the Special Permit that is approved hereby.
12. There shall not be any outdoor storage of vehicles, equipment, machinery or materials except for as provided for immediately above.
13. Any failure of Applicant or its successors and/or assigns to comply with the provisions of the Special Permit approved hereby shall subject the violator to enforcement proceedings set forth under Article XI of Chapter 130 of the Code and/or revocation of such Special Permit by the Town Board;

BE IT FURTHER RESOLVED, that in reaching the above determinations, the

Town Board makes the following findings pursuant to §130-18 H. of the Code:

- The request is in harmony with the general purpose and intent of the regulations set forth in §130-18 H. of the Code, taking into account the location and size of use, the nature and intensity of the operations involved and the adequacy of public facilities needed to serve the project; and
- The granting of the Special Permit applied for will not, under the circumstances of the particular project, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or be detrimental or injurious to the property and improvements in the vicinity or to the general welfare of the Town; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be formally made a part of the files maintained by the Town of Avon relating to the Planned Development District located at 2926 Lakeville Road in the Town of Avon, County of Livingston and State of New York (also identified as Tax Map Number 54.-1-3.2).

Dated: October 8, 2026

Vote of the Board:	David LeFeber	<u>Yes</u>
	Thomas Mairs	<u>Yes</u>
	Malachy Coyne	<u>Yes</u>
	Paul Drozdziel	<u>Yes</u>
	Collin Hayes	<u>Absent</u>

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF AVON


Faye Beshures, Town Clerk

RESOLUTION 155-2026

APPROVAL OF SEPTEMBER 21, 2026 MINUTES

On motion of Supervisor LeFeber seconded by Deputy Supervisor Mairs the following resolution was ADOPTED – Aye – LeFeber, Mairs, Coyne Nay – 0 Absent – Hayes Abstain-Drozdzziel

RESOLVED, that the minutes of September 21, 2026, be approved as presented and request they be published to the Town of Avon’s website at www.avon-ny.gov.

RESOLUTION 156-2026

APPROVAL OF SEPTEMBER 24, 2026 MINUTES

On motion of Deputy Supervisor Mairs seconded by Councilman Drozdzziel the following resolution was ADOPTED – Aye – LeFeber, Mairs, Drozdzziel, Coyne Nay – 0 Absent – Hayes

RESOLVED, that the minutes of September 24, 2026, be approved as presented and request they be published to the Town of Avon’s website at www.avon-ny.gov.

RESOLUTION 157-2026

APPROVAL OF SEPTEMBER 30, 2026 MINUTES

On motion of Councilman Coyne seconded by Supervisor LeFeber the following resolution was ADOPTED – Aye – LeFeber, Drozdzziel, Coyne, Nay – 0 Absent – Hayes Abstain-Mairs

RESOLVED, that the minutes of September 24, 2026 be approved as presented and request they be published to the Town of Avon’s website at www.avon-ny.gov.

DEPARTMENT REPORTS

JIM CAMPBELL – ATTORNEY

Attorney Jim Campbell updated the Board on the following:

- Attorney Campbell let the Board know that he’s been working on some follow-up things with Carson Energy on the BESS projects. He stated that he’s working on the decommissioning agreement. They had presented a decommissioning plan, and the Town code requires not only the developer but the property owner to sign this agreement acknowledging all the requirements for bonding and the others things that are designed to protect the Town and Taxpayers.
- Carson Energy is moving forward Attorney Campbell believes their next step is probably to sell the project to someone that will carry it to the next step of obtaining a building permit and putting the improvements on site.
- Attorney Campbell stated there’s been some work with CNY Feeds, they’ve been working with MRB to follow up on comment letters and revise plans.
- Attorney Campbell said they’ve had some discussions relating to the water for CNY Feeds that continue to be on going. The Village Attorney has proposed an agreement that Attorney Campbell is going through and will be discussing it with the Village Attorney. Campbell explained there’s an 8-inch line that goes off the 20- inch main of the Village which goes from their treatment plant to the Village. That 8-inch line that goes to Bruckel is the Town’s dedicated line and it’s within the water district. So, it is necessary for the Tow to be involved in an agreement with CNY Feeds and/or the Railroad. (the title to the property is still in Railroads name) So if the Town enters into an agreement at this point, it will be with the Railroad.
- Attorney Campbell stated that he mentioned that Avon on the Green is selling their facility. The buyer reached out to Attorney Campbell to see what needs to be done to switch over the pilot

agreement to them from the current owner. Attorney Campbell suggested that he would probably take the existing pilot and format it exactly the same way for the new owner. (same timeline, same everything, rather than at this point enter into a new negotiation) Attorney Campbell told the Board when he talks with the Village Attorney about the water he will ask about this as well.

