

LIVONIA JOINT PLANNING BOARD

February 10, 2025

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 – January 13, 2025.*
2. *Pathstone/Creekside Clearing – 100-1400 Turtle Rock Road, Livonia, New York – Tax # 65.-1-79.32
Site Plan Review & continuation of Public Hearing
for the proposed 16 additional dwelling units.*
3. *Stone Creek Estates – West Avenue & Big Tree Street, Livonia, NY.
Tax # 74.12-1-17.752
Concept overall sketch plan/public input meeting.*

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

1) Approve Meeting Minutes from January 13, 2025. Chairman Rick Bennett asked for a motion to approve. M/2/C (R. Haak/K. Strauss) Carried 6-0.

2) *Pathstone/Creekside Clearing – 100-1400 Turtle Rock Road, Livonia, New York*

Chairman Rick Bennett asked Jacob Calabrese of Marathon Engineers and Jason Sackett, President of Pathstone Development, to come forward for the proposed 16 additional dwelling units.

Chairman Rick Bennett:

- noted that the Public Hearing is still open
- ZBA granted the front setback relief for the parking area and for the 16-unit building with recommendations to consider.
 - The Board discussed that the recommendations were addressed earlier in their review and they have no further concerns.

Chairman R. 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 (J. Brown/A. Baranes) Carried 6-0.

Chairman R. Bennett asked the applicant to update the Board.

J. Calabrese gave landscaping updates which included adding trees and that they are working in cooperation with LCWSA regarding shrubs and grasses to buffer parking area at the Community Center rather than trees with root systems that would be impacted if any utility work needed to be done.

Chairman R. Bennett: Requested comments from public. With no comments pertinent to the project, he asked for a motion to close the public hearing.

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Motion to close Public Hearing: M/2/C (R. Haak/D. Andersen) Carried 6-0

With no further discussion or comments, Chairman R. Bennett asked for a motion to approve the Site Plan application with or without conditions. Motion to approve the Final Site Plan with the conditions that final approval letters are to be received from Clark Patterson Lee Engineering and the Livingston County Water & Sewer Authority: M/2/C (J. Brown/D. Andersen) Carried 6-0

3) *Stone Creek Estates – West Avenue, Livonia, N.Y.*

Andrew Viera, owner, and John Sciarabba of Land Tech came forward to discuss the proposed development. John Sciarabba stated that they would like to review the project with the Board and the local community to gather feedback and address any concerns prior to making a formal application.

Chairman Rick Bennett made the following statement:

This is not a public hearing. This is an informational meeting requested by the owner and his engineer. They want people to be aware of what is going on and to receive feedback on the proposed project. Once they are finished presenting, each person will be given 3 minutes to comment. We will also accept comments in written form. These may be submitted to the Building and Zoning Department by email or letter.

John Sciarabba from Land Tech Surveying & Planning gave an overview of the proposed multifamily private development.

- Introduction to Andrew Vieira, owner of the property and resident of Livonia
- 123 acres total, bisected by Wilkins Creek
- Zoning = Neighborhood Residential in the Village and ARC-3 in the Town (west portion of the property)
- Phase 1 is 53 acres, eastern portion, and is proposed to be a mix of apartments, multifamily units and duplexes/townhomes.
- Explained current demand for multifamily housing
- Explained organizations that will have review: DOT, DEC, Town Consultant Engineer, LCWSA, etc.

Discussion:

- Jason Eichas, will this be section 8 or any kind of subsidized housing? (no, all private development)
- Rob Fuller, is there a requirement to have low-income housing? Concerned about the narrow road handling the additional traffic. (a traffic study will be conducted if required, the initial access will be from Big Tree Street)
- Margaret Graff Linsner, life-long resident of Livonia and atty. for the Clar's, owners of 30 West Avenue. Is it anticipated that you are using the Clar's driveway for access to a portion of the development? (we are showing it conceptually and are aware that there is a question of whether there is an easement) Dan Holtje did survey maps in 2017 and it got changed. What was approved and filed was a map that took off the proposed ingress and

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egress. Maletta sold to Trathan and there was no easement in that document. Discussion about history of the easement. (this is being explored legally by the applicant)

-any demographic studies? (this information comes from the demand experienced in his business and from MRB Group that did a housing assessment for Livingston County.

