

**LIVONIA JOINT PLANNING BOARD**  
**August 10, 2015**

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

Absent: C. Casaceli

Agenda:           (1) ***Twin Silos Wedding Barn- Steve Gerould***  
                      One year follow up for Conditional Use Permit at ***6758 Big Tree Rd., Livonia, New York***  
                      (2) Approve the meeting minutes from July 13, 2015  
                      (3) ***Terrence Lischer (Barry Carestio)***  
                      Concept plan review for subdivision at ***4503 S. Livonia Rd., Livonia, New York***

Chair Bennett opened the meeting at 6:53 p.m.

Chair Bennett invited **Steve and Donna Gerould** to come forward and discuss the past year of operation at **Twin Silos**.

Steve passed out a picture handout to the board members, depicting the buffer placed to the west of the barn. Steve said the first year went well and they focused on addressing code issues both local and state. He said his operation has received a lot of community support. He indicated the main issue he perceives, is the Leone's concerns.

Steve said the Leone's and his relationship went from himself trying to address their concerns to now, the Leone's just don't want the barn there at all. He said they have purchased a decibel reader and re-negotiated contracts with brides to have earlier close times. Steve said he believes they have done everything they can do to alleviate the concerns.

Robbyn asked what the Leone's issues are.

Dave Leone said he is present and would like to address the board. Dave Leone passed out a handout as well and shared an audio clip as well as pictures with the board. Dave said that in 2009, Joe Yantachka received a variance approval that has nothing to do with what Steve Gerould is doing currently. He continued that starting at around 3:00 pm, you hear 120 car doors slamming shut and then the music starts for 6 hours and then all the car doors slam again.

Dave said this is a residential neighborhood and knows nothing in the code for the Town of Livonia that would allow for this activity.

J. Campbell said this board does not have the authority to make a change. Jim said tonight's meeting can't be about trying to repeal the original variance.

Dave read from the provisions granted to the Gerould's.

Linda Leone addressed the board and stated this community should have been notified about what was going on back when it was originally approved. She told the board that she has a chronic illness and cannot relax in her own home and someone needs to address these issues. Linda said she is unable to even sell her property.

Dave told the board his assessment went from 175,000 to 98,000 when Gerould put up a giant deck on the west side of the barn facing his property.

J. Campbell reiterated this board can't make changes, but they can hear concerns and try to address possible changes.

Linda said she wants to know who is going to advocate for the tax payers who are affected by this decision.

Steve Gerould said he doesn't agree with Dave and feels that he is exaggerating a bit. He said he has a petition signed by the Leone's and he thinks it is not fair that Leone's watched him put his life savings into the barn for a year and then only now voices his complaints.

Steve also said the parking lot is where it was designed to be.

CEO A. Backus said he would like to see the meeting shift to trying to find solutions.

Diane Dillon (4048 Woodruff Rd.) said she was never asked to sign a petition by Joe Yantachka for catering out of the white building. She is concerned about the noise and traffic.

J. Campbell asked the board if they feel a line of arborvitaes instead of a hard fence might be a better solution. Steve said it would be difficult to place arborvitaes on their side of the fence because of the parking lot.

Frank Seelos (6720 Big Tree Rd.) said he lives next to the Leone's and said the Mohnkern's came around and proposed the parking lot in the back for the original proposal. Frank suggested that a good option would be to move the parking lot to the back of the barn.

Robbyn asked what is behind the barn.

Steve said it is his crop fields that are behind the barn to the south.

J. Campbell asked if the Gerould's can move the parking to behind the barn.

Steve Gerould said yes, if that would remedy some issues- they would be open to moving it.

J. Campbell showed the board and gallery members, a survey map indicating where the parking is being proposed to be moved.

J. Palmer asked if arborvitaes on both sides of the fence may help. Dave Leone stated he would not maintain greenery planted by the Gerould's on his property. J. Campbell asked Dave if a line of arborvitaes would help, to which Dave replied, no.

R. Bennett said the board can't change the usage of the property, but they can try to mitigate issues.

Cheryl Lavery (6655 Big Tree Rd.) said she and Dolores (Wingate Barn) have had a long similar history and discord but they recently discovered the key to acceptable noise volume was to allow no bands to have use of a subwoofer. She said banning subwoofers has made a huge difference. Cheryl mentioned how the whole variance and site plan approval process is what instigates many of these emotions the board is seeing at this meeting. Neighbors don't feel involved in the process.

J. Campbell asked if it would make a difference to have board members come to the property on a Saturday night, to witness these issues themselves and then meet again to discuss mitigating the issues.

Steve Gerould and Donna agreed that this would be the best course of action.

Fran Hall (6805 Big Tree Rd.) said she owns the corner lot of Big Tree and Woodruff Rd. She said she has been there for 30 years and said there's a significant traffic increase that she is very concerned about.

Dolores Cicero said she watches people and knows who has had too much to drink and they are careful with their alcohol serving. She reported there have been no accidents and they are doing the best they can.

J. Palmer said no matter what the speed limit is, some people will speed anyway.

Chair Bennett said, at J. Campbell's suggestion, the board members will visit the barn to get the full picture and indicated this could take a few meetings to be resolved and will be a long process but the Wingate Barn is a good example of how problems can be overcome.

Joe Yantachka said he'd be happy to show documentation of how the events play out through the evening.

Chair Bennett said they've heard the complaints now they will meet again to come up with solutions. That finalized the discussion of the Twin Silos Barn for the evening.

M/2/C (J. Palmer/ J. Sparling) to approve the July 13, 2015 meeting minutes as submitted.

Carried 6-0

**Chair Bennett invited Barry Carestio (Terrence Lischer) to come forward to explain the request.**

Barry explained to the board, that Terry Lischer would like to subdivide the home off of the main parcel and then sell the house with the separated four (4) acres. Barry said he would like to work out the private drive/ easement details with Town Attorney J. Campbell's assistance.

Chair Bennett said the board sees no issues with the subdivision proposal.

Recording Secretary J. Brown stated that a referral was sent last week to the Livingston County Planning Board for review.

The board members agreed they view the proposal favorably and Barry will return to the next meeting to approve after the County review.

Chair Bennett asked if there were further questions and seeing none, called for a motion to adjourn the meeting at 8:10 pm (R. Haak/ J. Palmer)

Carried 6-0