

LIVONIA JOINT PLANNING BOARD  
MEETING MINUTES  
September 22, 2014

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

EXCUSED: D. Richards

AGENDA: Approve the meeting minutes of September 8, 2014

**-David Polizzi (Barry Carestio)**

\*Concept plan review requested for land subdivision located at 3228 Livonia Center Rd., Livonia, NY

**-Richard Riedman**

\*Concept plan review requested for two lot subdivision of land located on McPhersons Point- Tax # 92.30-1-39.11

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

Chair asked board members if they had reviewed the September 8, 2014 meeting minutes, and asked for a motion to approve them.

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

Motion carried 6 -0

Chair R. Bennett asked **Barry Carestio** to come forward and explain his request. Barry said the Planning Board members had previously approved the Csontos property subdivision and now, David Polizzi is looking for just a lot line adjustment. Barry said that while it is essentially a lot line adjustment, the proposal will not conform to the 350' of road frontage required so he stated he is aware they will need to seek a width variance from the Livonia Joint Zoning Board of Appeals. He supplied the board members with a survey map reflecting the proposed changes and stated that the intended end result is Lot R-A being a 5 acre parcel and the owner would ultimately like to build a residence.

Barry further explained that the intent with Lot R-C, that currently has an existing structure, is to remove the structure and rebuild.

D. Simpson asked if the lot width needs to be contiguous and J. Campbell said that as long as the parcel is contiguous, the road frontage does not need to be.

Barry said that the intention is not to have the lot access from the northern most strip on the proposal.

C. Casaceli asked if currently, Lot C has 350' of road frontage; to which Barry answered, no.

J. Palmer asked how wide Lot 13 and 14 are- the board discussed that those lots are pre-existing narrower lots. J. Palmer said the new proposed lot will end up being similar in size and character as the proposed lot. Barry said that Lot 13 and 14 are 205' wide and the proposed lot is 199'. He stated that the intended goal is for the owner to build on the proposed lot.

D. Simpson asked if Lot R-C still has access to Stone Hill Road. Barry answered, no.

Barry said that he is just looking for input for this to be ultimately approved for a building lot. J. Campbell said that if this proposal meets the current subdivision code according to the Livonia Joint Zoning Board of Appeals, the Livonia Joint Planning Board could sign the survey maps as a lot line adjustment.

Chair Bennett said the proposed lot is in character with the surrounding division of land.

C. Casaceli mentioned that this proposal, as well as the existing layout of the lots is an unusual configuration and he is not sure why the petitioner is seeking this layout, but all Planning Board members agree that there's nothing intrinsically wrong with the proposal despite it being an unusual configuration.

Chair Bennett asked if on the North property line, there is a natural break in the land and asked that Barry add the detail of the existing culvert to the survey map. Barry agreed to the map change and will update it for the Zoning Board of Appeals meeting.

With no further questions, it was agreed that Barry will bring the proposal to the Zoning Board of Appeals for a width variance. If the variance is granted the final survey maps will be signed by Chair Bennett as a lot line adjustment.

Chair Bennett asked **Richard Riedman** to come forward and explain his request. Rich confirmed that the board had been debriefed since their last meeting on September 8, 2014 and CEO A. Backus had made them aware of the required 50' and 90' waterfront and road front requirements.

Rich mentioned that his realtor, Doug Houghton has spoken with former and retired CEO K. Masterson and has been advised to just split the lot in half and then develop one right-of-way for each of the two proposed lots. Rich said that he believes that he does not need approval from the Planning Board to create the right-of-way.

J. Campbell said that the easement does not need to have 90' of road frontage, whereas if they were selling a strip of land with the lot across the road, it

would need to meet those requirements. J. Campbell advised Rich that when he meets with his lawyer to create the right-of-way, he be very specific with the wording of the easement as to what can be placed on the easement as far as dock, birthing and mooring facilities as well as boats. CEO A. Backus reiterated the importance of this as to not create difficult situations in the future due to the Livonia Code requirements for boats and docking facilities.

Rich asked A. Backus for exact numbers on how much lakefront access is needed for docks and boats, according to the Code of Livonia. J. Campbell said that regarding the codes, none of the grandfathering codes apply.

Chair Bennett said that the only issue the Planning Board had was appropriate lake access width, so they are fine with the two-lot subdivision.

CEO A. Backus said that we need to discuss this subdivision proposal being a Major Subdivision rather than a minor subdivision due to there being over four subdivisions of the original parcel as well as there being a significant environmental impact from land development.

J. Campbell said that Rich will need to complete a full SEQR form for environmental assessment. Rich said there was some flooding with the North creek that resulted in flooding for neighboring properties this past spring.

J. Campbell said because this is such an unusual lot, it makes sense to give thought to the Major Subdivision requirements. A. Backus said because this proposal would be for Lot 4 and 5, it is subject to Major Subdivision requirements.

J. Campbell explained that this proposal will have to go to County Planning again for a full SEQR review. J. Palmer said the county will scrutinize this because of the fact that this impacts Conesus Lake.

J. Campbell told Rich that he will need to submit the survey maps with the full proposal to the Planning Board and then we will schedule a public hearing and the county will review. He said that the public hearing and county remarks will be taken into account.

CEO A. Backus said that he will need the survey map by October 1, 2014 so that he can bring them to the Livingston County Planning Board for their October 9, 2014 planning board meeting. Rich will need to return to the Livonia Joint Planning Board to review the Livingston County Planning Board feedback on October 27, 2014 at which point a public hearing date will be set.

Rich asked A. Backus what he would need to comply with in regard to the Major Subdivision. A. Backus and J. Campbell provided Rich with Section 125-8 of the Livonia Code, which states the Major Subdivision specifications.

J. Campbell advised Rich that the more detailed the plans are that he brings before the Livonia Joint Planning Board at the next meeting, the better it will be for him as it is optimal to give the board the whole picture so that they can make the best determination on the proposal.

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 (R. Haak /D. Simpson)  
Motion carried 6-0

Respectfully submitted,

Jeanne Brown  
Recording Secretary