

LIVONIA JOINT PLANNING BOARD
JANUARY 25TH, 2021

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

Excused: Attorney J. Campbell, L. Willoughby, Secretary A. Houk

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

- Applicants would typically be asked to wait in their vehicles until instructed to enter the building; however, the attendees at this meeting were able to maintain social distancing and wore face coverings.
- Hand sanitizer was made available at the entrance of the town hall.
- Meeting room occupancy was restricted to no more than 50% of the maximum occupancy (or 48 persons). Less than 48 persons attended this meeting.

Agenda:

- 1) ***Approve the meeting minutes. –December 14th, 2020***
- 2) ***James & Joyce Willard – 4439 Federal Road, Livonia, NY.***
Approval of Subdivision – 85.-1-3.123
- 3) ***Perry Veterinary – 6611 Richmond Mills Road, Livonia, NY.***
Approval of Site Plan Public Hearing – 75.-1-3.114
- 4) ***Chris Wegener – 5870-5872 Big Tree Road, Livonia, NY.***
Site Plan modification – 65.63-1-34.1
- 5) ***GBT Realty Corp. For Dollar General – 4797 Main Street, Hemlock, NY***
Site Plan review.

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

1) Approve Meeting Minutes for December 14th, 2020. Chairman Rick Bennett asked for a motion to approve. M/2/C (R. Haak/J. Sparling) approved as submitted. Carried 6-0.

2) ***James & Joyce Willard – Adams Road, Livonia, NY.***

Chairman Rick Bennett asked Barry Carestio, Land Surveyor representing James & Joyce Willard to come forward for the Subdivision of Adams Road, Tax Parcel # 85.-1-3.123, located in the Agriculture Residential District 3, (ARC-3), and Neighborhood Residential (NR). The Willard's are proposing to create 2 new lots on the Willard property located on Federal Road.

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They have previously divided off a 5-acre parcel from the farm, on corner of Federal and Adams Roads. This application is for a 5+ acre parcel around the homestead and barns at 4439 Federal Road. They would like to sell the 5+ acre parcel and build a new smaller home on the 1+ acre vacant parcel to the north. This would be parcel C-4 on the survey map. They are leaving access off Adams & Federal Road for the balance of the farm, which is 100+ acres. CEO Adam Backus stated that sometimes we are concerned about a lot of patches of land becoming an ugly quilt. Barry has taken this into account so if in the future they decide to do something, they have made room for 60' access to the land located in the rear. They are not proposing that with this application, but it has been thought about and is doable in the future.

This Subdivision application was referred to the Livingston County Planning Board for review.

Chairman Rick Bennett asked for a Motion to waive the Public Hearing. Motion to waive: M/2/C (J. Palmer/R. Haak) Carried 6-0

Chairman Rick Bennett and the Board reviewed SEQR. Negative declaration was determined. Motion to approve: M/2/C (J. Palmer/R. Haak) Carried 6-0

Chairman Rick Bennett asked for a motion to approve the Subdivision as presented. Motion to approve: M/2/C (J. Sparling/D. Anderson) Carried 6-0

3) Perry Veterinary – 6611 Richmond Mills Road, Livonia, NY.

PLEASE TAKE NOTICE that the LIVONIA JOINT PLANNING BOARD will hold a public hearing on Monday **January 25, 2021** at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York to consider the application of Perry Holding Company, LLC - **Perry Veterinary** for Preliminary Site Plan according to Section 150-116 (E) of the Zoning Code of Livonia. The proposal is for a 6700 Sq. Ft. Veterinary building. The property is located at 6611 Richmond Mills Road, Livonia, New York, Tax Parcel #: 75.-1-3.114 and is zoned Neighborhood Residential (NR). 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 Bennett asked Robert Bausch of Perry Veterinary to come forward for the preliminary Site Plan Public Hearing. This proposal is for a 6700 Sq. Ft. Veterinary building. Bob Bausch introduced Senior managing partner Dr. Peter Hecht, and Nicole Cullen, Civil Engineer and Andrew Kosa, Project Manager, both of Clark Patterson & Lee Engineering. CEO Adam Backus stated for the record that Clark Patterson Lee is the Town's third-party Engineer, but in this application, they are representing Perry Holding Company, LLC. The Town of Livonia will be using TYLIN as their Engineer for this project. Bob Bausch stated that they have been working on this project for over a year and they are hoping to break ground in the spring of 2021. Andrew Kosa stated that they are working with Perry Holding Company for the 6700 Sq. Ft Veterinary Clinic that is modeled similar to their Batavia location. Traffic flow is set similarly and parking flow is set up for 42 parking spaces. They are currently working through

