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LIVONIA JOINT PLANNING BOARD
MEETING MINUTES –
NOVEMBER 25, 2013

PRESENT: R. Haak, R. Bennett, C. Casaceli, D. Richards, Recording Secretary - Kevin Masterson, Code Enforcement Officer - Adam Backus.

EXCUSED: J. Palmer, D. Simpson, J. Sparling, J. Campbell - Town Atty.

AGENDA:

- 1). Review and accept the meeting minutes of October 28, 2013
- 2). Sweeteners Plus/Hess/American Natural Gas - updated preliminary site plan.
- 3). Barry Carestio - subdivision concept proposal for Joyce Andrewlavage.
- subdivision proposal for Chad Panipinto.
- 4). John Haak - subdivision concept proposal - Haaks Pass.

Chair Bennett opened the meeting at 7 p.m.

Chair asked board members to review the October 28, 2013 meeting minutes.

M/2/C (C. Casaceli/R. Haak) to accept the October 28, 2013 meeting minutes as submitted.

Motion carried 4-0.

Chair asked applicant Representative for Sweeteners Plus, Rob Jess, to update the board on the submitted preliminary site plan.

Rob Jess also representing American Natural Gas, reviewed the updated plan sheets 1-9 and noted any changes made, he reviewed County Planning Board comments from the referral and reviewed comments with the Lakeville Fire Department

Chair asked what would happen if any unwanted vehicles turned into the new driveway? Jess said they have shown a security gate on the revised plans. The gate will be near the fueling service pumps to allow ample room for traffic to turn around. If a semi-truck drove in, it would have to be allowed to go through the gated area and discharge back unto Sweeteners Blvd.

Chair wanted the applicant to review the County Planning Boards comments aloud with this board and address each comment.

C. Casaceli asked if there would be any signage Rob stated no, this is a private facility and there would be no retail sales to the general public.

Rob further explained the drainage plan and its compliance with the Towns design Criteria and NYS DEC storm water management regulations. A notice of intent will be filed with the state. The amount of storm water does not exceed the pre development amount and does lessen the actual amount because of the detention factor. A complete drainage plan has been submitted for the record.

C. Casaceli asked if they plan on using the existing gas main along Rt. 15. Rob said yes

Chair asked if it will have pressure effects to the neighborhood users. Rob said no, it is regulated by RGE. He will however contact them to confirm.

Adam asked Rob to confirm any tank storage on site. Rob stated no except for what's in the pressure vessels which is approx 450 gals. It is dispersed into the truck vehicle immediately, no real storage of natural gas.

Adam asked Rob to explain the drainage plan sheet and the landscape plan proposed.

Rob said soil & erosion control practices would be followed as is required by the Town and DEC. The landscape plan includes numerous trees to be planted which are shown on the plan, these will soften the views from the street. The landscape plan does follow the Towns requirements.

Rob also pointed out the lighting plan showing LED lighting under the canopy which is dark sky compliant and only shows lighting upon the immediate area, there is no overflow unto adjacent properties.

Rob referred to the Livingston County comments received and stated they voted to unanimously approve the project. There comment about possible wetland encroachment was researched by his staff and there is no encroachment into state or federal wetlands.

Rob stated he met with the Lakeville Fire Chief and the assistant chief to discuss the plans. They has no issues but asked to be invited to operation before activity begins. They are most interested in what safety features they need to be aware of, such as shut off and control valves.

C. Casaceli asked if traffic would be increased. Rob said no, this is not a service retail facility. Only Sweeteners trucks, nothing really changes. That's the purpose to convert the current fleet from fuel oil to natural gas engines.

Rob explained the proposed canopy roof design being somewhat v-shaped to allow any discharged gas to evaporate upwards into the atmosphere. Other gases like gasoline and propane stay on the ground and cause greater potential hazards.

Wil & Maria Oliver, neighbors asked if they could address Rob with questions now or wait till the public hearing on the 6th. Chair Bennett would allowed questions now if Rob was ok with it. Rob said yes please ask.

Olivers had numerous concerns for off-site drainage, gas pressure changes to the neighborhood, fire hydrant locations, hours of operation, noise, smells, and safety concerns. Rob addressed their concerns and was willing to meet them both after the meeting to continue the discussion.

Adam Backus asked Rob if he could attempt to get RGE representation here for the December 6th hearing, Rob said he could ask but could not guarantee it. They are an independent agency as we all know.

Chair Bennett thanked Rob for a lengthy discussion on the proposal and again announced there would be a public hearing on this application December 6th.

Barry Carestio, representing applicant Joyce Andrewlavage, explained their subdivision proposal located at Decker Rd. and Rt. 15 south. Lot # 5 composed of 29.4 acres would be re-subdivided into a 25 acres parcel and a 3.4 acre parcel. In addition there is a remaining 30' strip to Decker Rd that would be attached to adjacent lot 4 to increase its road frontage width and size to 2 acres.

Adam announced this application for subdivision must go to the county for referral. He will forward this application and map to them.

Barry wished to get on the planning board's agenda December 9th or December 23rd. Chair Bennett said this board could not take any action on this application until such time we hear back from the County.

Barry Carestio, representing Chad Panipinto, explained their application for subdivision of an existing parcel on Poplar Hill Rd. currently composed of 1.8 acres. They wish to split the lot in half, Lot 1-A with the existing house and 128' of street frontage and 39,488 sq. ft in area. Lot 1-B will have 129' of frontage and 39,211 sq. ft. in area.

The zoning district is Neighborhood Residential (NR) and requires a minimum 40,000 sq. ft. in area and 150' of street frontage. They realize this application must go before the Zoning Board Of Appeals for an area variance.

Adam Backus said in addition this application must be forwarded to the County Planning Board for a referral.

Chair Bennett agreed this board could take no action on this application for subdivision until such time Barry received a favorable decision from the Zoning board. Bennett suggested Barry speak with the Building & Zoning staff to arrange any application to the Zoning Board.

John Haak explained his application for subdivision for lot R2-C located at Haaks Pass. Haaks Pass is a private drive that services 6 lots and has a legal maintenance agreement and homeowners association to service these lots and any future lots.

Robin Haak announced to the board that she would not be taking part in this discussion.

Lot R2-C is currently composed of 5.432 acres and will be split into two lots of 2.75 acres each.

The zoning district is ARC-3 acres, therefore each lot will be slightly smaller than the requirement of 3 acres. There is public water to service the lots and each lot has a standard septic system design. This subdivision was preciously engineered and approved by the planning board. The existing road design and drainage design will not be changed.

This subdivision application cannot move forward until such time an area variance application is submitted to the Zoning Board and found favorable to the applicant.

Chair Bennett suggested the applicant speak with the Building & Zoning Department to proceed with a Zoning Board application.

Chair asked for a motion to adjourn the meeting.

M/2/C (D. Richards/C. Casaceli) to adjourn the meeting at 8: 30 p.m.

Motion carried 4-0.

Respectfully submitted,

Kevin Masterson
