

**Village of Livonia – Board of Trustees Meeting**

**Livonia Joint Planning Board**

**November 28<sup>th</sup>, 2016**

Present from the Village Board: Mayor Cal Lathan, Bob Leader, Chris Genthner, Ralph Parker. Excused: Bill Kurtz.

Present from the Town Planning Board: Chairman R. Bennett, C. Casaceli, R. Haak, D. Simpson, J. Sparling, Code Enforcement Officer, A. Backus, and Secretary, A. Houk. Excused: Attorney J. Campbell, J. Palmer, D. Richards.

Guests: Attorney Dave Henehan, T.A.B. Design Architect Tim Brinduse, Jill Alcorn, President and CEO of Genesee Valley Rural Preservation Council. In attendance were five Livonia High School Students, Barb Nowakowski and Bob Parker.

Mayor C. Lathan and Chairman R. Bennett called the meeting to order at 7:00 pm.

This Public Hearing is being held to review the Application for Zoning Incentives, State Environmental Quality Review (SEQR) and the Preliminary Site Plan for the proposed Multifamily Apartments and Townhouses at Wildbriar Estates.

Village Trustee B. Leader read the Official Public Hearing (to be attached)

PLEASE TAKE NOTICE that the LIVONIA JOINT PLANNING BOARD and the LIVONIA VILLAGE BOARD will hold a public hearing on Monday November 28<sup>th</sup>, 2016 at 7 p.m. at the Livonia Village Hall, 36 Commercial Street, Livonia, New York to consider the application for Zoning incentives of Genesee Valley Rural Preservation Council, Inc. pursuant to Section 155-67 of the Zoning Code of Livonia together with the approval requirements of the State Environmental Quality Review Act in connection with proposed 48 unit apartment and townhouse project to be called Wildbriar Estates to be located on Wildbriar Drive. This property is located at Wildbriar Drive, Livonia New York in the Gateway Commercial District (GC). The application for Zoning Incentives 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. Livonia Village Board & Livonia Joint Planning Board. Alison Houk, Secretary.  
Dated: November 10, 2016. Publication Date: November 17, 2016

Mayor Lathan welcomed Jill Alcorn, President and CEO of GVRPC, Tim Brinduse, RA with T.A.B. Design Architects and Attorney David Henehan. J. Alcorn and T. Brinduse gave a brief summary regarding the property location for the multifamily apartments and townhouses to be located off of Route 20A on Wildbriar Road. The area is 6.7 acres. Also reviewed was GVRPC requesting that the project be allowed in the Gateway Commercial District and that a 100' rear and side setback be reduced to 60' and that requirements for sidewalks and curbs be waived at this time. The Planning Board recommended the use of Zoning Incentives rather than time consuming changes to zoning.

Code Enforcement Officer A. Backus stated that GVRPC is offering generous amenities such as a Community Center and roadway. These items will benefit the Livonia community in exchange for allowing the project to be in the Gateway Commercial District. J. Alcorn added that the proposed housing will be offered to individuals age 55 and above. Of importance is the fact that the Community Center will offer additional services for residents such as; meals, exercise, social activities and information beneficial to senior citizens. T. Brinduse added that the roadway will be a 1,000 foot long Collector road to be dedicated to the Village.

The deadline for the Funding Application is December 7<sup>th</sup>, 2016.

Barb Nowakowski, residing at 5323 Clark Road, Conesus questioned who would be responsible for tax payments and also what the timeline was for this project. J. Alcorn responded that GVRPC, as the owner, would be responsible for tax payments. The timeline for this project, is as follows: to gain funding in the Spring of 2017, begin construction in the Fall of 2017 and begin occupancy in the Spring of 2018.

Bob Parker, residing at 5894 Big Tree Road, Lakeville discussed his concern regarding water drainage since this new construction project is in the Conesus Lake Watershed. CEO A. Backus informed the group that there were drainage plans in place which included a retention pond. An engineering study will be done to include storm water runoff. T. Brinduse talked about the site being engineered to direct water to the retention pond. He also explained that existing trees and the planting of new trees will help hold the water underground.