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their approval process. They have submitted a preliminary application to the Town of Livonia and have received comments back and will be addressing those this week. They will be re-submitting prior to Friday in order to be placed on the February Planning Board meeting. They have made their initial submission to D.O.T, which showed two entrances. The D.O.T. was not in favor of two entrances so they will be re-submitting a new plan showing one entrance. They have received a “no impact” letter from SHIPPO which has cleared the site archeologically and submitted the SEQR form to the Town with their application. Comments received back regarding the SEQR will be addressed and forwarded back to the Town.

Chairman Rick Bennett stated that he is aware that there are some submittals to address with the Town and the D.O.T, but asked if they plan to come back to the Planning Board prior to the going to the Zoning Board for a Conditional Use Permit? Andrew Kosa stated they would like to return for the February Planning Board meeting, and then to the ZBA on March 1st. CEO Adam Backus asked if the Board received the memo dated January 12th that was meant to brief the Board regarding this matter? The Board stated that did not receive the memo. ZCA Julie Holtje confirmed that the memo was emailed on January 19th. CEO Adam Backus stated that item number 3, suggested the applicant mirror this Site Plan so that it favored the other Residential Agricultural properties relating to parking, and lighting more towards the church. Building & Zoning’s review felt that this was not addressed along with the sidewalks. The memo was trying to consolidate where we were, currently are in the process. Chairman Rick Bennett stated that the one question he has with flipping the site, is the proximity of the entrance to the church and the Veterinary Clinic. CEO Adam Backus stated that if you were looking at Google Earth, you would see the church parking area with a tree line buffer. If you went to the other side of the property you would see a residence and a farm. The idea was, would it be possible to mirror the site so that the activity, lights, and traffic were favored towards the church? Chairman Rick Bennett asked what is the distance between the driveways that we typically look for? CEO Adam Backus stated that it would depend on the type of street or intersection, and it is recommended to be 330’ on this major street. “Mirroring” may not be the best term, but we are trying to see if the access and parking can be modified/relocated in a manner that balances or reduces potential adverse impacts. Andrew Kosa stated that they did take into consideration those comments. D.O.T has mentioned that the distance between the driveway may be an issue. The D.O.T did not like the two entrances. They changed it back to one entrance and it brought them a little over 200’. CEO Adam Backus stated that he would like the D.O.T to address that, and we would like to have their comments regarding the entrances. ZCA Julie Holtje stated that she will re-send the memo and stated that this is the first time through with the change in Zoning to allow professional offices within a Neighborhood Residential and careful thought should be taken to blend in with the character of the neighborhood. The application will be referred to the Zoning Board for a Conditional Use Permit. Chairman Rick Bennett stated that we would like to have the D.O. T’s recommendation regarding the entrance in writing. Robbyn Haak asked how much land is between their property line and the residence? CEO Adam Backus stated that there is a big buffer. Bob Bausch confirmed that there was a big buffer and the person they purchased the property from has 175’ of right of way through there. When it was measured it was approximately 300’. The proposed Veterinary building has been moved towards the west as much as possible, which would mitigate that situation. The parking spaces don’t face the house, they are directed towards the barn area and back of the building. Andrew Kosa stated that they will also be buffering the area with a bio-retention area that will include plantings. CEO Adam