THOMAS CRYE – HIGHWAY DEPARTMENT

Supervisor LeFeber had a written report from Highway Superintendent Tom Crye and updated the Board on the following:

Highway:

- Ditching.
- Inspections.
- Trucks ready for winter.
- Plows in wing inside shop.
- Truck sold for \$50,000.

Water:

- Everyday maintenance & sampling.
- Flush dead ends.

Supervisor LeFeber let the Board know that the Highway Truck sold and it was about more than the reserve they had on it, so that's a good thing.

Supervisor LeFeber stated that they did the crossover on South Avon Road and received payment from the Soil and Water District, he also let the Board know that they did come out and dig the swale on the south side of Papermill. But he's not ready to do much on the other side until they get an easement on the other side for the maintenance of it.

BRIAN SHANNON – CODE ENFORCEMENT

Supervisor LeFeber had a written report from Code Enforcement Brian Shannon and updated the Board on the following:

- Working on permits.
- No complaints.
- Still waiting on items to be finished up for Kleis Equipment for their C of O.
- CNY Feeds are moving along. They currently have (2) buildings with foundations almost complete, and the Administration building is framed.
- Working with Dennis Callahan, owner of 6076 East Avon Lima Road, to possibly move smoke detectors in rooms due to shower steam setting them off.

Supervisor LeFeber mentioned to the Board that Code Enforcement Brian let them know that he checked out the price on the gas mileage app he mentioned during the Budget meeting, and Councilman Drozdziel said he didn't think a \$150 was bad. Drozdziel also mentioned he's not sure where Shannon is on his

Budget right now, but he's sure he has money in there for training or something so they should just move forward and get it for him.

DAVE WILLARD – ENGINEERS

Dave Willard of MRB Group updated the Board on the following items:

- Dave Willard from MRB let the Board know that they had received the permits from DEC for the Sackett and Pole Bridge culvert projects. Dave stated that the final design and scheduling work is underway. Based on material lead time, Pole Bridge work may begin in late May, followed by Sackett Road in June or July with completion anticipated by early August.
- Dave Willard recommended against pre-purchasing culvert materials because the Town would commit to funds before knowing the labor bid price and then they would assume responsibility for storage and protection of materials and bear the risk of material discrepancies. There was a brief discussion about this amongst the Board, Attorney and Dave Willard. The projects are expected to bid as one package, with separate lump-sum prices and contingency allowances for each project. The Board discussed the lowering of the water line at Pole Bridge before installation of the new culvert.
- Dave Willard provided a revised schedule for the joint Village/Town water project. The contractor anticipates beginning Village water-main work in November and continuing work on valve buildings through the winter. The Village water tank coating work is anticipated from late March to early July, followed by the Town tank from early July to mid-August. The schedule is intended to avoid shutting down both tanks at the same time.
- The culvert study is approximately halfway complete. Initial condition analyses found the culverts to be undersized. The next steps are to develop concepts capable of conveying a 100-year flood flow, prepare cost estimates, and complete the report. Darby Road presents a complex drainage condition, while Henty Road may be a lower priority because it is closer to accommodating a 100-year storm. This brought on a discussion between Supervisor LeFeber and Dave Willard about Grant reimbursement when certain phases are complete.
- MRB also discussed outstanding conditions and drainage comments for Central New York Feeds, including a proposed private water-main agreement addressing maintenance of hydrants, water use, and restrictions on further extensions. This brought on a discussion between the Supervisor, the Attorney and Dave Willard about who's responsible for the drainage in that area. A campground application has also been submitted to the Planning Board.
- The Board reviewed an MRB proposal covering regulatory permitting for three NRCS-related sites and additional survey, design, bidding, and construction administration for the North Littleville site. The North Littleville work would address channel erosion downstream of the road culvert and may require additional survey work and easements. The engineer anticipates preparing a joint permit application after survey and concept design work.

