

LIVONIA JOINT PLANNING BOARD
JULY 10TH 2017

Present: Chair Bennett, D. Andersen, R. Haak, J. Palmer, D. Richards, J. Sparling, CEO A. Backus, & Secretary, A. Houk.

Excused: Attorney J. Campbell, D. Simpson

Agenda:

- 1) Approve the meeting minutes. – No minutes for approval.**
- 2) Costich Engineers– 66 Main Street, Livonia, NY**
Preliminary Concept for proposed development.
- 3) Justin Bruckle – 5607 Pebble Beach Road, Lakeville, NY**
Subdivision for single family dwelling.
- 4) Ciderworks 5901 Big Tree Road, Lakeville, N.Y.**
Site Plan discussion.

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

- 1) There were no Meeting Minutes for approval.**
- 2) *Ridgecrest Properties – 66 Main Street, Livonia, N.Y. 14487***

Chair R. Bennett asked Dan Brocht of Costich Engineers, representing Nick Coglitore of Ridgecrest Properties to come forward to discuss their proposal. D. Brocht provided the Board with a sketch plan for their proposal. The property is 2.15 acres and is zoned Neighborhood Residential. The proposal is for a three building, multi family dwelling apartment units. Two of the buildings will have 4 - two story apartments and one building will have 3 - two story apartments. There will be a one story unit that is slightly bigger on each of the ends, for a total of 17 apartment units. There are no variances or changes to the Code for their proposal. They will connect to the Town's water & sewer. CEO A. Backus suggested they speak to Livingston County Water & Sewer Authority to verify water Main & pressure. CEO A. Backus stated this area tends to be wet and asked if they were going to be building a slab on grade, D. Brocht confirmed the apartments will be built slab on grade. J. Palmer asked how many bedrooms each unit will have. N. Coglitore stated they will be two bedroom apartments, with the possibility of a one bedroom in each unit. D. Brocht stated they are considering building ranches on the ends, which will be a little bigger than the other units. J. Palmer asked if the one story units will be handicap accessible. CEO A. Backus stated that ADA compliance will be triggered by the building Code. J. Sparling asked what the clientele for the apartments was going to be. N. Coglitore stated that it is not intended to be a senior community, but he has had good luck with the elderly. He will not discriminate to anyone who wants to rent an apartment. CEO A. Backus stated that studies have been done for other projects in this area and they have indicated a

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significant need for baby boomer, low maintenance homes. R. Haak stated that since there will not be any basements, are there plans for storage for the units. N. Coglitore stated that they haven't addressed the storage needs yet, that will be determined as the project progresses. D. Costich stated that the apartment units are going to be larger than the normal. Chair R. Bennett stated that as CEO A. Backus stated, this area is noted for being extremely wet. He asked if there was a drainage study done for this project. D. Costich stated that since the project is in the concept stage, they are looking for the Boards feedback and they will provide this information at the preliminary meeting. Topography studies and storm water management reports will be submitted for the Town's review. D. Richards asked how big the two story apartments were going to be. D. Costich stated that the drawings provided are a concept. After this meeting they will have an Architect prepare actual drawings with more in-depth information. R. Haak stated that with that many apartments, traffic could be a concern in that area. Chair R. Bennett stated that the Board looks favorable on the initial concept plan. The concerns would be the traffic and mitigation of the water issues.

3) Justin Bruckle – 5607 Pebble Beach Road, Lakeville, NY 14480

Chair R. Bennett invited Justin Bruckle and John Sciarabba of Land Tech. to come forward to discuss a proposed subdivision.

CEO A. Backus read the Public Notice:

PLEASE TAKE NOTICE that the LIVONIA JOINT PLANNING BOARD will hold a public hearing on Monday July 10th, 2017 at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York to consider the application of Justin Bruckel for Subdivision approval according to the Zoning Code of Livonia. The proposal is for a Subdivision to create a residential home with a driveway off West Lake Road. The property is located at 5607 Pebble Beach Road, Lakeville, New York and is zoned Agricultural Residential Conservation - 3 (ARC-3). The application is on file in the Building & Zoning Department in the Livonia Town Hall, 35 Commercial Street, Livonia, New York for public review. All interested parties will be heard at this time.

CEO A. Backus polled the Board for site visits:

Chair R. Bennett:	No
D. Anderson:	No
R. Haak:	No
J. Palmer:	Yes
D. Richards:	No
J. Sparling:	Yes

J. Sciarabba of Land Tech Engineers stated that this is a 60 acre parcel with an air strip having access off from West Lake Road. Their proposal is for a 5.7 acre parcel subdivision to build a single family home, approximately 50' east of the airport that would use the existing access road for the entrance. They would build a new driveway around the hill and at the end of the airport.