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Backus stated that Buffer should be distinguished between space and obstruction. Andrew Kosa reviewed their plan for the line of the plantings with the Board. CEO Adam Backus stated that buffer would need to be 20' thick or a natural buffer. They are showing that they are accounting for that impact, but possibly it may be revised to show that the applicant is providing the buffer in a more substantial way. The point was that we have this unique situation where it has been allowed to have this type of operation in a neighboring residential agricultural area and we want to consider the impacts it may have. Further to the west we have an environment that is used to having 100-300 vehicles and is more of an impactful area. Further to the east, the more residential it is. Chairman Rick Bennett stated that a quarter mile away is the existing Veterinary Clinic that is surrounded by residences all around. By relocating we can lessen the impact of what is already there. ZCA Julie Holtje stated that they are also significantly increasing the size. Robbyn Haak stated that they will also be increasing the number of animals that will be there. CEO Adam Backus stated that the Zoning was changed to allow this with conditions. Those conditions were to consider the impacts in a residential neighborhood. We want to make sure everyone is aware of this. Bob Bausch stated that in the future, there is the potential of building another building in the back to accommodate large farm animals such as horses, goats, etc. ZCA Julie Holtje stated that the barn and fencing will fit nicely with the existing farm theme. The concern is trying to buffer the parking lot. CEO Adam Backus stated that, to be clear, the Town of Livonia thinks this that the Perry Vet Clinic is a good fit in our community, but The Town also put in conditions that allowed control from the Planning & Zoning Boards to ensure that there are no adverse effects to the neighborhood.

Bob Bausch asked to address the sidewalks. The issue with the sidewalk is that, currently it leaves the Village, goes through a vacant piece of land and cuts into the front door of the church. There is a tremendous, long gap over to their property. The issues are, nobody walks to a Veterinary Clinic with their animals, and they would not encourage that for safety reasons. There is no use for the sidewalks past their property. They also feel sidewalks may be an invitation for vandalism. What they are proposing to do is the leave space for a future sidewalk through their property. That could be a part of the approval process. If there is ever a demand for sidewalks to the east of their parcel, they understand that would have to put them in. ZCA Julie Holtje stated that it is important to consider that the Comprehensive Plan does indicate linking the Village sidewalks with Livonia Center. CEO Adam Backus stated that we also understand that it does not always make sense to have a sidewalk to nowhere. As an example, the 7-11 in Hemlock built in the ability to put sidewalks in. There were already easements in place so when the time came it was already agreed upon prior. Sidewalks should be considered being built into the Site Plan. Bob Bausch stated he agreed, and that was already being done. Chairman Rick Bennett asked what the provision was for the sidewalks in front of St. Matthews church in front of their property? CEO Adam Backus stated that was before his time and he was unsure if that was ever brought up with St. Matthews. The Comprehensive Plan does indicate that within so many feet of the Village or park, that sidewalks do need to be implemented. If it's part of the Site Plan that you need to provide sidewalks, it would be Perry Holding Company's expense. If the Town receives a grant and decides to put sidewalks from point "A" to point "B", the Town is going to pay for that and Perry Holding Company will have to allow them to implement the sidewalks. Allowing for it and doing it, the difference is, who pays for it. Perry Veterinary has agreed for the provision of sidewalks if and when they are needed. Chairman Rick Bennett stated that from a Site Plan approval standpoint, or the Conditional Use Permit, there could be a

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provision to provide the sidewalks and Perry Holding Company shall be responsible for implementing at a later date if determined. CEO Adam Backus stated that we should discuss with the Town Board if they are comfortable with Perry Holding Company providing an easement for the sidewalks, or do they want them to put them in or make provisions for it. Bob Bausch asked if it could be put in as part of the approval. Chairman Rick Bennett stated that we will consult with the Town Attorney James Campbell and ask him to advise how we should word this to address the sidewalks. CEO Adam Backus stated that the Town is very much in favor and supports this operation. Bob Bausch stated that the members of Perry Holding Company are very sensitive that this building fits into the community and it is something the community is proud of.