RESOLUTION 158-2026

ACCEPTANCE OF THE PROPOSAL FROM MRB

On motion of Supervisor LeFeber seconded by Councilman Drozdziel the following resolution was

ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne Nay – 0 Absent – Hayes

RESOLVED, to accept the Proposal from MRB.

PAPERMILL PARK PROJECT

The Supervisor reported that the Town had received authorization to move forward with the Paper Mill Park project, which is expected to be a project for the following year. The Board discussed the available grant amount and the need to keep the project within budget, noting that earlier concept plans were developed before COVID-era construction cost increases.

The Board identified replacement of the pedestrian bridge and removal of the existing bridge and foundations as primary priorities, with an observation area as a possible additional feature if funding allows. Other improvements, including parking, could be completed later or considered as bid alternates. The Board discussed whether a design-build approach might be feasible. Attorney Campbell will review applicable municipal procurement requirements and consult with DASNY regarding whether design-build is allowable under the grant and what requirements would apply. Councilman Drozdziel will prepare a prioritized list of desired project elements for discussion at the next meeting.

FAYE BESHURES – TOWN CLERK’S

Town Clerk Faye Beshures presented the following report to the Board:

Clerk Beshures reported that during the month of September, the Town Clerk’s Office processed 36 hunting licenses, 5 fishing licenses, 8 marriage licenses, 3 marriage license copies, 25 dog licenses, 1 death certificate, 1 special use permit, 1 subdivision letter, 1 zoning compliance letter, and 13 building permits.

These transactions generated a total of \$3,998.00, of which \$1,803.98 remained with the Town.

Account#	Account Description	Fee Description	Qty	Local Share	
A1255	Conservation	Conservation	17	115.98	
	Marriage License Fees	Marriage License Fee	8	140.00	
	Minor Sales	Certified Copies - Marriage	3	30.00	
		Sub-Total:		\$285.98	
A2544	Dog Licensing	Female, Spayed	16	144.00	
		Female, Unspayed	1	12.00	
		Male, Neutered	8	72.00	
		Sub-Total:		\$228.00	
A2770	Minor Sales	Death Certificates	1	10.00	
		Sub-Total:		\$10.00	
B2110	Planning & Zoning	Special Use Permit Application	1	70.00	
		Sub-Total:		\$70.00	
B2115	Planning & Zoning	Subdmsion	1	115.00	
		Zoning Compliance Letter	1	25.00	
		Sub-Total:		\$140.00	
B2555	Permits	Building Permit	13	1,070.00	
		Sub-Total:		\$1,070.00	
Total Local Shares Remitted:				\$1,803.98	
Amount paid to:	New York State Department of Health			180.00	
Amount paid to:	NYS Ag. & Markets for spay/neuter program			27.00	
Amount paid to:	NYS Environmental Conservation			1,987.02	
Total State, County & Local Revenues:		\$3,998.00	Total Non-Local Revenues:		\$2,194.02

Clerk Beshures reported that, so far for the month of October, the Town Clerk’s Office has processed 9 hunting licenses, 2 fishing licenses, 1 marriage license, 6 dog licenses, 2 death certificates, 1 site plan review, and 3 building permits. These transactions have generated a total of \$561.50, of which \$310.92 remains with the Town.

Clerk Beshures informed the Board that she has been attending the Chamber of Commerce meetings to become more familiar with the businesses and activities within the community. She also advised the

Board that she will be attending a NYSLRS training in Oakfield on October 21st to gain additional knowledge regarding the Town's retirement system and related matters.

SUPERVISOR'S ITEMS – SUPERVISOR DAVID LEFEBER

DISCUSSION MONTHLY BUDGET REPORTS FOR TOWN SUPERVISOR & TOWN CLERK

Supervisor LeFever asked the Board if they had any questions with his Budget report or with the Town Clerks, there were no questions, so the following motion was made:

RESOLUTION 159-2026

ACCEPTANCE OF THE MONTHLY BUDGET REPORTS FROM THE TOWN SUPERVISOR & TOWN CLERK

On motion of Deputy Supervisor Mairs seconded by Councilman Coyne the following resolution was ADOPTED – Aye – LeFever, Mairs, Drozdziel, Coyne Nay – 0 Absent – Hayes

RESOLVED, to accept the monthly reports from the Town Supervisor and Town Clerk.

