

LIVONIA JOINT PLANNING BOARD

August 10th, 2020

Present: Chair Bennett, J. Brown, R. Haak, J. Palmer, J. Sparling, L. Willoughby, & Zoning Compliance Assistant J. Holtje

Excused: CEO A. Backus, Attorney J. Campbell, D. Andersen & 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. –July 13th, 2020***
- 2) *TML Wood Working – 28 Commercial Street, Livonia, NY.***
Site Plan approval
- 3) *R. Benjamin Damon – South Livonia Road, Livonia, NY.***
Subdivision approval
- 4) *Chris Wegener – Thomas Drive, Livonia, NY.***
Site Plan approval

Chair Bennett opened the meeting at 7:00 p.m.

1) Approve Meeting Minutes for July 13th, 2020. Chair R. Bennett asked for a motion to approve. M/2/C R. Haak/J. Palmer) approved as submitted. Carried 6-0.

2) *TML Wood Working – 28 Commercial Street, Livonia, NY.*

Chair R. Bennett asked Matt Lochner to come forward. Chair R. Bennett stated that the Zoning Board of Appeals has granted a Variance for the 12' X 20' Shed. Chair R. Bennett asked if the applicant had provided a rendering for the new Shed, and if the ZBA had any specific stipulations when they granted the Variance. M. Sharman, ZBA member present for a different application, stated that the applicant had agreed to move the Shed 5.5' from the existing building

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to allow clear site distance at the intersection. This would move the new Shed closer to the building, than where the temporary storage container currently was. The applicant would also cone off the parking space next to the road, and enforce no parking in that area to keep the site distance clear. The Board reviewed the rendering for the new proposed Shed. J. Sparling asked if the 12' X 20' Shed will be placed where the temporary storage container is now. M. Lochner stated that the Shed will be closer to the building, and the storage container will be removed once the Shed is ready. This will also provide better ingress and egress. Chair R. Bennett stated that we have received the comments from the Department of Transportation addressing the line of site. The D.O.T. stated that once the storage container is removed, and the new Shed is placed closer to the building, it would comply with the D.O.T recommendations.

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

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

Chair R. Bennett asked for a motion to approve the Site Plan as presented. Motion to approve: M/2/C (J. Sparling/L. Willoughby) Carried 6-0

3) R. Benjamin Damon – South Livonia Road, Livonia, NY.

Chair R. Bennett asked Mike Sharman, representing R. Damon to come forward for the proposed Subdivision. M. Sharman stated that this parcel is part of the Damon farm. It's a 5+ acre lot located at the northern part of the property, closest to Cleary Road. M. Sharman reviewed the parcel maps with the Board, which indicates the wet land areas. This parcel has a 75' setback requirement. On the other side of Cleary Road, it becomes a 50' setback requirement. The Damon barns on the other side of the road, are located on the highway right of way, which was there long before Zoning. Mr. Damon is looking for some relief from the setback requirement. This would allow who ever owned the land, the opportunity to build a structure on the property, be it a barn or a house. The buyer that he currently has would like to put up a storage barn on the property. This buyer currently owns a house located just south of Camp Stella Maris, so this location would be very convenient for him. M. Sharman stated that he is trying to figure out if requesting a Variance for the front Setback from the Zoning Board is worth pursuing. He asked the Planning Board for their thoughts on the Setback Variance, and proximity to the wetlands. Previously there was a Mobile Home with a septic and public water tap at the road. The Mobile Home has been demolished and the septic was filled in as it was small, and not suited for a larger home. The parcel has been a residence for approximately 25-30 years, but without a Variance for the Front Setback, the subdivided parcel would be next to impossible to build anything on. R. Haak asked if only having a barn was permitted without a residence. Zoning Assistant J. Holtje stated that it was permitted, as long as it was not for a business. It would be a residential structure, with possibly a house coming at a later date. M. Sharman stated that the prospective buyer has no intentions of using the barn for a residence, it would be used for storage. Chair R. Bennett reviewed the parcel rendering, stating there was a topo slope with the hedgerow, which appears to be the extent of the flat area to work with. M. Sharman stated that if you go further north, there is more land, it's just currently wooded. The north side of the lot is where the