Chairman Rick Bennett asked for a motion to close the Public Hearing with no requests for comments. Motion to close Public Hearing: M/2/C (J. Palmer/J. Sparling) Carried 6-0

4) *Chris Wegener – 5870-5872 Big Tree Road, Livonia, NY.*

Chairman Rick Bennett asked Chris Wegener to come forward for the modification to Site Plan for the former Hook & Spoon building, Tax Parcel # 65.64-1-34.1. CEO Adam Backus stated that the modification is for the enclosure and expansion upward of the existing deck towards the lake. The support columns towards the parking lot that are currently there now, and a roof enclosure over it that they may extend slightly. Basically, not a change in the foot print. It is an expansion and something that would be recognized as a change in the Site Plan that warrants the Planning Boards review for impact. In the past there was a neighbor to the west that there were problems with. The Amphitheater had caused noise issues all the way over to Wilkins Tract. There has been public irritation with this property in the past. The proposed plan should decrease any of these concerns. We can address any future complaints with the fact that we have done our due diligence and have determined the modifications will cause no adverse impacts. Chris Wegener stated that they are going to be enclosing the deck area with removable glass doors. The key economically is that they need to cover that area to provide additional seating, and this will also stop any noise. The doors can be opened during the summertime. Chairman Rick Bennett stated that they are not altering the structure. There is no increase in height of the structure, expect for a small area over the deck. Jack Sparling stated that they are not exceeding the current height of the building. Chairman Rick Bennett asked about the site line. CEO Adam Backus stated that the only place that could be possible be an issue is to the west. A neighbor to the west that has complained in the past about the dumpster noises, but that was resolved. The applicant will need to assure the Board that the line of site and acoustics will not be an issue. Robbyn Haak asked how can that be determined prior to it going up? CEO Adam Backus asked the applicant if he has spoken to the neighbor to the west? Possibly explaining to them that you want to make their life better and by enclosing the deck, will reduce the noise. The Planning Board needs to know that will be researched and confirmed. Chris Wegener stated he will approach the neighbor. Chairman Rick Bennett stated that the panels on the two short sides are affixed. From an acoustic standpoint, sound is not going out through those walls. CEO Adam Backus stated that if the outdoor music is playing too loud and is bouncing off and bothering the neighbor, it will need to be addressed. Chris

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Wegener felt that the music would not be bouncing off and bothering the neighbor. CEO Adam Backus asked if it is an issue with the Amphitheater, is the applicant willing to rectify the problem. Chris Wegener stated they are not planning to have much entertainment. If there are any issues he will rectify any problems. He will also address the site line view with the neighbor to the west. CEO Adam Backus said that the Board will set a condition that the site line will be addressed with the neighbor to confirm there are no issues, and if there is ever an increase in noise because of the enclosed fixed structure the applicant will rectify that. CEO Adam Backus stated that the Town supports this business and is happy that it is happening; however, they have a responsibility to ensure it has no adverse impacts. Chris Wegener stated that he is and will continue to try to make all the neighbors happy.

Chairman Rick Bennett asked for a motion to approve the modification to Site Plan with the condition that line of site is considered, and should there be any issues with sound, that they be corrected. Motion to approve: M/2/C (R. Haak/D. Andersen) Carried 6-0

5) *GBT Realty Corp. For Dollar General – 4797 Main Street, Hemlock, NY*

Chairman Rick Bennett asked for a motion to close the written Public Hearing. Motion to close Public Hearing: M/2/C (J. Sparling/R. Haak) Carried 6-0