DISCUSSION OF AVON SPRINGS LODGE USING THE THIRD FLOOR ON 5/15/27 FROM 9-3PM FOR A MASONIC GROUP MEETING

Supervisor LeFever asked the Board about the Avon Springs Lodge using the third floor on May 15th.

RESOLUTION 160-2026

ACCEPTANCE TO LET AVON SPRINGS LODGE USE THE THIRD FLOOR ON 5/15/27 FROM 9-3PM FOR A MASONIC GROUP MEETING

On motion of Councilman Drozdziel seconded by Deputy Supervisor Mairs the following resolution was ADOPTED – Aye – LeFever, Mairs, Drozdziel, Coyne Nay – 0 Absent – Hayes

RESOLVED, to approve the use of the third floor for Avon Springs Lodge on 5/15/27 from 9-3pm for a Masonic Group meeting.

DISCUSSION OF ST CLAIR USING THE THIRD FLOOR ON 11/22/26 FROM 11-4PM FOR A BABY SHOWER

Supervisor LeFever asked the Board about St. Clair using the third floor on 11/22/26 from 11-4pm for a baby shower.

RESOLUTION 161-2026

ACCEPTANCE TO LET ST CLAIR USE THE THIRD FLOOR ON 11/22/26 FROM 11-4PM FOR A BABY SHOWER

On motion of Deputy Supervisor Mairs seconded by Councilman Coyne the following resolution was ADOPTED – Aye – LeFever, Mairs, Drozdziel, Coyne Nay – 0 Absent – Hayes

RESOLVED, to approve the use of the third floor for St. Clair on 11/22/26 from 11-4pm for a baby shower.

SUPERVISOR'S ITEMS – SUPERVISOR DAVID LEFEBER

DISCUSSION OF CLAIMS & PAYMENT OF BILLS

Supervisor LeFever asked the Board if they had any questions about the Claims & Bills.

RESOLUTION 162-2026

ACCEPTANCE OF CLAIMS & PAYMENT OF BILLS

On motion of Deputy Supervisor Mairs seconded by Councilman Drozdziel the following resolution was

ADOPTED – Aye – LeFeber, Mairs, Drozdziel, Coyne Nay – 0 Absent – Hayes
RESOLVED, that the bills be paid in the following amounts:

Fund	Amount
General Fund	\$ 39,660.80
Highway Fund	\$ 5,848.50
Water Fund	\$ 5,569.83
Cemetery Fund	\$ 6,640.00
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	\$ 1,261.38
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

OPEN ITEMS – TOWN BOARD MEMBERS

DISCUSSION –

Deputy Supervisor Mairs informed the Board that he had spoken with Patty Moran of the Historical Society regarding the White Horse in East Avon. He reported that the individual who had originally worked on the structure is helping to complete the restoration. The work will be performed at its current location and will involve repairing the entire structure.

VISITOR COMMENTS:

Bob Westfall asked whether the Town could require notice when solar facilities are inspected, repaired, or maintained and whether the Town is notified when ownership changes. The attorney explained that routine replacement of a broken panel with the same make and model generally does not require notice, while changes to equipment or capacity may trigger additional review or certification. The Town's code contains enforcement provisions, bonding requirements, decommissioning provisions, and requirements for notification of ownership changes, although notifications have not always been received as intended.

The Board discussed how requirements differ among projects approved under earlier versions of the solar law and those subject to the updated code. The attorney noted that existing projects generally remain subject to the requirements in effect when approved, but proposed changes to a project may require compliance with the current code. The updated code includes enhanced provisions such as thermal imaging and output certification. The Board discussed balancing oversight with property rights and the Town's ability to enforce existing requirements.

Jim Harrington asked whether the Town and Village had discussed the Village's ability to supply water for future Town development and whether the railroad had been asked to contribute to infrastructure associated with Schedule C. Mr. Harrington had stated that from the previous meeting held on Tuesday that he got the vibe that the Town might consider the county feeding the east part of the Town of Avon. Mr. Harrington stated that the Village people are also Town taxpayers and if the Town is heading in that direction, (he stated he's not saying they are) but the vibe he got was that they're considering it. Mr. Harrington also stated that the village people who pay taxes, the water bill, might double or triple. The

Supervisor and Attorney Campbell described prior and recent discussions with Village representatives and emphasized that the Town is evaluating long-term water needs and potential options, which could include supporting improvements to the Village system, alternate sources, interconnections, or a combination of approaches.

