

LIVONIA JOINT PLANNING BOARD

January 8th, 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:

- *Accept and approve the meeting minutes – December 11th, 2023.*
- *Mary Lynn Estate – 4389 South Livonia Road, Livonia, New York – Tax # 75.-1-35 Subdivision.*
- *Bob Webb – 4657 East Lake Road, New York – Tax # 83.-1-37.127 Subdivision.*

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

1) *The Board did not receive minutes from December 11, 2023 – They will be approved at the next meeting.

2) *Mary Lynn Estate – 4389 South Livonia Road, Livonia, New York*

Chairman Rick Bennett asked Kevin O’Donoghue, Land Surveyor, and Chris Lynn to come forward for the proposed 1 Lot Subdivision.

Chairman R. Bennett: this Subdivision application was referred to the Livingston County Planning Board for review. Livingston County Planning reviewed the application and determined it has no significant Countywide or inter-municipal impact. Approval or disapproval of this application is a matter of local option.

Kevin O’Donoghue: the comments received by the Building and Zoning Dept. have been addressed. New maps were handed out. Chris’s mom passed away and he would like to subdivide the land into 3 parcels. Lot 1 is the original house, lot 2 would be a vacant buildable lot (that he hopes to sell with lot 1), and lot 3 is the flag lot he will retain for his own recreational use. Chris may put an agricultural building back there some day.

Chairman R. Bennett asked the Building and Zoning Dept. to explain the Access Management issues involved. A. Backus explained the proximity to the Van Zandt Road intersection and the concern that there is 400 feet between existing driveways on that side of the road. The requirement for driveway separation is 330 feet. Creating two curb cuts is a problem. Lots 2 and 3 could share an access point, reducing it to one curb cut and meeting the practical intent and objective of the Code. The Board discussed Access Management further.

The applicant explained that there are no immediate plans to build on any lots. His wish is to install a driveway to have access to lot 3, the recreational land he will retain.

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Discussion regarding driveway locations and access management.

The applicant proposed the one access point be located within the 60' wide frontage of lot 3 with an access easement to lot 2. The Board agreed and the map will be revised to show the shared driveway location and the appropriate access easement for lot 2. The applicant will need a driveway permit from the Town for zoning purposes. The conditions of the driveway permit will be forwarded to NYSDOT in the new driveway permit application.

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. No moderate to large impacts were identified. A Negative Determination of Significance was determined. Motion to approve: M/2/C (R. Haak/K. Strauss) Carried 6-0.

Chairman Rick Bennett asked for a motion to approve the Subdivision application as submitted with the condition that the map be amended to show access to the flag Lot with an Easement for Lot 2 and future development is subject to site plan approval as noted on the map. Motion to approve: M/2/C (J. Brown/D. Andersen) Carried 7-0

3)Bob Webb – 4657 East Lake Road, Livonia, New York

Chairman Rick Bennett noted that this subdivision is a minor subdivision that meets exemption criteria and does not need County Planning review under the Town's current contract.

Chairman Rick Bennett asked Bob Webb to come forward for the proposed 1 Lot Subdivision.

ZCA J. Holtje explained that Mr. Webb would like to separate the homestead from the rest of the farm in order to sell it to his grandson. The Building and Zoning Dept. recommends that the existing driveway continue to be used to access both lots. These two properties would share access and an easement is shown on the map. Adding a new driveway would not conform with Access Management Standards.

B. Webb shared the history of the homestead.

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

There was a brief discussion of how the barn was serviced by utilities. B. Webb confirmed that the utilities are separate from the existing house.

Chairman Rick Bennett asked for a motion to approve the Subdivision application as submitted with the condition that the map shows the existing shared driveway with an Easement. Motion to approve: M/2/C (R. Haak/K. Strauss) Carried 6-0

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With no further questions, Chairman Rick Bennett asked for a Motion to adjourn the meeting at 8:03 p.m. Motion to adjourn: M/2/C (R. Haak/D. Andersen) Carried 6-0

Respectfully Submitted,
Julie Holtje, Zoning Compliance Assistant