Chairman Rick Bennett asked Bob Gage of GBT Realty, developer for the Dollar General application to come forward. This is for the continuation of Preliminary Site Plan review for the Retail building located on 4797 Main Street, Hemlock. Bob Gage stated that all the review comments have been addressed and resubmitted. From his understanding we are down to two issues: The Sidewalk and exterior elevations of the building. Bob asked if everyone had seen the Sidewalk modifications? They have modified the Sidewalks to end up where the Town requested the cross walk to be. Chairman Rick Bennett asked if the current sidewalk plan was being reviewed by the D.O.T? Bob Gage stated that it was. R. Haak stated that we had previously discussed a Sidewalk between Route 20A and East Avenue. Bob Gage stated that he cannot build a Sidewalk on someone else's property. R. Haak stated that it should be connected to where the current Sidewalk ends. The D.O.T should have a right of way to grant permission to install the Sidewalks. CEO A. Backus stated that the concern is to provide a safe access from where people have sidewalk access to now. They have stated that they would seed & grass the corner, and work with D.O.T to get a sidewalk and crosswalk. CEO A. Backus stated that he felt the sidewalks were important. A significant number of the patrons will be walking to this store. During the Hemlock Fair, there will be thousands of people. Chairman Rick Bennett asked about the access point. CEO A. Backus stated that we have received confirmation from the D.O.T, that they are in agreement with the access point. ZCA J. Holtje stated that the D.O.T has not commented (to us) on the sidewalks or crosswalk yet.

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Chairman R. Bennett stated that the Board will wait for those comments. CEO A Backus stated that he was surprised that D.O.T did not want access coming off from Route 20A and Building & Zoning will double check with the D.O.T regarding the access point location. They have been sent the sidewalk plans, but we have not heard back from them. Bob Gage stated that they are willing to do whatever the D.O.T requirements are. Chairman R. Bennett stated that the D.O.T uses part of that area for a turn around. ZCA J. Holtje stated that the D.O.T wanted to keep their turn around. She has requested they provide clarification exactly where they turn around. In the Site Plan, we could try to preserve that area and protect the rest with the original grading and seeding. D.O.T does allow landscaping within their right of way and requested they applicant submit a plan. Streetscape trees be placed along Route 20A and 15A to limit access in areas other than the plow turnaround. Streetscape trees would be better located along the east side of the proposed sidewalk on 15A.

Chairman R. Bennett wanted to discuss green space in the area in the back of the property. CEO A. Backus stated that we are asking for the applicant to delineate that area.

Bob Gage reviewed the elevations with the Board. He presented a new rendering showing what they would like to propose. ZCA J. Holtje asked if he could explain the materials the building will be made of. Bob Gage stated that this is an attempt at an Adirondack look. There will be a gabled entrance. The front of the building will have horizontal lap siding. There will be awnings on both ends with Foe shutters underneath the awnings. Native stone wainscot on the bottom front of the building. Native stone will also be on the columns in the entrance area. The colors are typical earth tone colors that Dollar General uses. Chairman R. Bennett asked what type of material they were using for the lap siding? Bob Gage stated it will be Hardy board. CEO A. Backus asked why they decided against the previous building rendering that the Board preferred. Bob Gage stated that the original rendering that showed a gable roof would put them over budget by \$240,000 since the price of lumber has increased. He is trying to accommodate everything the Board wants with this new rendering. He has color options that he reviewed with the Board. One would be all gray with dark brown trim, the other would be green with timber. J. Sparling felt the green would be too dark. Bob Gage brought up a picture on his phone to show the Board an existing location that was built using the green color. D. Andersen asked if the background behind the sign lettering was blue? Bob Gage stated that it was. The Board does not like the yellow signage. The Board liked the channel lettering better than the yellow. ZCA J. Holtje stated that the sign colors could be made to blend nicely with the State Forest sign.

Chairman R. Bennett asked the Board for a consensus on the new proposed building. Of the renderings that he just shared; the Board prefers the Adirondack style building.

Chairman R. Bennett stated that there were a couple people present that would like to make a brief comment.