The assessment shows housing in major demand in this area. In contact with local officials, this has also been identified as a need/demand in the area)

-availability for water and the impact on the community (LCWSA will have to review and approve the plan. No plans have been engineered and submitted to them yet)

- Mike Mallaber asked for a summary of phase I. (58 acres with access off Big Tree and West Ave. These numbers may change, but proposed is 175 units, being a mixture of apartments and townhomes. This will all be privately owned).
- Shari West concerned about 175 new units and that West Ave. cannot handle it. Any senior housing? (There is an area showing a community of duplexes. These will not be labeled for seniors but will be suitable for them)
- Casey Castrovinci, West Ave access location is next to her house. (project starts on Big Tree) did not like the 75 dump trucks in one day. Not in favor of years of construction activity (the Town has laws in place regarding these activities and the time they can take place).
- Alice Eichas, the road is not wide enough and trucks had a hard time making the turn. Are they going to have to take out the curbs or the sidewalks? (No, this is a Village Road. Residents were encouraged to think about buffering J.S. reviewed lighting requirements)
- Angela Richardson, 32 Big Tree, the woods are behind her and she is concerned about wildlife. Fences will impact the deer. (this area could be buffered differently, without fences) Tax impacts to Village residents and concern about extra traffic? (This is a private development so there will be no maintenance of sidewalks or plowing. Most school districts are down in enrollment now. Residents should talk to the assessor about impacts)
- Kevin Lopez, 2 West Ave. When will you start on the 2 lots on West Ave? (Spring) Excavation and drainage? (both will be maintained on these sites)
- Etienne Blaakman, concerned about the new water district, understands water is not coming from the same district, but he heard that there is a pressure issue. Will pressure affect other people? (no engineering has been done yet, if there isn't pressure, they will be responsible for doing something. The County Water and Sewer Authority will look at these issues)
- Jake May, access for duplexes? (the 2 duplexes on West Ave. are separate and independent of the overall concept and will have regular driveways on West Ave.)
- Lenny Hayes, drainage to creek and Pennemite Road. Drainage is a huge problem (drainage is the biggest thing in land development. J. Sciarabba explained the process and oversight, ponds and SWPPP)
- Sam Clar, pond scum since the fill was added, was there supposed to be a silt fence for that and how will we know how this will impact our pond and wildlife? (800' away, J.S. not aware of this process)
- Rob Fuller, plan available on the website? (take a card and you will be emailed a plan)
- Discussion about West Ave. and the use and condition of it. The developer will be responsible for maintenance and repairs during construction and for keeping the road open and accessible. A. Backus- the developer would be responsible to fix it. The

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Building and Zoning Office will deal with these problems, but they are not expected to happen. Regarding the clean fill that was dumped, contamination is not likely but we are open to evidence presented.

- R. Bennett, the development will start on Big Tree Street, so the bulk of the construction vehicles would be coming in and leaving on Big Tree/Main Street. (we could minimize access to West Ave if necessary. A letter of credit will be posted to safeguard construction).
- J. Brown, would the general public have access to the private road? (yes)
- Jim Steffano, is there any reason to have access on West Ave at all? (Codes would require access) discussion about cut-throughs to Commercial Street, etc.(a traffic study would tell us if this would be a problem) Demographics study for this rural area? Could this be converted to purchased housing vs. all rental? (referred to the MRB study for the County. Multifamily for young professionals and retirees. In order to convert to for sale, the road would need to be dedicated. Projects do change, this will be our guide and we will adapt according to the demand)
- M.G.Linsner, where does this stand in the approval process? (A. Backus: The applicant requested this special meeting before presenting a preliminary site plan. It is only an introductory information gathering before it is presented to the Planning Board. Next steps would be Site Plan which would include public hearings. Process will include multiple Planning Board meetings, SEQR, Stormwater, traffic study, etc.)
- Planning Board Chairman R. Bennett: This type of development meets the criteria within the Zoning District. These are allowable uses.
- Jim Ellison, Is this all private money? (yes)
- Jen Dutra, has there been a market study? There is not enough affordable housing and she is not sure there are people in Livonia that will be able to afford the prices talked about. (they will be for rent, but the design could change and A. Vieira wants to do what is beneficial for the community)
- Leslie McCurdy, 7 West Ave. Livingston County needs more housing. We have homeless and people living in substandard housing. If people can move up into these units, then there will be more room in the lower rent units. We pay too much for housing because there currently isn't enough of it.
- CEO A. Backus: there will be plenty of opportunities to discuss this proposed project. The goal is to establish reasonable conditions and attempt to mitigate potential impacts. Everyone in this room had the opportunity to buy that property, whether to preserve it as farmland, or to develop it. Since a developer has chosen to buy it, he has the right to develop it, as long as he follows the policies of the Village/Planning Board regulations. The public also has the right to express their concerns, and the Planning Board will consider those concerns during the process.
- J. Sciarabba closed with thanking the public and welcomed their continued participation.

With no further discussion or items on the agenda, Chairman R. Bennett asked for a Motion to adjourn the meeting at 8:24 p.m. Motion to adjourn: M/2/C (J. Brown/A. Baranes) Carried 6-0

Respectfully Submitted,
Julie Holtje, Zoning Compliance Assistant