

# LIVONIA JOINT PLANNING BOARD

August 26<sup>th</sup>, 2024

Present: Chairman R. Bennett, D. Andersen, A. Baranes, J. Brown, R. Haak, K. Strauss, CEO  
Adam Backus Zoning Compliance Assistant J. Holtje.

Excused: J. Palmer, Attorney J. Campbell

Agenda:

- 1) *Accept and approve the meeting minutes – June 10<sup>th</sup>, 2024.*
- 2) *Keith Provo – 3111 West Lake Road, Livonia, New York –  
Tax # 65.-1-3.1  
Subdivision.*
- 3) *Scott Smith – 6557 Cadyville Road, Livonia, New York  
Tax # 75.-1-21.12  
Modification to Site Plan.*
- 4) *Mark Sherwood/Livonia Liquor Store – 3-5 Main Street, Livonia, New York –  
Tax # 75.5-1-10.1  
Modification to Site Plan discussion.*

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

- 1) Approve Meeting Minutes from June 10, 2024. Chairman Rick Bennett asked for a motion to approve. M/2/C (D. Andersen/K. Strauss) Carried 6-0.
- 2) *Keith Provo – 3111 West Lake Road, Livonia, New York*

Chairman Rick Bennett asked D. Provo to come forward for the proposed Subdivision and read the following statement: This application was submitted to the Livingston County Planning Board for their review. They determined that it has no significant Countywide or inter-municipal impact. Approval or disapproval of this application is a matter of local option.

ZCA J. Holtje updated the Board that the only outstanding issue was the location of the existing water and septic facilities.

D. Provo confirmed that the existing residence and the new lot will be serviced by Avon Water. He also confirmed the location of the existing septic tank, and the location was determined not to be an issue and added to the record.

With no further discussion, Chairman Rick Bennett asked for a motion to waive the Public Hearing. Motion to waive: M/2/C (J. Brown/R. Haak) Carried 6-0

Chairman Rick Bennett and the Board reviewed the Short Environmental Assessment Form.

## **LIVONIA JOINT PLANNING BOARD**

**August 26<sup>th</sup>, 2024**

No moderate to large impacts were identified. A Negative Determination of Significance was determined. Motion to accept a negative declaration: M/2/C (R. Haak/J. Brown) Carried 6-0.

Chairman Rick Bennett asked for a motion to approve the Subdivision application with the stipulations that are indicated on the submitted map. Motion to approve: M/2/C (J. Brown/K. Strauss) Carried 6-0

### ***3) Scott Smith – 6557 Cadyville Road, Livonia, New York***

Chairman Rick Bennett read the following statement for the proposed Site Plan application for a 75' X 40' storage building: This application was determined not to require Livingston County Planning Board review per section 239-m and 239-n of Article 12 of the General Municipal Law agreement (#4).

With no comments from the Board on the site plan, Chairman Rick Bennett asked for a motion to waive the Public Hearing. Motion to waive: M/2/C (R. Haak/D. Andersen) Carried 6-0

Chairman Rick Bennett and the Board reviewed the Short Environmental Assessment Form. No moderate to large impacts were identified. A Negative Determination of Significance was determined. Motion to accept a negative declaration: M/2/C (D. Andersen/J. Brown) Carried 6-0.

Chairman Rick Bennett: In conclusion we have a storage building being added to an existing site that should alleviate site issues of outdoor storage. Drainage is not an issue because of the large size of the lot and the amount of gravel on site.

Chairman Rick Bennett asked for a motion to approve the Site Plan application for the construction of a 75'x40' storage structure as submitted. Motion to approve: M/2/C (D. Anderson/J. Brown) Carried 6-0

### ***4) Mark Sherwood/Livonia Liquor Store – 3-5 Main Street, Livonia, New York***

Chairman Rick Bennett stated that this will be a discussion of the 40'x100' storage structure building. The Board previously approved the site plan under the impression that the storage was for the two businesses on site, the NAPA store and Liquor store. It has become apparent that it is a mini-storage building. The ZBA received more information about storage units and this information did not get relayed back to the Planning Board. While mini-storage is an approved use in the district, the presentation to the Planning Board did not reference any other storage except for the two entities.

R. Haak: and in many places it was referred to as a pole barn.

CEO A. Backus stated that part of that is the B&Z Departments responsibility as we go back and forth between the two boards as well as the building codes.

## LIVONIA JOINT PLANNING BOARD

August 26<sup>th</sup>, 2024

R. Haak: mini-storage was never mentioned. When it came back for final approval, the memo said that it was approved for lot coverage and setbacks. We were misinformed. The ZBA minutes were read aloud and included the mention of additional mini storage needed to make the project viable. As a board we need to be more diligent.

CEO A. Backus: There was an oversight and the updated information from the ZBA was not conveyed to the Planning Board.

Board discussion:

- D. Anderson & J. Brown: having this additional information would not have made a difference in their decision. Doesn't see a traffic issue as these places are rarely visited.
- R. Haak: but there would have been other things that we would have talked about, traffic, lighting, number of units.
- Chairman R. Bennett: end result is its approvable.
- SEQR change of use discussed and determined not to have any impact on the Boards determination.
- In hindsight, more detail should have been required on the site plan.
- There are 17 units in total.
- No sign has been presented. If it meets the sign code it would be issued, if it needs to be brought back to the Planning Board it will be.
- Chairman R. Bennett: This does not violate any zoning issues and would not change the approval; it is more of a communication issue. As a group we will be more intentional. This discussion is for future reference. This is still a benefit to the community since it cleans up the back of the property.
- The Board requested that a letter be written to the owner and to clarify for the record the number of storage units included and showing that the Board reviewed the project in light of the 17 units and has determined that no change in approval is necessary.

Board had a brief introduction to the Turtle Rock/Pathstone expansion proposal that will be coming. More information and background details will be forwarded as it becomes available.

With no further questions, Chairman Rick Bennett asked for a Motion to adjourn the meeting at 7:45 p.m. Motion to adjourn: M/2/C (R. Haak/J. Brown) Carried 6-0

---

Respectfully Submitted,  
Julie Holtje, Zoning Compliance Assistant