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Bob Nilsson of Hemlock stated that the applicant was asked to provide information from LCWSA regarding fire hydrant flow rates. The response shows 40-50 psi, but doesn't address flow rates. He was curious if they knew what the flow rate was at the closest Hydrant. If it is 400-500 gallons per minute, and the Fire Engine shows up with 1200-1500 capacity, they will collapse the water main and have no water. CEO A. Backus stated: that was a good point; it would fall under the Fire Code. It is appropriate to deal with this part of the Fire Code during Site Plan review. This information is out for confirmation from LCWSA and their engineers. It will be confirmed by the Town's engineer that the flow rate is sufficient. B. Nilsson stated that he is not an active member for the Hemlock Fire Department, but he is aware that the last time he was fighting a structure fire, the department had to go up to the water tower at the top of the hill to fill the tankers. That was the only place available. The water line through Hemlock is small and old. CEO A. Backus stated that fire protection is a requirement that needs to be confirmed prior to Site Plan approval.

Bob Nilsson stated that the proposed delivery truck simulation shows the trucks backing in off the road. The last time we had talked they assured us that would not be the case. Since they are looking at backing trucks in off the road, are they trying to get the speed zone changed for that area. There is already a lot of commercial truck traffic in that area. As a former professional truck driver, Bob Nilsson feels that this is a dangerous situation. Since they are building on 4 acres, they should make provisions for the delivery trucks to pull around back, for safety reasons. At the last meeting Dollar General stated that the delivery trucks would be arriving in the morning hours prior to the store opening. B. Nilsson has observed the delivery trucks (at other store sites) coming during the middle of the day, and not after hours. He has seen multiple trucks coming at the same time. Two days after the last Planning Board meeting, a delivery truck hit a car in the Shur Fine/NAPA parking lot as it was trying to back in front of the store. It was the drivers third run, typically the Dollar General has a high turnover rate for the truck drivers. CEO A. Backus stated that the delivery truck location plans have been sent to the Town's engineer to verify adequacy. CEO A. Backus asked how Dollar General regulates other delivery trucks coming to the stores. Bob Gage stated that the Dollar General truck is the largest truck coming to the store, and it delivers once a week. There will be smaller trucks coming throughout the week to deliver other products and they are box trucks. D. Andersen asked if Dollar General controls the delivery times of other vendors? Bob Gage stated that they do not, it will depend on how often the product is sold out. Hours are set by the vendor. CEO A. Backus stated that if there were a problem occurring, and we wanted to get out in front of it and get it corrected, would he be the one to address the issue? Bob Gage stated that would be something that would have to go through Dollar General, but his company could facilitate that.

CEO A. Backus asked if the Dollar General has any skin in the game as far as the approval. Bob Gage stated no, the approval is for the building and that they are just the tenant. CEO A. Backus stated that seems risky. You're asking the Board to agree to a situation that the developer of the building has no control over from here on. Chairman R. Bennett asked if there is an accident on the site involving a Dollar General truck, or a delivery truck, who is responsible.

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Bob Gage stated it would be the tenant, Dollar General. ZCA J. Holtje stated that if we feel it is necessary, we could request a modification to Site Plan for traffic safety. We would call the owner of the property, GBT Realty back in for a meeting. Bob Gage stated that they have put restrictions on the deliveries in the past, but it is not common. Bob Gage stated that there is so little traffic at these stores. ZCA J. Holtje stated that she sees empty Dollar General parking lots all the time. She has spoken to Livingston County Planning Department regarding this, and typically parking lot standards are larger than they need to be. Bob Gage stated that on average, Dollar General stores generate approximately 11 cars per hour. There is a peak time in the afternoon between 4-6pm when you might see 23 cars in the parking lot. Even at peak time with 4 employee cars there is an overflow of 3 parking spaces.

CEO A. Backus stated that he is also the Fire Marshall. In the past, he has had a difficult time gaining compliance for fire safety and property maintenance violations at the other (Livonia) Dollar General. In fact, recently a Fire Chief sent him pictures of the isles of the Dollar General totally blocked. He has been to fire calls where the panel is totally obstructed from merchandise inside the building. There is no one to speak to about these types of problems. The store Manager is doing what they are told, merchandise came in and there was nowhere to put it. It is unsettling to make an agreement with the developer who has no control over the operating procedures. We would like a corporate contact person that we can contact when there are fire or safety issues. Bob Gage stated that they still own the building and can penalize the tenant if they are not cooperating with violations or safety issues. They can make sure they comply with what the developer has agreed to with the municipality. D. Andersen reminded that having a contact person for any issues was brought up at the first meeting.

