

LIVONIA JOINT PLANNING BOARD
August 22, 2022

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

Excused: CEO Adam Backus, Attorney J. Campbell.

Agenda:

- 1) Accept and approve the meeting minutes of July 25, 2022*
- 2) Matthew & Nichole Bean – 6190 South Lima Road, Livonia, New York.
Subdivision*

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

1) Approve Meeting Minutes for July 25, 2022. Chairman Rick Bennett asked for a motion to approve. M/2/C (J. Palmer/D. Andersen) approved as submitted. Carried 7-0.

2) Matthew & Nichole Bean – 6190 South Lima Road, New York

Chairman Rick Bennett noted that 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.

Chairman Rick Bennett asked Matthew & Nicole Bean to come forward to discuss the proposed Subdivision. Matt stated that they purchased the property in 2018. It was the former Gibbons property. They have remodeled and currently live in the existing house. They are hoping to subdivide the property and build a new house on the 26.3 acres. Currently, there are 27.25 acres total, leaving just under an acre which would include the current house and barn. This would allow them to build a new house on the existing property. The new 26-acre lot will be served by a private well and septic system. Chairman Rick Bennett noted that the applicant should use caution building near the wetlands. Matt stated that he had done some D.E.C research, and the wetlands will be over 800' away from the new home. Last year they worked with Livingston County Soil and Water Conservation Department to install over 2000' of drainage. The work removed the water that would sit in the field. It now flows northbound out of South Lima like it was intended to do. ZCA Julie Holtje stated that if any of that work was documented, the Town would like to have that in our records. Matt said they worked with Bob Stryker and Butch Curry, the contractor that performed the work. From the west side of the property to the east side, they ran an 8" main drain line and a 4" tile with two structures into that. The existing ditch along the old railroad bed needed to be cleaned out and filled in. The ditch now flows eastbound, turns 90 degrees, and northbound to South Lima Road. It has improved the field that is currently being farmed and the drainage for that whole hillside on South Lima Road.

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Chairman Rick Bennett asked for a Motion to waive the Public Hearing. Motion to waive: M/2/C (R. Haak/J. Palmer) Carried 7-0

Chairman Rick Bennett and the Board reviewed 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 significant change with the addition of a single-family house on lot 2
3. Will the proposed action impair the character or quality of the existing community? No, all action proposed is consistent with the neighborhood
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? 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 significant increase.
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 – Future development may require tying into the system.
 - 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, wetlands and floodplains are detailed on the map and noted that regulations may apply when in closer proximity.
10. Will the proposed action result in an increase in the potential for erosion, flooding, or drainage problems? No, significant work on the property to mitigate drainage problems has been undertaken by the applicant in participation with Livingston County SWD.
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. Brown/J. Palmer) Carried 7-0

The Board discussed the old Livonia, Avon & Lakeville Railroad property that runs through this parcel and is owned by the applicant. Information from the Building and Zoning Department Memo called attention to the Town and Village of Livonia's Comprehensive Plan identifying the creation of the trailway following the LALRR. This trail would be accessible from some points on South Lima Road. The Bean property is an ideal access point if this were to be added to the trail system in Livonia. The Memo stated that the Town would like to ask the Bean's, on behalf of the Town and the Village of Livonia community and in light of the Comprehensive Plan, to consider an easement for a future trail on the access points between the Garcia properties at 6256 South Lima Road, Tax parcel #'s 65.-1-29 and 55.20-2-2.111. The Town also invites the Beans to consider investing in an easement on the part of the width along the length of the railroad bed, to be dedicated to this vision in the Comprehensive Plan. Matt Bean had previously stated to the Building and Zoning Department that he used this land for hunting. The idea was presented to the Beans in a conversation when the application was submitted and in the review Memo. Some members of the Board expressed that the trail acquisition would be favorable but that in this application, it is only being brought up as an FYI/consideration. It has no bearing on the Subdivision.

Chairman Rick Bennett asked for a motion to approve the Subdivision application as presented. Motion to approve: M/2/C (J. Palmer/D. Andersen Carried 7-0

With no further questions, Chairman Rick Bennett asked for a Motion to adjourn the meeting at 8:02 p.m... Motion to adjourn: M/2/C (R. Haak/J. Brown Carried 7-0

Respectfully Submitted,
Alison Houk, Recording Secretary