The Board discussed the Town's existing joint water project with the Village, the aging East Avon water tower, recent emergency repairs, and the need to evaluate the water system over the long term. The attorney stated that a recent meeting included the Village engineer, mayor, attorney, and DPW representative, along with Town representatives. The discussion reflected differing understandings among attendees regarding the extent and timing of communications, but the Town indicated that water supply options continue to be explored.

Ellen Turner asked Clerk Beshures about what types of building permits are being issued; examples mentioned by Clerk Beshures included decks, roofs, fences, sheds, and pools. Ellen also raised concerns about PFAS and solar panels and suggested consideration of other energy sources. Ellen stated that she'd like us to consider things like hydropower, natural gas not being an issue and nuclear and fracking. She stated these are all ways that we can make money for the community and jobs. Attorney Campbell stated that the Town's most recent regulatory changes address PFAS concerns, including restrictions and testing provisions related to panels containing such chemicals.

On motion of Deputy Supervisor Mairs seconded by Supervisor LeFeber and carried by all, the Board meeting was adjourned at 7:34p.m.

Respectfully submitted,

Faye Beshures
Town Clerk

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Avon Town Board - Christopher Green Applicant			
Name of Action or Project: Special Permit for approval of use in Planned Development District			
Project Location (describe, and attach a location map): 2926 Lakeville Rd, Avon NY Tax Map No. 54.-1-5.2			
Brief Description of Proposed Action: Albert Ross Heavy Industries LLC is seeking a Special Permit under § 130-18 H. of the Avon Town Code to use a portion of the property at 2926 Lakeville Rd (Niagara Scenic Tours property) for fabrication repairs on grain flat bed, dump and live bottom semi trailers using welding, performing body repairs on semi trailers, trucks, etc, and repairing truck-mounted equipment such as liftgates and cranes. The property is located in a Planned Development District.			
Name of Applicant or Sponsor: Christopher Green		Telephone: (585) 857-7875	
		E-Mail: albertrossheavyindustries@gmail.com	
Address: 2926 Lakeville Rd			
City/PO: Avon		State: NY	Zip Code: 14414
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO ☐
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If No, continue to question 2.			YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO ☐
If Yes, list agency(s) name and permit or approval:			YES ☐
3. a. Total acreage of the site of the proposed action?		14.53+/- acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0 acres Leave of garage bay and 3 parking spots	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☒ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Forest ☒ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations? <i>Not - local special permit</i>	☒	☐	☐
b. Consistent with the adopted comprehensive plan? <i>Yes</i>	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify:	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
<i>No site disturbance - Existing building</i>	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☐	☒	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☒	☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year or 500-year flood plain?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☒	☐
	☒	☐
	☒	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
21. Is the project located within, or within ½ mile of, a disadvantaged community? If No, could impacts from the project affect a disadvantaged community? If Yes to either question in 21, answer the following question. a. Identify the potential pollution impacts of the project, either direct or indirect, that may occur within the disadvantaged community (e.g., wastewater discharges, air emissions, noise, odors, solid or hazardous waste generation or management):	NO	YES
	☒	☐
	☐	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Christopher Green</u> Date: <u>3-24-20</u> Signature: <u>[Signature]</u> Title: <u>Owner</u>		

Project: Albert Ross Heavy IndustryDate: 10/5/2026

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐
12. Is the potentially affected disadvantaged community identified as having comparatively higher burdens or vulnerabilities by the Disadvantaged Community Assessment Tool?	☒	☐
13. Will the proposed action cause or increase a pollution burden within a disadvantaged community?	☒	☐

Project: Albion Heavy Industries
 Date: 10/8/2026

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur," or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Alan Town Bond

Name of Lead Agency

10/8/2026

Date

David LeFebre

Print or Type Name of Responsible Officer in Lead Agency

Supervisor

Title of Responsible Officer in Lead Agency

David LeFebre

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)