Will Ouweleen of O-neh-da Vineyard from Conesus stated that he is having a difficult time with these discussions. Every time the Dollar General comes, there is a different representative, making different representations. From the beginning sidewalks were supposed to be brought to East Avenue, and the applicant has been resistive to that. It appears CEO A. Backus is arguing that the sidewalks to East Avenue are not necessary. The Gable design was presented and now they say it's too expensive. Now we are going to have a box store. Last time the representative stated there would be no deliveries during store operating hours. When they went to film the Livonia store delivery, there was a new driver who was interviewed that just hit a car. These concerns were brought up at the prior meeting. This happened two days after the last meeting. At the Hemlock location, trucks are backing into the property in a 55MPH speed zone. There are going to be problems & accidents, and asked who is going to be liable?

Chairman R. Bennett stated that the last concern is where the sidewalks turn into the Dollar General property, it is showing a marked area on the pavement. The Board is not in favor of the marked pavement. The Board would like a separate raised Sidewalk for this area.

Chairman R. Bennett stated that the Board is waiting to hear back from:

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The D.O.T, the Town's engineers regarding capability that delivery trucks can navigate the turnaround, and a fire protection plan from the applicant. LCWSA to provide hydrant flow. The Building & Zoning Department will provide a memo clarifying what is needed to move forward. Chairman R. Bennett asked the Board for their comments regarding the Adirondack style building that was proposed tonight. R. Haak stated that it is not her favorite, but better than the rendering they received just prior to this meeting. Of the three most recent/additional renderings, she prefers the green color. R. Haak asked about signage. Bob Gage stated the sign will be a yellow & black monument sign 8' tall. D. Andersen stated she felt the Board asked not to have the big yellow sign with black lettering. J. Palmer agrees with Robbyn's comments. She likes the new rendering better. J. Sparling likes the new Adirondack rendering. D. Andersen likes the new Adirondack rendering using the green color but doesn't like the yellow sign. J. Brown stated her concern is not about the look of the building, but rather concerned about the safety of deliveries. If we can't restrict delivery hours for vendors, she would like to see what it would take to have a wraparound area for the delivery trucks. She is not comfortable with the delivery trucks backing through parking area during business hours. ZCA J. Holtje asked if there was any metal on the building? Bob Gage stated the other three sides are metal.

CEO A. Backus asked if there were any further comments regarding the sidewalks. Chairman R. Bennett stated he doesn't feel comfortable making the applicant responsible for sidewalks that are not related to their property.

Bob Gage stated that his takeaway was that the Board liked the green Adirondack style building submitted tonight. D.O.T right of way, plow truck turnaround coordination with D.O.T, gravel area with seeding. The tree line will be changed back to the original drawing. Sidewalk from the road to the store needs to be separated from the drive. The monument sign with channel letters. They agreed to put the Fire Hydrant onsite, Fire Flow tests and other agencies completing their reviews and providing comments.

Chairman R. Bennett asked for a motion to proceed with the Final Site Plan process, with the comments brought up today, and with a follow up memo from the Building & Zoning office. Motion to grant preliminary approval and to proceed towards final site plan approval: M/2/C (J. Sparling/J. Palmer) Carried 6-0

CEO Adam Backus & ZCA Julie Holtje had a brief discussion with the Board regarding the Village of Avon, pump station located on Pebble Beach Road. They are going to be demolishing the old building and moving the new building back towards the road. The building plans were reviewed with the Board and there appears no adverse effects. CEO Adam Backus stated that the biggest concern was storm water management and flood plain elevations. They want to make the Board aware of their project.

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With no further questions, Chairman Rick Bennett asked for Motion to adjourn the meeting at 9:02 p.m... Motion to adjourn: M/2/C (R. Haak/J. Palmer) Carried 6-0

Respectfully Submitted,
Alison Houk, Recording Secretary