

**LIVONIA JOINT PLANNING BOARD
MEETING MINUTES - February 25, 2013**

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Present: Chair. R. Bennett, D. Richards, J. Palmer, C. Casaceli, R. Haak, D. Simpson, B. Brooks, K. Masterson - Code Enforcement Officer, Greg Nearpass - Acting Town Attorney & T. Schwerzler - Recording Secretary

Excused: J. Campbell - Town Attorney

AGENDA: - *Daryl Johnston*
- *3191 Rochester Road*
- *Site Plan - One year review*
- *Motor vehicle repair & towing service*

- *Ron Munson/Finger Lakes Timber Co., Inc.*
- *6273 Decker road*
- *Continuation of Site Plan review*

- *Chuck Casaceli -*
- *Village of Livonia*
- *Informal discussion*

Chair. R. Bennett opened the meeting at 7:02 p.m.

Chair. R. Bennett asked the board to review minutes of the December 10, 2012 meeting. M/2/C (B. Brooks/R. Haak) to approve the December 10, 2012 Livonia Joint Planning Board meeting minutes as submitted.
Motion carried 7-0.

Chair. R. Bennett invited **Daryl Johnston** to approach the board for a one year review on a previously granted temporary Conditional Use Permit/Site Plan for a motor vehicle repair and towing service located at 3191 Rochester Road.

Kevin Masterson pointed out a letter from himself to the board members stating that he had made a site visit to the property confirming compliance with applicable planning board conditions and Town of Livonia Zoning Codes. Mr. Johnston's business is in compliance and recommends this board grant final site plan approval along with the Conditionals Use Permit. The property is nice and neat with no cars for sale at this time.

Chair. R. Bennett asked the board members for questions or comments. There were none.

M/2/C (D. Richards/B. Brooks) to grant final approval for the Conditional Use Permit and Site Plan as submitted.
Motion carried 7-0.

Chair. R. Bennett explained that the next item on the agenda is **Ron Munson's** new site plan application for the revision of a previous site plan for use as a saw mill operation, also for the relocation of a building at 6273 Decker Road.

Atty. Steve Sessler informed the board that he has issued an appeal on behalf of his clients, Matt & Beth Graf, to the ZBA. He asked if the board had any questions. There were none.

Chair. Bennett stated that the board could and would schedule a public hearing on the site plan so that the public would have the opportunity to hear the case. A tentative date will be April 15, 2013.

The board has asked Atty. Sessler for a copy of the transcript in which he had taken at a previous ZBA meeting, dated February 11, 2013.

Kevin Masterson pointed out a memo in which he wrote to the Planning Board., dated February 5, 2013 (see 2013 file).

Ron Munson, Aaron Munson and Attorney Reuben Ortenberg came forward to review the site plan map & application with the board.

Atty. Ortenberg asked if the board members were in receipt of a correspondence he faxed to the Building & Zoning Dept. that morning. The answer was yes. The correspondence was in regard to Atty. Sessler's appeal and a "stay" in which Atty. Ortenberg and acting Town Atty. Nearpass both stated that the "stay" was not applicable and the board can continue with the application before them.

Atty. Ortenberg asked for clarification on the date of the public hearing. "I hope the ZBA appeal hearing can be scheduled for April 15, 2013."

Kevin Masterson reiterated that it will be held on April 15, 2013 and the Planning Board public hearing for site plan will be scheduled for March 25, 2013.

Chair. R. Bennett pointed out that Kevin Masterson has made a determination memo of February 5, 2013 on the new site plan and Steve Sessler is appealing his determination for the April 15, 2013 hearing.

Kevin stated that the new site plan map has been updated to show existing conditions.

Acting Town Atty. Greg Nearpass made a few suggestions to the Planning Board to consider.

- Continue landscaping along the west side of the building and around the back of the property closest to the Graf's.
- Consider all previous conditions that were previously approved of in 2005 & 2006.

Kevin explained that relative to the Town's landscape code, there needs to be a 25' buffer between the property in which the logging business is and that of the Grafts.

D. Simpson asked if the hours of operation were going to change. Ron Munson said, "No, they will stay the same." They occasionally work on a Saturday. The previous approval discussed hours of operation not days of operation.

Kevin Masterson pointed out the aerial photographs in the members' packets of information.

Atty. Greg Nearpass questioned how Mr. Munson was proposing to get power to the building. Ron explained that he had electrical inspector, Mike Shumway, look at the electric in the present building and it will feed off that. They do not plan to add any additional lighting on the property, except for a light near the entry door and a large light on the top of the building that will shine down on a large portion of the property to keep vandalism down. It will hold a 200 watt bulb with a motion sensor.

D. Simpson asked where else this type of business is allowed in Livonia. Kevin stated in any of the ARC-3 & 5 (Agricultural Residential Conservation) zoning districts, which consists of about 3/4 of the town.

Chair. R. Bennett asked for questions or comments from the board. There were none.

The public hearing will be held on March 25, 2013. The application will be sent to the Livingston County Planning Department for their review and comment. Atty. Nearpass will contact Atty. Steve Sessler to request the copy of the transcript.

Chuck Casaceli came forward for an informal discussion and request from the **Downtown Revitalization in Livonia Committee**. The Village of Livonia recently joined the Downtown Partnership of Livingston County. As part of this downtown revitalization program, grants will be available for business or building owners in the designated downtown district of Livonia for facade or sign improvements. This is a reimbursement program for 50% of the approved project, with a maximum award of \$5,000. Projects that could qualify for funding include signage, perpendicular signs, awnings, windows, doors, siding, gutters and painting.

Chuck is here tonight to talk about projecting/perpendicular signs and their maximum allowed size according to the Village of Livonia Zoning Code. The present code allows a sign to have a maximum size of six (6) sq. feet. The committee would like request that these signs be allowed to be as large as twelve (12) sq. feet. Therefore Chuck is requesting the sign code be a permanent change to the Village Code.

Kevin brought to the boards' attention that there may be more than one business per building and they should take into consideration that some of these buildings are only 20-30 feet wide. Do they want to see as many as three perpendicular signs per building? When do we consider it sign clutter?

R. Bennett suggested the members travel to other towns to view what they have in their villages.

Kevin explained that if there is a Village sign code change request, it would be a permanent change, not just for the revitalization project.

The Livonia Inn's sign is perpendicular and is in conformance with the code.

There was a consensus from the board members to make a recommendation to the Village Board for that change. Kevin Masterson will write a letter of recommendation from the Planning Board to the Village Board.

M/2/C (Chair. R. Bennett/R. Haak) to adjourn the meeting at 8:15 p.m.

Motion carried 7-0.

Respectfully submitted,

Tammie Schwerzler
Recording Secretary

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