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The water service will come off from West Lake Road. They are proposing a sanitary main extension off from Pebble Beach Road, they have an easement from an adjacent neighbor. They will have an 8" main and two new manholes on their property, with a lateral to the house which will be gravity. After the last meeting, J. Sciarabba & J. Bruckel met with the Donley's of 3606 Pebble Beach at the Bruckel's building site. This discussions was about the history of the property and the water drainage issues that the Donley's and other nearby neighbors on Pebble Beach are experiencing. The Donley's concerns are what impact this new development is going to have on their property and their neighbors on Pebble Beach. J. Sciarabba stated that they have provided the Town's Engineer with drainage calculation reports. They are concerned about the roof leaders, so they plan to install drywells at the splash blocks to slow down the water so it doesn't migrate at faster rate off their property. They are also proposing a swale on the bottom of the property to promote water to the north towards the creek. J. Sciarabba stated that the proposed house is approximately 400' north of the Donley's property and drainage from this property will not affect the Donley's. They would like to continue to have the working relationship with the Donley's, to work together regarding the drainage issues in this area. The Bruckel's plan to keep the parcel agricultural, as they have currently planted grapes. The grapes are not doing too well, so they are considering tiling the field to promote drainage towards the creek. They feel they have addressed all the requirements and have a solid plan.

Chair R. Bennett asked CEO A. Backus if there were any particular comments from the Town's Engineers. CEO A. Backus stated that his main concern was on drainage. They provided a drainage report that our Engineers were satisfied with the intent of showing post development run off. CEO. A. Backus suggested that the Board consider attaching restriction's to the field between the two properties and for the effects on future run off.

Chair R. Bennett opened the public Hearing. He asked that they state their name and address for the record.

Robert Donley of 3606 Pebble Beach Road stated that he has resided at this address for three years. His biggest concerns are the water issues to the west, behind his home. To the east, there are several neighbors below them that have water issues. He has put in three tiles to the east & one tile to the west and they are not handling the water. He wanted to know if the water that is going to the east, down to Pebble Beach, if there is a way to divert it to the drainage ditches without overwhelming the water going into the lake. They are trying to cut down on the amount of erosion. To the west, the water off the runway has been very excessive over the past year and a half. His property is so wet to the north, he can't get to that part of his property. He would like to put in another tile to the north, but needs to be able to connect to someone.

Jeanne Donley of 3606 Pebble Beach Road stated that she is concerned about the rumors she has heard about Bruckel property. They are putting in the house and have started to grow grapes. They heard there is going to be a wine tasting room. She wanted to know if there were plans to put in additional houses in the future. The concerns are the additional run off from future development. They would like to be made aware of any future development so they can work together to try to solve the water problems.

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Fran Kosakowski of 3608 Pebble Beach Road. He used to own the property where the Donley's currently live. He stated that the water that comes down the hill does not go into the creek, it goes into a natural swale that goes around the edge of the woods. He has noticed that the water problems have increased. Three years ago, there was a ditch dug to dry the west side of the runway property. He has a berm that the water goes around and into a stone ditch, then flows down to the Donley's. He stated that he is willing to work together to solve the water problems so any future development doesn't contribute to the existing problems.

Gary Gaskin of 3613 Pebble Beach Road. He has lived at his property for 30 years. Over the years, all of his trees on the hill have died because of all the excess water. He has dug ditches in his yard so he could park cars on his property for the 3rd of July. He has heard that the Airport owner has done major embanking and ditch work. He would like to see the drawings for this work and wanted to know if this work was done without any approvals. He stated that people have said that improvements were done, but water issues are worse. He has water in his garage, water runs over the road. Water goes downhill faster than it ever used to. There are not enough outlets to the Lake or effective drainage on Pebble Beach Road.

CEO A. Backus stated we need to identify what is "hearsay" and what really happened. Our doors are always open and you are welcome to come down and see any information we have. There was a DEC Permit issued. The project was reviewed and monitored for erosion control and water leaving the site. Several site visits were made to observe & no water was witnessed coming off from the dirt. This project consisted of brush clearing and dirt was brought in that I am aware of. I am willing to meet with you to discuss any concerns. This is a balance of your concerns and someone who wants to develop their property within their rights and showing that development will not contribute to the problem or have adverse effect. J. Bruckel will have a plan before or if he proceeds with future development and the public will have a chance to weigh in.

