

**LIVONIA JOINT PLANNING BOARD
MAY 11, 2015**

Present: Chair Bennett, R. Haak, J. Palmer, D. Richards, D. Simpson, J. Sparling, CEO A. Backus,
Recording Secretary J. Brown

Absent: C. Casaceli, J. Campbell- Town Attorney

Agenda: (1) Approve the meeting minutes from March 23, 2015, and April 13, 2015

(2) **William Havas** – Lot line adjustment/ subdivision and construction of a 28' x28' pole barn at
3826 Cluny Pt., Geneseo New York

(3) **Matt Cole Subdivision**- Two lot subdivision on **Stone Hill Rd., near corner of Bronson Hill
Rd., Livonia, New York**

(4) **James Buck** – Expansion of previously approved site plan, to construct a barn at **4822 S.
Main St., Hemlock, New York**

(5) **Clark Subdivision**- One parcel subdivision on **Poplar Hill Rd., Livonia, New York**

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

M/2C (R. Haak, J. Palmer) to approve the March 23, 2015 and April 13, 2015 meeting minutes as submitted.

Chair Bennett called Bill Havas to come forward. CEO A. Backus indicated for the record that he sent a memo to the Planning Board ahead of this meeting, to explain the situation.

CEO A. Backus said that this is technically a subdivision, but our department has a mechanism in house that allows for a lot line adjustment when the lots will be combined. A. Backus asked the board what their original intent was when they meant by “no further subdivision” under the previous Havas subdivision.

Chair Bennett said that this is an ARC- 3 zoned area and the intent is to combine the proposed subdivided lot to Bill Havas’ lakeside parcel on Cluny Pt.

CEO A. Backus presented a full survey map to the board. J. Sparling asked if Bill wants to place a pole barn within the proposed setbacks.

Bill Havas explained the layout of the lots. A. Backus said that the proposed corner driveway location may be the safest route to go drainage wise.

J. Sparling asked if there is enough room to pull in the existing driveway. R. Haak asked for clarification of the intent with the driveway proposal.

Bill Havas said that his original intent was to subdivide or adjust the lot line to provide himself a 60’ wide strip to combine with his lakefront parcel and then sell the remaining 3+ acres.

Chair Bennett asked if there are any further concerns, particularly about the driveway.

CEO A. Backus said that the Livonia Joint Zoning Board of Appeals wanted the Planning Board to pay attention to possibly putting restrictions on the building- namely preventing an accessory dwelling unit on the property.

D. Simpson asked if the erosion concerns are just during construction. J. Sparling asked how far down the ditch, is the drain.

Bill Havas indicated that he is unsure of the drains precise location, but knows that it is there.

D. Richards asked if we had reviewed the Planning Board meeting minutes back from the original subdivision in 2000. A. Backus said that yes, the proposal changed throughout 2000 because at an original meeting, a concern was brought up of prohibiting future subdivision but in the final meetings, that stipulation was not part of the final proposal.

Chair Bennett said the following are concerns: Erosion control during development, drainage impact after proposed building is built, and the variance needed for setbacks.

Chair Bennett said that you cannot discharge any more water off the property that currently produced and that the applicant is required to produce a study showing erosion control and drainage plans.

Bill Havas said that his reason for wanting the setback variance is the steep incline of the lot.

Chair Bennett referenced a list of items needing addressing sent from the Zoning Board of Appeals to the Planning Board. The items needing addressing included drainage control, using the existing driveway, setbacks, and putting conditions on the future as storage only, no residential or living uses.

J. Sparling asked Bill Havas, how big a garage door he intends to have. Bill said a standard 7'-8' double garage door. There will be no second story to the building. Chair Bennett said that he would like to put conditions on the size of the building.

Bill Havas asked the board if a blacktop driveway is forever prohibited. Chair Bennett said no, in the future if a future owner wants to blacktop, they can petition the Planning Board.

Chair Bennett said this proposal can go before the Zoning Board of Appeals for possible approval.

Chair Bennett invited **Matt Cole** to come forward to explain his subdivision proposal. Matt said that he is looking to subdivide two lots. There is a farmhouse on one of the proposed lots and the other proposed lot is vacant. These are on Stone Hill Rd. Matt said he is looking to split these two proposed lots off from the remaining farmlands.

J. Sparling asked if the remaining farmland will be accessible from Bronson Hill Rd. Matt replied yes, in three spots.

Chair Bennett and the board reviewed SEQRA. Negative Declaration was made (J. Palmer, D. Simson) and carried 6-0.

Chair Bennett asked for a motion to waive a public hearing for this application. (J. Sparling, D. Richards) to waive the public hearing. Carried 6-0.

Chair Bennett asked for a motion to approve the application as submitted

(D. Simpson/ R. Haak)

Carried 6-0

Chair Bennett invited **James Buck** to come forward and explain his proposal.

Chair Bennett said that the Planning Board members agreed that they are familiar with his proposal and the property. The board members also reached a consensus that James keeps his property in nice order.

J. Sparling asked if the building will be single story and if it will be to the north of the existing building. James said yes to both.

Chair Bennett said that this proposal is favorable and called for a motion on the proposal.

(R. Haak, J. Sparling) to approve the Site Plan proposal. Carried 6-0

CEO A. Backus explained to the board that there is an add-on to the meeting that we were unaware was going to be here but A. Backus explained that he is familiar with the proposal.

Maryann Clark's attorney, Rachel Scura Lickliter approached the board to explain the subdivision proposal. Rachel explained that back in 2011, Maryann Clark started with a 6.294 acre subdivision and consecutively made a series of 3 more subdivisions. Rachel explained that the Department of Health states that no more than five, 5- acre parcels shall be subdivided in less than 3 years.

Rachel said that Ken and Lisa Losey want to purchase and are looking to act soon.

CEO A. Backus said that the Livingston County Planning Board. Need to give feedback on the subdivision proposal and we will need Rachel to come back before the Planning Board at the June 8, 2015 meeting.

Chair Bennett indicated that the Planning Board views this proposal as favorable, and would like her to return after the County reviews the proposal for final subdivision approval.

Chair Bennett called for a motion to adjourn the meeting at 7:45pm (J. Palmer, R. Haak)

Carried 6-0