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prospective buyer would like to place the barn. In the future, they could place the home to the south facing the barn, not the road. Chair R. Bennett asked M. Sharman to review the map with the Board clarifying the placement of the barn. R. Haak asked for clarification on the Setback for the old Mobile Home, M. Sharman reviewed the map showing the location of the Mobile Home. Chair R. Bennett said that the biggest issue is the front Setback. The Planning Board can recommend the application to the ZBA for the front Setback Variance. J. Sparling asked why the front Setback was different further north, as it was also in the Ag District. M. Sharman stated that the area further north is more residential parcels. J. Palmer stated that with the requested Setback of 50', it would be consistent with the residential area just north of Cleary Road. L. Willoughby stated that the road is curvy in that section, and asked if there were concerns with site distance. Chair R. Bennett stated that was a good point. The site distance that far back wouldn't have any impact with the Setback Variance. The Board looked favorably on the Subdivision, and recommends the application to the Zoning Board for the 50' front Setback Variance.

4) Chris Wegener – Thomas Drive, Livonia, NY.

Chair R. Bennett asked Chris Wegener to come forward for the proposed Site Plan approval for the multi-use building located on Thomas Drive. Chair R. Bennett asked if the requirements from Livingston County Water & Sewer Authority have been satisfied. Zoning Assistant J. Holtje stated that she received confirmation from Livingston County Planning Board, but was unaware if confirmation had been received from LCWSA. C. Wegener stated that LCWSA just requested to be on site once the project starts. Chair R. Bennett stated that the Board asked for prospectives regarding the elevations on nearby buildings. The major concern of the Board was how the two-story structure would fit in with the rest of the buildings in the vicinity. C. Wegener stated they already submitted that rendering. Zoning Assistant J. Holtje stated that she handed out what had arrived today. C. Wegener stated that wasn't part of that package, the rendering was previously submitted in an email, as requested. J. Brown asked for clarification on where the building would be located. Chair R. Bennett stated that it would be behind the Livonia Pharmacy area, where the Car Wash was going to be located. C. Wegener stated that the proposed two-story building, including a gable will be about 32' in height. Zoning requirements for that District are 40', which puts them well under the requirement. Chair R. Bennett stated that the Board wanted to see an elevation comparison, to see how the proposed two-story building would look in relationship to the existing buildings. C. Wegener asked if this would also be an architectural review. Chair R. Bennett stated that it wasn't. C. Wegener stated that if he decides to change some of characteristics of the building, he wanted to insure that was acceptable. He doesn't want the building to stand out in a negative way, but he wants the building to stand out, and be the next phase of what buildings should be. Chair R. Bennett stated that C. Wegener wants it to be noticeable, but not obtrusive. C. Wegener agreed. R. Haak asked the applicant if he had the rendering of what the proposed building was going to look like. C. Wegener stated that he did not bring that rendering with him. Zoning Assistant J. Holtje provided the Board the emailed elevation drawings. She stated that the rendering was a building profile that the Engineer prepared on a drone survey. It is a 3D modeling of the existing buildings, and an insertion of the proposed building. The building material and design are

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subject to change based on final coordination of tenants. R. Haak stated that the rendering of the proposed building is a nice-looking building. Chair R. Bennett stated that based on that rendering, the building catches your eye, but is not obtrusive and fits nicely.

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

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

Chair R. Bennett asked for a motion to approve the Site Plan as presented, with the LCWAS on site once the project starts. Motion to approve: M/2/C (J. Brown/R. Haak) Carried 6-0

With no further questions, Chair R. Bennett asked for Motion to adjourn the meeting at 8:20 p.m... Motion to adjourn: M/2/C (R. Haak/J. Sparling) Carried 6-0

Respectfully Submitted,
Alison Houk, Recording Secretary