

LIVONIA JOINT PLANNING BOARD  
MEETING MINUTES - AUGUST 12, 2013

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

ABSENT: D. Simpson, J. Campbell - Town Atty.

AGENDA: MIKE & SHARI WEST:  
TWO LOT SUBDIVISION CONCEPT DISCUSSION  
EAST LAKE RD.

SWEETENERS PLUS:  
TRUCK MAINTENANCE ADDITION  
SWEETENERS BLVD.

Chair Bennett opened the meeting at 7:00 p.m.

Chair asked board members to review the July 22, 2013 meeting minutes.  
M/2/C ( R. Haak/J. Palmer) to approve the July 22, 2013 meeting minutes as submitted.  
Motion carried 5-0.

Chair asked applicant Mike & Shari West to come forward and explain their application for a two lot subdivision located at 4142 East Lake Rd. (They were accompanied by Shari's sister Lisa Backus.)

Mike explained the particular circumstances related to this request to split a conforming ½ acre lake shore parcel into two (2) non conforming lots. The property was owned and occupied by the late Pat Backus. The sisters are trying to settle the estate and they have unsuccessfully tried marketing it as is for over a year now. The Wests submitted a letter from realtor Terry McCarron as part of the record (see attached). Mr. McCarron stated the current selling price is below the assessed value, they have had very little interest and believe the problem is the lots too large for such a small house, the tax liability is too high for the entire parcel and it doesn't make economic sense to purchase such a small home on such a costly large parcel.

He suggest splitting off the house with a 100' frontage and have a vacant remaining 75' lot also for sale. This he believes would be more marketable. He stated most of the lake shore parcels in the immediate area are only 50'-75' lots now. This request would not deter from the existing neighborhood lot sizes.

Mike West stated the 100' lot would be very close to the minimum 15,000 sq. ft. lot size, over 14,000 sq. ft. The remaining 65' lot would be approx. 9100 sq. ft.  
He stated historically the property was three (3) lots known as lots # 34, 35, & 36. In 1998, Pat Backus apparently combined the three at some point into today's resulting parcel size. He

believes at some time developer Roger DeMarco may have received a variance to split off lot 36 but then was unfortunately later recombined.

Chair Bennett told the board members that at this time the board can not take any action on this possible subdivision application until such time the Wests discuss an area variance application with the Joint Zoning Board Of Appeals. They would be creating an undersized lot.

Chair suggested the West's move forward with an application to the Zoning Board and if a favorable decision is obtained then they could come back to this board for a formal subdivision application. He stated this board would write a recommendation to the Zoning Board in support of granting a variance.

Chair Bennett asked the next application, Sweeteners Plus, to come forward and explain their proposal.

Representative John Hooker, explained their desire to expand the existing truck maintenance building with a 30' x 94' addition. It would be the same building design as the existing. John showed the board the site plan and building elevations. The addition would be on the west side of the existing.

There is an existing 1000 gal. oil separator now outdoors were the building addition would be. The oil separator would now be within the addition. This would be a better situation for servicing the separator.

The building addition would comply with Town set back regulations, showing the required 20'. This addition would help the traffic flow to and from the existing building, all deliveries could easily come and go. There is no other driveway entrance needed off of Sweeteners Plus Blvd. There is no need for any additional exterior lighting. There will be no drive through in the building, however an occasional fork lift may exit the rear of the addition.

Chair Bennett explained this appears to be an expansion of a previously approved site plan for the original truck maintenance building. Kevin Masterson agreed that this was considered an expansion of a previously approved site plan.

Chair asked board members to review the Part Two, Short Form SEQR, addressing any potential environmental impacts. Questions C1-C7 were all answered NO to each item. It was concluded there would be no adverse environmental impacts from this project.

The chair asked for a motion on SEQR:  
M/2/C (J. Palmer/D. Richards) to declare a negative declaration on SEQR based upon the findings.  
Motion carried 5-0.

Chair announced a public hearing was optional, board concurred that a public hearing was not necessary for this project.

Chair asked for a motion on the application for site plan approval.

M/2/C (R. Haak/C. Casaceli) to approve the site plan application.  
Motion carried 5-0.

Chair asked for a motion to adjourn the meeting.

M/2/C ( D. Richards/J. Palmer) to adjourn the meeting at 7:45 p.m.

Motion carried 5-0.

Respectfully submitted:

Kevin Masterson  
Recording Secretary