Susan Berardi of 3605 Pebble Beach Road. When they built their home a few years ago, a prerequisite was to install a drainage pipe along the side of their yard and a stone wall on the other side. On the north side of their property, they have water that sits in that area. Last year she had to install another 5' section onto the pipe in order to get it into the Lake because it had eroded the beach. The DEC was contacted, they have taken pictures, but feel that something needs to be done to help Pebble Beach residents. The Fire Department came down last year to try to clean out the drainage pipes, they wouldn't consider one of the driveways to the north because there was so much debris in the pipe and it might blow up the driveway. She has had to reinforce the pipe in her yard because it has split in half due to so much water pressure. She has lived in this area since 1990, and has never had the water problems until the few years. She is concerned with what will be planted in the field above, and what pesticides might be used. The water comes down from this hill, full force, any pesticides will end up in the Lake.

John Penna of 4133 West Lake Road. He is not directly impacted by the project, but is a Lake front owner. Even in a moderate rain event, there is water cascading down his driveway and through their cottage and basement. This is a designated Conservation area and it's that for a reason. The Board needs to take a really hard look when there is a proposed development. It's a

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steep slope and that is why we are having these problems. Drainage is an issue and effects people's property and the Lake. If you look at the Lake after a major rain event you will see all the debris & three days later the water turns green. The excessive water is degrading the Lake.

Buddy Baur of 3661 West Lake Road. He has lived at his home for 2 years. The water issues aren't only at the bottom. When he moved into his house, the previous owner had the sump pump pipe coming out under his deck, which ran once in a while. Something has changed in the past year and a half. The sump pump now pumps 5 gallons of water every two minutes. He had to move the pipe from under the deck because it was splattering everywhere. At some point there must have been a pool out in front when it was owned by the Bodine's. It was filled in with rocks, which is where he now runs his sump pump water to. His yard is very soft and has something has changed in the past year. He is concerned about potential other development and has heard rumors about a Condo being built near the runway.

John Illes of 3617 Pebble Beach Road. He has been there for 36 years. He stated that the field behind his house has been tiled and they are continuing to break due to the excessive water. When water comes out of the tiles, it is flooding the properties on Pebble Beach Road.

CEO A. Backus asked the Donley's if they are just above a layer of shale? He was aware that their basement slab has moved due to water pressure. Jeanne Donley stated that when they wanted to put in a pond, they only went down about 8' and ran into shale.

Based on the discussions, the water problems may be a venue for the Town Board or the Planning Board for an overview of Planning & Zoning. People have identified that they are inundated with water problems.

Fran Kosacowski stated that the ditching on Pebble Beach is not adequate and there needs to be laterals leading to the Lake. The Town needs to address this issue.

Chair R. Bennett stated that our Code states that the Bruckel's need to provide an Engineer's report stating that they will not be adding to the water problems, which they have done.

J. Sciarabba of Land Tech stated that they are going through the procedures for a site plan for a single family house. If the Bruckels decided to do something on this property on a bigger scale, they would be required to come back to the Planning Board for approval. They want to work with the neighbors and drainage is the issue. They have provided the calculations that state they are not adding additional water.

Chair R. Bennett closed the Public Hearing.

Chair R. Bennett asked J. Sciarabba if the plans were revised. The plans have been edited based on the comments they received from the last Planning Board Meeting. J. Sciarabba approached the Board to explain what the revisions were. He stated that there was a utility and grading plan. There was a turnaround added, roof leaders & swale to stop water migrating further onto the Donley's property.

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Chair R. Bennett stated that they have provided an engineer's calculations report, which was reviewed by the Town's Engineer, Clark Patterson Lee, and satisfied that no additional water run-off. The Bruckel's plan will not increase the amount of water run-off and they will try to slow down the flow of water.

Chair R. Bennett and the Board reviewed SEQR. Negative declaration was determined. Motion to approve: M/2/C (J. Sparling/ R. Haak) Carried 6-0

Chair R. Bennett stated that CEO A. Backus has some concerns regarding the agriculture field and its future development. Although it is not part of the Site Plan, he would like to be kept up to date on its status.

Chair R. Bennett asked for motion to approve the Site Plan. Motion to accept Site Plan as submitted with the requirement that the driveway will remain stone with the exception of the first 20'. Paving the driveway will require Site Plan review with this Board, prior to any paving. Mr. Bruckel will be given an easement from Justin Bruckel over the airstrip, through Justin's property so the airstrip can be maintained & to remain as a landing strip. CEO A. Backus will be notified prior to changing grade or removing vegetation on the Lakeville Airport property. Motion to approve: M/2/C (J. Palmer/J. Sparling) Carried 6-0

The Board had discussions regarding the Ciderworks and their Site Plan status. The Board wanted clarification when they would be returning, as there have been changes happening at their location.

With no further questions, Chair R. Bennett asked for Motion to adjourn the meeting at 8:57 p.m... Motion to adjourn: M/2/C (J. Palmer/ R. Haak) Carried 6-0

Respectfully Submitted,
Alison Houk, Recording Secretary