Livonia High School Student Trevor Simpson asked what the estimated cost of this project might be. J. Alcorn responded that the estimated construction cost is \$8.4 million which includes the buildings and road. Land Surveyors and Architect costs are not included.

M/2/C (C. Genthner, R. Parker) the Village Board sees the benefit that warrants the Incentive Zoning and approves the Incentive Zoning Application. Passed 4 – 0.

C. Genthner added that there is a significant need for this in our Community. He added that it will benefit local Senior Citizens.

Chairman R. Bennet read aloud part 2 – Impact Assessment questions, on behalf of the Village Board. Negative Declaration was made.

M/2/C (B. Leader, C. Genthner) to accept the SEQR Negative Declaration. Passed 4 – 0.

M/2/C (C. Genthner, R. Parker) to recommend Incentive Zoning per Site Plan approval. Passed 4 – 0.

Chairman R. Bennett asked for a motion for the Planning Board to recommend the application proceed with Final Site Plan for review and approval. M/2/C (J. Sparling, C. Casaceli) Carried 5 – 0.

M/2/C (B. Leader, C. Genthner) to close the Public Hearing. Passed 4 – 0.

Chairman R. Bennett asked for a Motion to adjourn the meeting at 7:47 pm.

M/2/C (J. Sparling, R. Haak) Carried 5 – 0.

M/2/C R. Parker, B. Leader) to adjourn the Village Board Meeting at 7:48 pm.

Passed 4 – 0.

Please find attached a copy of the Livonia Joint Planning Board Minutes.

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Respectfully Submitted,  
Jo Ann Weber

**LIVONIA JOINT PLANNING BOARD  
(LIVONIA VILLAGE BOARD)  
NOVEMBER 28<sup>TH</sup>, 2016**

Present:

Village Board: Mayor Calvin Lathan, Trustee's C. Genthner, B. Leader, R. Parker, Secretary J. Weber. Excused: B. Kurtz

Town Planning Board: Chair Bennett, C. Casaceli, R. Haak, D. Simpson, J. Sparling, CEO A. Backus, & Secretary, A. Houk. Excused: Attorney J. Campbell, J. Palmer, D. Richards.

Mayor C. Lathan led the Pledge of Allegiance.

Agenda:

***1) Approve the meeting minutes from November 14th, 2016***

***2) Genesee Valley Rural Preservation Council - Wildbriar Estates, Livonia, N.Y. 14487  
Incentive zoning for proposed development.***

*Note:*

*This was a (shared) public hearing per Section 155-67 C, of the Zoning Code of Livonia. The selection of land or other amenities within a parcel to be considered for incentive zoning had been made by the applicant, subject to the approval of the Joint Planning Board and acceptance by the Village Board. The meeting was primarily a Village Board meeting to consider the application and amenities offered by GVRPC, Inc., as well as a SEQOR review.*

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

***1) Meeting Minutes for November 14<sup>th</sup>, 2016. - Chair R. Bennett asked for a motion to approve. M/2/C (R. Haak, J. Sparling) approved as submitted. Carried 5-0***

B. Leader read the legal notice:

PLEASE TAKE NOTICE that the LIVONIA JOINT PLANNING BOARD and the LIVONIA VILLAGE BOARD will hold a public hearing on Monday November 28<sup>th</sup>, 2016 at 7 p.m. at the Livonia Village Hall, 36 Commercial Street, Livonia, New York to consider the application for Zoning incentives of Genesee Valley Rural Preservation Council, Inc. pursuant to Section 155-67 of the Zoning Code of Livonia together with the approval requirements of the State Environmental Quality Review Act in connection with proposed 48 unit apartment and townhouse project to be called Wildbriar Estates to be located on Wildbriar Drive.

This property is located at Wildbriar Drive, Livonia New York in the Gateway Commercial District (GC).

**LIVONIA JOINT PLANNING BOARD  
(LIVONIA VILLAGE BOARD)  
NOVEMBER 28<sup>TH</sup>, 2016**

The application for Zoning Incentives 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.

Livonia Village Board & Livonia Joint Planning Board.

