

LIVONIA JOINT PLANNING BOARD

April 25, 2022

Present: Chairman R. Bennett, D. Andersen, A. Baranes, J. Brown, R. Haak, J. Palmer, CEO Adam Backus, Secretary A. Houk

Excused: Zoning Compliance Assistant J. Holtje, K. Strauss, Attorney J. Campbell.

Agenda:

1) Approve the meeting minutes. – February 14, 2022

2) Little Lakes Brewing – 5857 Big Tree Road, Lakeville, New York.

Site Plan review

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

1) Approve Meeting Minutes for February 14, 2022. Chairman Rick Bennett asked for a motion to approve. M/2/C (R. Haak/J. Palmer) approved as submitted. Carried 6-0.

2) Little Lakes Brewing – 5857 Big Tree Road, Lakeville, New York

PLEASE TAKE NOTICE that the LIVONIA JOINT PLANNING BOARD will hold a public hearing on Monday, **April 25, 2022**, at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York, to consider the application of **Little Lakes Brewing** for Site Plan review according to Section 150-12 of the Zoning Code of Livonia. The proposal includes the construction of an 18'x20' concessions structure and seasonal outdoor events. The property is located at **5857 Big Tree Road**, Lakeville, New York, Tax Parcel #: 65.64-1-29, and is zoned Gateway Commercial District (GC). The application 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.

Chairman Rick Bennet polled the Board for site visits:

Chair R. Bennett:	Yes
D. Andersen:	Yes
A. Baranes:	Yes
J. Brown:	Yes
R. Haak:	Yes
J. Palmer:	Yes
K. Strauss:	Excused

Chairman Rick Bennett noted that this Site Plan application was referred to the Livingston County Planning Board for review. Livingston County Planning Board made a recommendation

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for approval; however, the County Planning Board has taken no official action on this application due to a lack of a quorum vote. A response of no action on the part of the County Planning Board should not be construed as a judgment on the project. The Town is now free to take final action on this application.

Chairman Rick Bennett asked Don & Robin Carll of Little Lakes Brewing to come forward for the approval of the Site Plan Review. Robin Carll stated that they currently have a patio behind the building to serve ice cream and outdoor concession-type foods during the summer months. They have found that it is time-consuming and expensive to load everything up at the end of the season and what is left outback is unsecured and open to the elements in the offseason. They are requesting to enclose the area there now, which has a cooler. The area measures approximately 18' X 20' that they wish to enclose. At the end of the season, it can be cleaned up and locked. Serving food will be an added benefit during the season, be more sanitary, and provide a separation between the clients and employees. Don Carll stated that it would also keep animals out of the area and make it safer for the public. He currently needs to stay there until all the equipment cools down for safety reasons.

Robbyn Haak asked if they would still be utilizing the tent for the public? Robin Carll stated that the tent would stay and be used to serve the public. Chairman Rick Bennett noted that during the Covid-19 pandemic, tents were used to enable the business to continue operating. Now that has ended, and questioned if the outdoor tent a permitted use? CEO Adam Backus stated that the applicant had been given information regarding the proper use of a tent. It would require a Permit, and the Planning Board should be aware of that. Robbyn asked when the tent would be going up and taken down at the end of the season. Robin Carll stated it would be up from approximately Memorial Day through November. Chairman Rick Bennett asked if the Board had reviewed the Site Plan details provided by the applicant. Ashley Baranes asked if Robbyn Haak had a specific concern about the tent or just the technicality of it? Robbyn stated the technicality of it. She initially thought that the tent would be going away. Don Carll noted that eventually, he would like to build a more permanent structure, but currently, he doesn't own the property. It would also be a considerable expense to build a structure. He will need to utilize the tent for a few years first. Chairman Rick Bennett clarified that since this will be a permanent tent throughout the summer, a Permit will be required. CEO Adam Backus confirmed that was correct. Oftentimes, someone will put up a tent for a weekend and it goes unnoticed, but since this will be permanent for the season, it does require a Permit. The Planning Board needed to be aware of the tent, and if they were okay with it, we could issue a permit for the erection and ensure it is installed correctly. Don Carll stated the tent is an engineered tent, fireproof, and can withstand ninety mile an hour wind. Robbyn Haak asked for clarification regarding waiting for the things to cool down before they could close. Don stated that it would be like a typical kitchen and a regular concession stand. Robbyn asked if they would use the grill outside the tent? Don said no, all the equipment would be inside just like a traditional concession stand. There will be rolling windows that can be opened and closed. Robin Carll stated that Don must stay now because there is no way to secure the area. They have cameras on the property, and they have seen that several people wander through there at night. It is for safety reasons that he currently stays. They need to make sure everything is off and cooled down. If someone opens the valve on the fryer, the hot oil will scald them. The rest of the equipment cools off within a half hour, and the oil takes longer to cool down. Ashley Baranes asked if they would be ready to

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proceed with the tent this season? Robin Carll stated that they will be prepared for this season and that they have been working with Building & Zoning regarding the Building Permit process. They still have to submit a few instruction manual documents and their Contractors fire insurance certificate. Robin also noted that they won the Livingston County “Dream-O-Vate” grant that will help fund this project.

Chairman Rick Bennett opened the Public Hearing and asked those who wished to speak to state their name and address and direct their questions to the Board. With no one in attendance, the Public Hearing was closed.

Chairman Rick Bennett and the Board went through the Short Environmental Assessment Form criteria. The answer choices were: *No or small impact may occur, or Moderate to large impact may occur.*

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? No
2. Will the proposed action result in a change in the use or intensity of use of land? No
3. Will the proposed action impair the character or quality of the existing community? No
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? No, N/A
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking, or walkway? No
6. Will the proposed action cause an increase in the use of energy, and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? No
7. Will the proposed action impact existing:
 - a. Public/private water supplies? No
 - b. Public/private wastewater treatment utilities? No
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural, or aesthetic resources? No
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, water bodies, groundwater, air quality, flora, and fauna)? No
10. Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems? No
11. Will the proposed action create a hazard to environmental resources or human health?
No

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The Board reviewed the SEQR forms as required for the increase in density. No moderate to large impacts were identified. A Negative Determination of Significance was determined. Motion to approve: M/2/C (J. Palmer/J. Brown) Carried 6-0

Chairman Rick Bennett asked for a motion to approve the Site Plan application as presented with the following conditions. The Tent will comply with all Building Codes and require a yearly permit. The Tent will be up from May through November. Motion to approve: M/2/C (R. Haak/D. Andersen) Carried 6-0

With no further questions, Chairman Rick Bennett asked for a Motion to adjourn the meeting at 7:36 p.m... Motion to adjourn: M/2/C (R. Haak/J. Palmer) Carried 6-0

Respectfully Submitted,
Alison Houk, Recording Secretary