

LIVONIA JOINT PLANNING BOARD
MARCH 14, 2016

Present: Chair Bennett, R. Haak, J. Palmer, D. Simpson, C. Casaceli, K. Sparling, CEO A. Backus, and Secretary, A.Houk

Excused: D. Richards, Attorney J. Campbell

Agenda:

1) Approve the meeting minutes from February 22, 2016

*2) Jack & Dawn Gerstner - Heavenly Kennel, 5984 Decker Road, Livonia, NY 14487
Concept discussion for the proposal of doubling Dog Kennels from 23 to 46.*

*3) Chad Gillern – Used Car Dealership, 5614 Big Tree Road, Lakeville, NY 14480
Concept discussion for the proposal of Used Car Dealership.*

*4) Steven Gerould - Twin Silo's Wedding Barn, 6758 Big Tree Road, Livonia, NY 14487
Discussion and review from last meeting.*

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

1. Chair Bennett asked the Board if they have reviewed the meeting minutes for February 22, 2016. Everyone stated they had and Chair Bennett asked for a motion to approve. M/2/C (R. Haak/J. Sparling) approved as submitted. Carried 5 - 0

Cell Tower- Crown Castle/Verizon

A property owner attended the meeting and wanted to know status on the Cell Tower. D. Simpson went through progress and explained that the Town of Livonia has hired a consultant who is a professor at RIT and an attorney on how to approach Crown Castle and provide assistance how to make sure the town is following all the correct procedures and keeping the residents best interests.

CEO Backus stated that this meeting is conceptual at this point. There were people who wanted to be on the agenda but were not prepared. Since we have a time between now and then we can use this time to identify any concerns and be more prepared when they do come before the Board for approval. The Dog Kennel and Car Dealership - CEO Backus stated that he wasn't satisfied that they were ready to go for site plan approval. This time will be used to brief the board on what they are asking for.

Chair R. Bennett stated that the next order of business was Gerstner, Heavenly Kennel.

2) Jack & Dawn Gerstner - Heavenly Kennel, 5984 Decker Road, Livonia, NY 14487

CEO Backus stated that originally the Gersner's were granted a variance for 23 dogs. There were some sound complaints early on which participated a sound study done by Clark Patterson. The Gerstner's explanation for

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that was they needed this approval so they could sound proof their kennels. Once they got the approval to sound proof the kennels we haven't received any complaints since. They seem to be running a really clean shop. The Gerstner's were very upfront stating that we could look them up on Goggle as well as the Better Business Bureau. They stated to CEO Backus that they felt they were doing everything right and were confident we would find that with any research. They stated that they have very happy & returning customers including the Dog Warden who brings her dogs to the kennel. They are now asking to increase the number of kennels from 23 to 33, add employee's and are also asking for a sign that was originally denied as customers are sometimes finding it difficult to locate them. J. Sparling stated that they only have one neighbor that is relatively close. CEO Backus said that he told the Gerstner's he would highly recommend they have an answer on that when they come before the Board. Having the neighbor provide a letter to the Board or attend the Board Meeting would be a benefit for their request. J. Sparling asked if it would be possible to have the dog warden attend the meeting since she uses the facility.

The Board agreed that the Gerstner's should get all the information together for their proposal for increasing the Kennel's & adding employees and schedule a time to come back for a site plan approval.

3) Chad Gillern – Used Car Dealership, 5614 Big Tree Road, Lakeville, NY 14480

Mr. Gillern is requesting to have a used Car Dealership. D. Simpson asked questions of how the cars were going to be pulling in and out. Where the cars were going to be parked, what was the traffic flow and lighting? Was there going to be cars washed, if so where the water was going and hours of operation.

CEO Backus sent Mr. Gillern a memo asking him to address the following items:

- Have the property owner sign the zoning permit application and the attached application for review and approval of the site plan.
- Return the attached application for review and approval of site plan. I have circled the applicable items to be filled out by you/the owner. For item #6, we are not requiring an engineered survey, as long as you provide sufficient layout on an existing survey map.
- Provide a rendering of the sign.
- Provide proposed plan to include, use, hours of operation, lighting, parking or loading, layout of vehicles for sale, show access and egress patterns, pedestrian access, storage/dumpster locations, etc.
- Contact the Water and Sewer Authority for compliances.
- Building layout, including Interior layout (office space, lobby, etc.)
- Vehicle service? Washing? If so, describe.

The Board determined that Mr. Gillern would need to provide all this information including providing a detailed map showing all the requested information from CEO Backus's memo to Mr. Gillern.

4) Steven Gerould - Twin Silo's wedding Barn, 6758 Big Tree Road, Livonia, NY 14487

Chair R. Bennett invited Mr. Steven Gerould to come forward for discussion on the Twin Silo's Wedding Barn. The Boards discussion was reviewing complaints by the neighbor D. Leone regarding noise coming from the deck and parking area which are the biggest problems. What the steps moving forward were going to be. Mr, Gerould advised the Board that he would be adding sound panels to the deck to reduce noise. These will be installed prior to his first event of the year, The Geneseo Senior Prom on April 30th, 2016. If that wasn't successful he would then add the sound baffles to the fence as well which

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will be 2-3' higher than the fence. He has also established a new ceremony site which is further away from the fence. He will be staining both sides of the fence and will advise via email when this will begin. He will also provide a detailed bullet list of everything that has been done to this point. Mr. Gerould also advised the Board that he has tried to do everything to minimize the complaints with his neighbor. R. Haak mentioned moving the parking back away from the fence but Mr. Gerould was reluctant about doing this as the parking area has been established and would reduce the amount of parking available. J Sparling requested that the Board be notified one week prior to the first event so they could attend for observation purposes. CEO Backus stated that he did not feel the deck baffles would be the end of the deck noise issues and that possibly curtains to close off deck may help the situation. CEO Backus also noted that the deck was not part of the original plan and Mr. Gerould stated that the deck was a part of the Gerould's plan. R. Haak also commented that Mr. D. Leone should be made aware that efforts were being made to address his complaints. CEO Backus suggested that Mr. D. Leone be contacted prior to the April 30th event to advise about the sound baffles being installed. R. Bennett suggested that the two rows of parking next to Mr. Leone be used as a last resort or backup parking if needed. R. Haak asked if there were subwoofers and Mr. Gerould stated no and there were no bands used, only DJ's. Chair R. Bennett asked that Mr. Gerould have a list moving forward for what the next steps would be if the baffles were not effective & possible alternatives. CEO Backus stated that we are hopeful that with all the attempts made that eventually the relationship will heal. Hopefully this is not a no win situation but we have tried to balance as much as we could. If the situation gets out of control, the Board will meet again to discuss further actions.

Motion to adjourn the meeting at 8:12 p.m... M/2/C (C.
Casaceli/D. Simpson) Carried (5 - 0)

Respectfully Submitted,

Alison Houk
Recording Secretary