

LIVONIA JOINT PLANNING BOARD
MEETING MINUTES
August 25, 2014

PRESENT: Chair R. Bennett, J. Palmer, J. Sparling, D. Richards, D. Simpson, R. Haak, Code Enforcement Officer A. Backus, Recording Secretary J. Brown
EXCUSED: C. Casaceli, Town Attorney J. Campbell

AGENDA: Approve the meeting minutes of May 12, 2014 and August 11, 2014

-Andy Kachaylo (accompanied by Alfred LaRue-engineer and surveyor) – interested in purchasing the property of **Richard Barber**

*Concept plan review requested for subdivision of land located at 4172 East Lake Road

Chair R. Bennett opened the meeting at 7:03 p.m.

Chair asked board members to review the August 11, 2014 meeting minutes, and asked for a motion to approve them.

M/2/C (D. Richards/ J. Sparling)

Motion carried 6-0

Chair asked the board members to review the May 12, 2014 meeting minutes, and asked for a motion to approve them.

M/2/C (J. Palmer/ J. Sparling)

Motion carried 6-0

Chair R. Bennett asked **Andy Kachaylo** to come forward and explain his request. Andy introduced himself as an interested party of the property at 4172 East Lake Road. He explained that he owns the Remax agency and this property has been listed with Remax for over a year. He introduced the board to Alfred LaRue- the engineer and surveyor that is accompanying him this evening. He said they have brought forth a proposal to subdivide the land.

It was mentioned that Richard Barber, the current owner of the property, previously came before both the Livonia Joint Planning Board, Livonia Joint Zoning Board, as well as the Livingston County Planning Board to seek approval of subdivision of the land. Richard Barber tried, just as Andy Kachaylo is trying now, to subdivide the property into two lots. Under Richard's proposal, one lot would keep the existing cottage on it and the other proposed lot would be a separate lot. The Livonia Joint Planning Board viewed the proposal favorably and the Livingston County Planning Board found no county-wide impact, but the

Livonia Joint Zoning Board could not get a majority upon their vote, to grant the variance.

Andy explained that he has brought house plans to this evenings meeting. He said he doesn't want to put up a mansion-his interest is in the old cottage- and then put a modern house on the land to be subdivided.

Alfred explained that in reference to the previous concerns regarding the access to the roadway, there are three terraces of land on this property and the first terrace is up by the road. He said they would like to come off the road and make sure the top terrace is level with the roadway- they would fill 2-4 feet to make the terrace level with the roadway. He said their proposal tonight fits perfectly with putting in a house. They would like to come in ninety degrees to the driveway to allow for a few parking spaces. Alfred said they would like to put stacks of two- 1,700 lb. blocks to make a retaining wall and does not see this as being difficult to do. He said that when they come for a site plan approval-they will show everything (topography and detailed building plans).

Alfred said they will have FEMA experts do a flood analysis and the proposed basement will be above base flood elevation. He said that he has done the engineering and surveying for several houses on Canandaigua Lake. He said that there are six (6) surrounding lots at 50 feet wide and this subdivision would be 70 feet wide.

Andy explained that currently, there is no off-street parking available for this cottage and their proposal would only be an improvement for visibility and provide off-street parking for both the existing cottage and proposed new residence.

J. Sparling asked CEO A. Backus what the setbacks are and if the proposed new home would be meeting the setbacks. A. Backus explained that there are no setback issues with the proposal. J. Sparling asked if the existing garage structure would be removed from the property to which the answer was yes. Andy said he would try and preserve many trees on the lot and only remove ones in the way of where the proposed house and driveway would go. The basement would be a walk-out basement and the willow tree would have to be removed from the property.

D. Simpson asked, to clarify, that Andy is only interested in the cottage. Andy replied that yes, the current owner wants to sell everything completely and he (Andy) would like to live in the cottage and would like to build a \$300,000-\$340,000 house on the vacant land side of the subdivision. He explained that the basis of the problem right now is, that the lot is too expensive for the type of cottage that is currently on all that lake-front land. They need to split the land in two to make it more affordable-including the tax rates needing to be more manageable for two smaller lots rather than one large one.

Andy explained that the driveway would have kind of a shared top but with two separate driveways and that they will address grading and parking before any house is built.

Chair R. Bennett asked for clarification on this proposal having gone before the Livonia Joint Zoning Board as well as the Livingston County Planning Board. Chair Bennett asked how the Livonia Joint Zoning Board meeting went.

CEO A. Backus explained that, as detailed in the meeting minutes from the May 19th Zoning Board meeting, B. Weber recused himself from voting as an acquaintance of his would have been interested in the subdivided lot should the variance be granted. Also, A. Backus explained that Chair P. Nilsson had to leave the meeting early due to personal prior obligations so he was not in attendance for the vote. A. Backus mentioned that the issues that were mentioned by the Livonia Joint Zoning Board were in regard to line of sight for vehicles and the grading of the land.

Chair Bennett sees the benefit of the land taking parking off the road. Andy's plan takes care of the Zoning Boards' concerns. Andy said they would grade the top terrace to allow for parking. And the plan is to move the door to the kitchen in the existing cottage and make activity on the opposite side of the property. J. Sparling asked if the proposed house would be the same level as the existing cottage and Andy answered yes.

Chair Bennett asked if there are any comments from the board. Our biggest concerns were character and the conformity of lots and in this proposal the proposal is consistent with other cottages. He said that this proposal tonight just makes it more palatable, however this board has no ability to approve or disapprove unless variance is granted from the Livonia Joint Zoning Board.

CEO A. Backus explained that Andy wanted to present his concept to the Planning Board, in an attempt to address potential concerns prior to submittal to the Zoning Board of Appeals. J. Palmer said that this plan is better.

Alfred said that it was not well-presented last time and he can understand why it was voted down. J. Sparling asked A. Backus if these proposals are ok with lot coverage of no more than 25%, to which A. Backus answered yes. Alfred asked for a letter from the Livonia Joint Planning Board saying that they approve of this conceptually. J. Palmer said our new letter will address the positive changes and that Andy and Alfred address the Livonia Joint Zoning Boards concerns. J. Sparling recommended that the proposed parking spots not exceed 2-3 cars per lot.

CEO A. Backus said that the benefit to Andy is that now we know the neighbors' concerns and can address those prior to another Zoning Board meeting. R. Haak said the fact that Andy is building the house himself should ease the neighbors' minds-they won't wonder who or what will be going into the empty lot.

Alfred said the site plan will be totally complete to address sight issues.

CEO A. Backus asked what the status is between Andy and Mr. Barber and is Mr. Barber on board with these plans. Andy said that there is no existing relationship between himself and Mr. Barber. Andy wanted to get concept together and then approach Mr. Barber. He said that this new house will give someone a nice year-round home and give him the perfect cottage.

J. Sparling asked Andy if he has met with the neighbors- he said yes that he met with one- and she had no legitimate concerns.

Chair Bennett asked if there were any further comments- hearing none a motion was made to adjourn the Livonia Joint Planning Board Meeting at 7:45pm.

M/2/C (J. Sparling/ R. Haak)

Motion carried 6-0

Respectfully submitted,

Jeanne Brown

Recording Secretary