

**LIVONIA JOINT PLANNING BOARD
MEETING MINUTES - April 8, 2013**

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Present: Chair. R. Bennett, J. Palmer, C. Casaceli, R. Haak, D. Richards, B. Brooks & K. Masterson - Code Enforcement Officer

Others present: Greg Nearpass - Acting Town Attorney

EXCUSED: D. Simpson & T. Schwerzler - Recording Secretary

AGENDA: - *Ronald Munson*
- *6273 Decker Road*
- *Site Plan*

Chair. R. Bennett opened the meeting at 7:01 p.m.

Chair. R. Bennett asked the board to review minutes of the March 25, 2013 meeting. M/2/C (B. Brooks/R. Haak) to approve the March 25, 2013 Livonia Joint Planning Board meeting minutes as presented.
Motion carried 6-0.

Chair. R. Bennett invited Ron & Aaron Munson (Finger Lakes Timber Co., Inc.), accompanied by Attorney Reuben Ortenberg, to approach the board to discuss their site plan application.

Chair. Announced that the previous public hearing was closed and any further written comments could have been submitted by April 1, 2013, which do include comments from the Town Engineer, The Livingston County Water Shed inspector, Attorney Steve Sessler, Attorney Reuben Ortenburgh, the Livingston County Planning Department and written public comments signed by numerous citizens.

Chair. Stated the board would now review and discuss the SEQR process and referred to Acting Town Attorney, Greg Nearpass.

Greg explained the differences between Type I, Type II and Unlisted SEQRA actions fore the benefit of the board.

This particular action tonight is classified as an unlisted action because the thresholds outlined dictate it as such. The Planning Board & County Planning Department both agree this application is considered an unlisted action.

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Greg noted the particular Type I threshold issues, as mentioned by Atty. Steve Sessler, are not applicable to this application, therefore it's considered an unlisted action.

Greg further stated that the Planning Board's actions & responsibility as lead agency, remain the same, whether a Type I or unlisted action.

It is the Board's responsibility to undertake a thorough discuss and review of potential environmental impacts from the project.

Chair. Bennett asked the board members to refer to the Part II SEQR form and the draft negative declaration. He read Part II criteria and Planning Board members commented on each potential adverse effect (see attached).

Chair. asked for a motion on a determination of significance.

M/2/C (B. Brooks/J. Palmer) to declare a Negative Declaration on SEQR (see attached)
Motion carried 6-0.

Chair. Bennett stated the board would now address the Site Plan application before them.

Chair. asked Mr. Munson if he wished to address the board with any additional comments.

Ron stated they are willing to install an 8' high wood stockade fence along their western property line approximately 400' long. He stated the board had previously discussed placing trees along the same area. He feels the fence would offer a more immediate visual solution. He also offered, upon comment from Steve Sessler to return the fence 30' on the north line which would enable future maintenance of the drainage ditch. There would still be trees planted along the berm at Decker Road. He agrees to install the stone lined drainage ditching from the pond as mentioned by Town Engineer & Cathy Higgins, Water Shed Inspector. Additionally, more stone would be placed on the north side of the building up to the drainage ditch, flowing onto the Graf's property. The Water Shed Inspector had also recommended some stone fill along the existing western property line drainage.

Chair. R. Bennett stated the recommendation of the County & Town Engineer would be required, to help mitigate any impacts from erosion.

Chair. Asked Ron to explain his submitted floor plan of the building. There were some concerns for location of doors on the building.

Ron stated overhead doors would be on the south side and portions of the east side. Saw dust would be collected in a concrete bin with a door for removal of saw dust. The building would be fully enclosed except for the log loading deck platform. They however, will install a plastic curtain buffer.

There would be some windows on the west side of the building to offer some natural light.

B. Brooks asked if the building would be insulated.

Ron stated no, not at this time, however if the noise concern became an issue, he would address it.

C. Casaceli asked if outdoor lighting was planned.

Ron stated there is an existing light pole now that would remain and some individual lighting would be at each door.

Chair. Asked the board to review the draft Site Plan conditions A-J. In addition to these, the board wanted the pond berm to be seeded and mulched as soon as possible.

Ron stated they need to re-grade the berm with topsoil prior to seeding and mulching.

Chair. Stated that he had concerns for the berm settling with trees on it. He would prefer to see evergreen bushes planted on top of the berm. He also agreed that an 8' high fence along Graf's property is a better option for all concerned.

Chair. Had concerns for life expectancy of evergreen plants and asked Kevin Masterson what is normally done. Kevin stated a letter of credit for the landscaping or a written one (1) year guarantee from a nursery supplying stock would suffice.

Atty. Steve Sessler asked Chair. if the berm along Decker Road was in the Town highway right-of-way.

Kevin stated Livonia Highway Superintendent, Dave Coty, was aware and has approved of its location.

Chair. Asked the Board about limiting Munson's business operational hours. Working on Sundays was discussed by the Board. It was determined previous conditions never limited days of the week only hours of operation.

Greg Nearpass stated no workday restrictions were ever imposed, and the board concurred.

Aaron Munson stated they rarely do work on Sundays, only occasionally if a buyer from far away necessitates such. We have families too and don't want to be working seven (7) days a week.

Chair. Asked Aaron to explain again the log loading into the building as shown on the building floor plan.

Aaron explained the loading dock area for the logs to be placed within the building. He stated this area would be the only open portion of the building during operation, but would have a plastic curtain buffer as previously stated.

Chair. Bennett and the board discussed additional conditions other than those items A - J.

- All doors to the building shall be closed, except for the log loading dock area which can remain open during operation of the mill, but will have a plastic curtain buffer.
- There shall be a guarantee period of one (1) year from the date of planting for nursery plantings.
- No Certificate of Compliance shall be issued for the project completion until all above conditions are met.
- All site construction shall be in accordance with the Town of Livonia Design Criteria & Construction Specifications for Land Development.
- Applicant shall return in one (1) year to review conditions.
- All construction shall comply with the Conesus Lake Water Shed Regulations.

M/2/C (J. Palmer/R. Bennett) to approve the Finger Lakes Timber Co., Inc. Site plan with the above conditions.

Motion carried 5-0.

M/2/C (B. Brooks/R. Haak) to adjourn the meeting at 8:30 p.m.

Motion carried 5-0.

Respectfully Submitted,

Kevin P. Masterson
Acting Recording Secretary

KPM/ts