***2) Genesee Valley Rural Preservation Council - Wildbriar Estates, Livonia, N.Y. 14487***

Mayor C. Lathan invited Jill Alcorn, President/CEO of GVRPC, Inc. and Timothy Brinduse, RA of T.A.B Designs and their Attorney David Henehan to start the discussions regarding their request for incentive zoning. J. Alcorn & T. Brinduse summarized the Wildbriar Estates project and the projected costs in addition to the request for incentive zoning in exchange for amenities offered to the Village. Multi-family residential use is not permitted in the Gateway Commercial District. Application has been submitted for Zoning Incentives, which we believe would benefit the Village, in exchange for GVRPC asking that the project be allowed in the Gateway Commercial District; that a 100' rear and side setback be reduced to 60' and the Livonia Design Criteria and Construction Specifications for Land Development requirements (sidewalks, curbing, etc.) be reduced. The Planning Board feels that it made better sense to make use of the Incentive Zoning, verses trying to change the zoning.

CEO A. Backus clarified the December 7<sup>th</sup> funding application deadline. If it were not for this deadline, the property could have easily been rezoned, but time is of the essence. GVRPC is offering more than sufficient amenities such as the roadway and Senior Center. These items are a great benefit to the community in exchange for allowance of the project to be in the Gateway Commercial District.

Resident Barb Nowakowski of 5323 Clark Road Conesus was present and ask who would be responsible for paying the taxes and what the time line for the project was. J. Alcorn stated that GVRPC, as the owner would be responsible for the taxes. Their hopes are to gain funding in the spring of 2017, construction to begin in the fall of 2017 with an anticipated open in the spring of 2018.

Resident Bob Parker of 5894 Big Tree Road, Lakeville wanted clarification on water drainage as the project falls within the Conesus Lake Watershed. CEO A. Backus provided clarification of the drainage plans which include retention ponds. GVRPC will account for their water discharge and erosion control. They will be required to have a Planning Board Site Plan review and there will be a full engineering study to include drainage calculations for storm water and runoff. Architect, T. Brinduse explained the sites drainage plan and stated that they will be planting additional trees in addition to the existing trees and grass land which will provide drainage to handle any run off.

**LIVONIA JOINT PLANNING BOARD  
(LIVONIA VILLAGE BOARD)  
NOVEMBER 28<sup>TH</sup>, 2016**

Livonia Central School student Trevor Simpson asked for the estimated cost of the project. J. Alcorn stated that the construction cost is estimated at \$ 8.4 million dollars for the buildings & roadways. There are other costs not included in this figure, such as the Land Surveyors and Architects.

Mayor C. Lathan stated that the Village Board met on November 9<sup>th</sup>, 2016 and approved the application of the Incentive Zoning. The Village Board is in support of the project and very enthusiastic about the project moving forward. Mayor C. Lathan asked for discussion from the Board. Trustee, C. Genthner stated that there is a great need for this in our community and it is very much welcomed & supported.

Mayor C. Lathan stated that the Village finds benefit that warrants the Incentive Zoning and asked the Village Board for a motion to approve the Incentive Zoning application as presented. Motion to approve M/2/C (C. Genthner/R. Parker) Carried 4-0.

Chair R. Bennett read aloud part 2 – Impact Assessment questions, on behalf of the Village Board. Negative Declaration was made. Mayor C. Lathan asked for a motion from the Village Board to accept the SEQR Negative Declaration. Motion to approve M/2/C (B. Leader/C. Genthner) Carried 4-0.

Mayor C. Lathan asked the Village Board for a motion to recommend Incentive Zoning per Site Plan approval. Motion to approve M/2/C (C. Genthner, R. Parker) Carried 4-0.

Chair R. Bennett asked for a motion for the Planning Board to recommend the applicant proceed with Final Site Plan for review and approval. M/2/C (J. Sparling, C. Casaceli) Carried 5-0.

Mayor C. Lathan asked for a motion to close the Public Hearing. M/2/C (B. Leader, C. Genthner) Carried 4-0

Chair R. Bennett asked for a Motion to adjourn the meeting at 7:47 p.m... M/2/C (J. Sparling/R. Haak) Carried 5-0

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Respectfully Submitted,  
Alison Houk, Recording Secretary