

**LIVONIA JOINT PLANNING BOARD**  
**APRIL 25, 2016**

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

Agenda:

- 1) Approve the meeting minutes from March 14<sup>th</sup>, 2016**
  
- 2) Gordon Shepard – Leased property owned by Charles Smith/Tomahawk Properties.**  
*Discussion regarding selling sparkling devices.*
  
- 3) Chad Gillern – Used Car Dealership, 5614 Big Tree Road, Lakeville, NY 14480**  
*Proposal to open small Used Car Dealership.*

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

1. Chair Bennett asked the Board if they have reviewed the meeting minutes for March 14th, 2016. Everyone stated they had and Chair Bennett asked for a motion to approve. M/2/C (J. Palmer/J. Sparling) approved as submitted. Carried 5 - 0
  
- 2) **\*\*Gordon Shepard was not present so the meeting proceeded to next on the agenda.**

Chair R. Bennett stated that the next order of business was Chad Gillern – Used Car Dealership.

**3) Chad Gillern – 5614 Big Tree Road, Lakeville, NY 14480.**

Chair Bennett invited Chad Gillern to come forward to explain his request. Chad stated that he would like to open a small used car lot. He has been in the car business for twenty years. He is currently a Service Advisor at Genesee Valley Ford Jeep and has been there for the past nine years. He has had his car dealer's license for the past six years. C. Gillern stated they he would like to be able to prepare his cars at this location. This would entail washing, interior cleaning & detailing to prepare them for sale. On occasion he would like to be able to make a minor repair to a vehicle such as a battery replacement or a window motor replaced. He also would like to be able to offer customers car detailing services. He will not be providing Oil Changes or New York State inspections. He plans to start off with five to ten cars then work up to twenty cars total. J. Sparling asked if there was currently a lift & auto bay. There is no lift but there is a bay area inside near the office where he plans to details the cars. There is also an additional area located in the back which has a car bay but does not have a lift. D. Simpson asked for clarification that everything that C. Gillern plans to do would be located inside the building or back behind the fenced in area. All car detailing & work would be done inside. J. Sparling wanted clarification if there would ever be any less desirable looking cars parked around the on the premises. C. Gillern confirmed that he will not be keeping any such type of cars that he only sells nice cars. It will not look like a junk yard with old tires & scrap metal. He stated that he has put a lot of time and money into the inside trying to improve the location. He plans work on improving the outside area as well. There is a dog kennel there which he plans to remove, fix up the fence and do some landscaping. D. Simpson asked about the existing light poles on the property. He asked C. Gillern if he was planning to bring them back to life and if they were compliant and up to code or were they something from 20-30 years ago. C. Gillern stated that the light poles are functional and are on a sensor to where they would come on and off automatically. As far as being up to code, it's not something that C. Gillern has looked into. They are

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probably something old school from 20-30 years ago that would cost him a lot to operate. He is currently not planning to operate after dark as he will still maintain his full time job at Genesee Valley Ford. If at some point this car dealership becomes too much, he would then consider leaving his full time job and being there full time instead. J. Sparling asked about the lights being lit overnight for security purposes. C. Gillern stated he does not plan to operate the lights at all. He chose to drive from Henrietta to this area. He doesn't have to worry about crime and theft. This area provides the clientele that he is looking for. The police also park in this lot at night. Mr. Mark Minnehan, property owner spoke that the lights are the same ones that church next door have that they operate at night. Don Denny of Denny Electric put those lights in around 15-20 years ago. R. Bennett stated that the church lights would provide some minimal lighting to the car lot at night. D. Simpson stated that he wanted to be sure that the lights at the car lot would not be angled towards other resident's property so they would not be annoyed or calling with complaints. C. Gillern said that the lights are currently angled towards the center of the property coming off from the neighbors (Kathy Lozier). Chair R. Bennett asked CEO A. Backus if he had any comments. A. Backus stated that this is site plan review or a modification to a similar use to the previous site plan. D. Richards stated that it was a car lot previously so it's a modification back to what it previously was. D. Simpson agreed and stated it was a car dealership for many years and that is what it essentially stills looks like. A. Backus stated there used to be a fence located between the dealership and the property to the east that is gone. The parking layout on the map would be optimal because the headlights are not going to be parking towards the neighbor. A. Backus suggested the Board have a one year review planned and if there were any issues such as neighbors and lighting complaints it could be addressed at that time. C. Gillern stated he did receive the neighbors (Kathy Lozier) signature, phone number and the date stating that she was in agreement with his proposal to open a car dealership. D. Simpson commented that there were questions regarding the parking and the way of ingress & egress of the cars coming out. It's a wide open area where you may have ten cars coming out at once which could be dangerous. How the cars are set up and parked will structure this and keep it from becoming a problem. R. Haak questioned whether C. Gillern plans to always have the cars lined up in this pattern. C. Gillern stated that he would like to be able to change things as time goes and his business progresses. J. Sparling stated he felt it was a good idea to plan for a yearly review. Chair Bennett stated that with the modification a SEQR or a public hearing would not be required.

Motion to waive public hearing at 7:27 p.m....

M/2/C (R. Haak/D. Richards) Carried (5 - 0)

R. Bennett stated that since this is a modification and it does not require a SEQR or County referral.

Motion to approve with modifications and 1 year Planning Board review in addition to the requirements indicated on the three page memo from CEO, A. Backus. A. Backus stated that some of this may pose an issue with the Building Codes which will be monitored as this progresses.

Motion to waive public hearing at 7:32 p.m....

M/2/C (R. Haak/D. Simpson) Carried (5 - 0)

Motion to adjourn the meeting at 7:35 p.m... M/2/C (R.

Haak/J. Sparling) Carried (5 - 0)

Respectfully Submitted,  
Alison Houk, Recording Secretary

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