

LIVONIA JOINT PLANNING BOARD
MARCH 27TH, 2017

Present: Chair R. Bennett, R. Haak, J. Palmer, D. Richards, J. Sparling, CEO A. Backus, Attorney J. Campbell and Secretary, A. Houk.

Excused: D. Simpson

Agenda:

- 1) Approve the meeting minutes from March 13th, 2017**

- 2) Hank Conn – 16 Washington Street, Livonia, N.Y.**
Proposed Concept for Used Book & Antique Store.

- 3) Michael & Susan Schrader – 4415 Federal Road, Livonia, N.Y.**
Site Plan Review.

Chair R. Bennett opened the meeting at 7:03 p.m.

1. Meeting minutes for March 13th, 2017. Chair R. Bennett asked for a motion to approve. M/2/C (J. Palmer/J. Sparling) approved as submitted. Carried 6-0

2) Hank Conn – 16 Washington Street, Livonia, N.Y

Chair R. Bennett invited Hank Conn to come forward to discuss the concept proposal for the Church. CEO A. Backus stated that this old Church was abandoned. At some point in time the lower level was converted into a residential dwelling. Chad Panipinto currently owns the property. He has tried to sell or rent it out and tried to come up with a creative way to use the property without any success. Hank Conn presented his concept for a used book & Antique store at this location. They currently live in Cooperstown New York and have been looking for a Church that they could use as their residence and have a Used Book store. They plan to use the lower level as their primary residence and convert the Sanctuary into a used book & Antique store. They are here to gain recommendations from the Planning Board before going to the Zoning Board of Appeals for the Use and Area Variance. The Use Variance is requested for a proposed Home Occupation. The Area Variance is requested for relief from the limitation of 40% of the habitable space used for the Home Occupation. CEO A Backus stated that this is a unique property and couldn't think of a better candidate for Variance's and to utilize the property. The property provides a residence, parking and space for the bookstore. Attorney J. Campbell stated that essentially this is a home occupation. He will recommend to the Zoning Board that they treat this application as a home occupation with a limited Use Variance request just for the retail aspect of selling the books, rather than converting the entire property to commercial use. In this unique situation, the limited Use Variance makes sense. CEO A. Backus stated that the restrictions associated with this property prompted the previous Church organization to relocate. The former Church property included a parsonage, south of the Church building, which has since been subdivided and is currently owned/occupied by a family with

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small children. The subdivision further restricted the potential use of this property and the subdivision also created a shared driveway, which A. Backus considers to be a significant safety concern relative to future assembly type uses. An occupant load from one hundred to three hundred is a big deal now with the family next door. This would be difficult situation if Church organization wanted to move in because of that change. This lower impact use that H. Conn has presented would be a much better fit. This would be within the character of the neighborhood, especially with the Library down the street.

Chair R. Bennett asked if Tim Wahl who has the church in Livonia Center uses it for his residence and to sell woodworking. CEO A. Backus stated that Tim does live in the Church. Attorney J. Campbell stated that he does not conduct retail sales, but does have a shop there and periodically people will come to view cabinets. J. Sparling asked if this will also include the parking across the street & asked what the current zoning was. H. Conn stated that they would be purchasing both parcels. CEO A. Backus confirmed the property's zone and use is Neighborhood Residential. J. Sparling asked if they are planning to have beverages. They eventually would like to offer coffee and baked goods in the area where the piano is now, but will not offer lunches or other type of food. They are focusing on offering a quiet place to come and read, rather than serving food. Chair R. Bennett asked about Handicap access. CEO A. Backus stated that we are working on that and believes we can make that work where it was. As far as setbacks we can encroach up to five feet into the nine feet setback. We have a provision in our Code that allows access to the first floor of a structure no wider than five feet. We need sixty inches at the top for a wheelchair, it could also be added to the Variance. Chair R. Bennett asked what the operating hours would be. Normal business hours Monday through Friday from nine to five, Saturday and Sunday nine to five or six. J. Sparling asked if they would be open during the evening hours which might require lighting in the parking area. CEO A. Backus stated that he thought there was existing lighting, but if additional lighting was needed we would make sure it was dark sky compliant. R. Haak asked if was going to be limited to book sales. H. Conn stated that it will primarily be used as the book store but will offer some Antiques that would go along with the books such as selling globes and maps that would go along with a Geography section.

Attorney J. Campbell and the Planning Board looked favorably on this concept application. The Zoning Board of Appeals will be the next process. CEO A. Backus stated that we are going to schedule them on the April 17th, 2017 Zoning Board of Appeals Agenda.

CEO A. Backus presented to the Board the Site Plan review for Michael & Susan Schrader. The Schrader's have purchased parcel # 85.-1-3.119 (Federal Road) which was part of the James & Joyce Willard Subdivision. They will be putting a 28' X 64' Modular Home on the parcel using Jim Bongiovanni as their contractor. They will install a septic system, but will have public water supplied. They have reviewed plans for the driveway and drainage with CEO A. Backus and there are no concerns. The Planning Board approved the request for the Site Plan as presented.

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There was a brief discussion with CEO A. Backus updating the Board on several pending applications statuses.

With no further comments Chair R. Bennett asked for a motion to adjourn the meeting at 7:32 p.m... M/2/C (D. Richards/R. Haak) Carried 6-0

Respectfully Submitted,
Alison Houk, Recording Secretary