

**LIVONIA JOINT PLANING BOARD**  
**September 27<sup>th</sup>, 2021**

Present: Chairman R. Bennett, D. Andersen, J. Brown, R. Haak, J. Palmer, CEO A. Backus,  
Zoning Compliance Assistant J. Holtje, Secretary A. Houk

Excused: Attorney J. Campbell, L. Willoughby.

Note, Public Meetings (Covid-19) precautionary policies were followed to the best of our ability and included:

- Chairs are situated to maintain social distancing.
- Hand sanitizer was made available at the entrance of the town hall.

Agenda:

***1) Approve the meeting minutes. – August 23, 2021***

***2) Brian Raffa – 3347 Rochester Road, Lakeville, NY.***  
*Site Plan review– Farm Stand*

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

**1) Approve Meeting Minutes for August 23, 2021.** Chairman Rick Bennett asked for a motion to approve. M/2/C (J. Palmer/D. Andersen) approved as submitted. Carried 5-0.

***2) Bryan & Debra Raffa – 3347 Rochester Road, Lakeville, NY.***

Chairman Rick Bennett asked Bryan & Debra Raffa to come forward for the Corn Stand discussion. They were referred to the Livonia Joint Zoning Board of Appeals for a Conditional Use Permit, which was granted by the ZBA on September 20<sup>th</sup>, 2021. They are returning to the Planning Board for Site Plan approval.

Chairman Rick Bennett stated that the Board requires the Lease agreement between the Raffa's & neighbor, James Sloan to be in place prior to opening the Corn stand next year. The Board also requires the applicant to delineate the ingress and egress for the turn around prior to opening next year. Provide signage to discourage customers from parking on the side of the road. Bryan referred to the requirement of the four-month lease to be renewed annually. CEO Adam Backus stated that the lease agreement is necessary since the Stand will be on the neighbor's property. This confirms that you have an agreement with the neighbor giving you the right to use his property. Bryan stated that he has been maintaining the neighbor's property for the past six years. Chairman Rick Bennett stated that the Lease agreement could state that in exchange for you maintaining the lot, you have use of it. CEO Adam Backus stated that its really just an acknowledgment that you have the right to use the property.

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Chairman Rick Bennett stated that the Board could grant Site Plan approval pending the Lease agreement, delineate the ingress and egress for the Turnaround, and provide signage requesting customers avoid parking on the side of the road.

Chairman Rick Bennett asked for a Motion to waive the Public Hearing. Motion to waive: M/2/C (R. Haak/J. Palmer) Carried 5-0

Chairman Rick Bennett and the Board reviewed SEQR. Negative declaration was determined. Motion to approve: M/2/C (R. Haak/J. Brown) Carried 5-0

Chairman Rick Bennett asked for a motion to approve the Site Plan. Approval will be contingent upon applicant providing documentation showing the proposed turnaround, a Lease agreement, and signage delineating the ingress and egress. Motion to approve: M/2/C (J. Brown/D. Andersen) Carried 5-0

With no further questions, Chairman Rick Bennett asked for Motion to adjourn the meeting at 7:28 p.m... Motion to adjourn: M/2/C (J. Palmer/R. Haak) Carried 5-0

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Respectfully Submitted,  
Alison Houk, Recording Secretary