

**LIVONIA JOINT ZONING BOARD OF APPEALS**  
**March 3, 2025**

Present: Chairman M. Sharman, R. Bergin, D. Major, J. Prato, M. Thompson, CEO A. Backus, Zoning Compliance Assistant Julie Holtje.

Excused: Attorney J. Campbell.

**AGENDA:**     *(1) Accept and approve the meeting minutes of February 3, 2025.*  
  
                  *(2) Bruce Beardsley – Price Road, Livonia, NY*

Chairman Mike Sharman brought the meeting to order at 7:00 p.m. and opened with the Pledge of Allegiance.

Chairman Mike Sharman asked if everyone reviewed the meeting minutes from February 3, 2025. The Board agreed they had, and a motion was made to approve the minutes. M/2/C (/J. Prato/R. Bergin) Carried: 4-0-(1 abstention Doug Major).

*(2) Bruce Beardsley – Price Road, Livonia, New York*

**PLEASE TAKE NOTICE** that the LIVONIA JOINT ZONING BOARD OF APPEALS will hold a public hearing on Monday, **March 3, 2025**, at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York, to consider the application of **Bruce Beardsley** for an area variance pursuant to Section 150-17C of the Zoning Code of Livonia. This area variance is requested for a proposed 3-lot Subdivision, which will violate the minimum required lot width of 250 feet according to Sections 150-32 E (2). The proposal also violates the driveway separation requirement for Lot 3 (remaining lands) according to Section 150-30 A. This property is located at **Price Road, Livonia**, New York, tax number 83.-1-10.219. It is zoned as Agricultural Conservation 3 District (ARC-3). 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.

ZCA J. Holtje polled the Board for site visits:

Chair M. Sharman:	Yes
R. Bergin:	Yes
D. Major:	Yes
J. Prato	Yes
M. Thompson	Yes

Chairman M. Sharman asked Jared Ransom, Land Surveyor, representing Bruce Beardsley, to come forward for the proposed Subdivision Variances.

# LIVONIA JOINT ZONING BOARD OF APPEALS

## March 3, 2025

Chairman Mike Sharman opened the Public Hearing and stated for the record:

This application was submitted to the Livingston County Planning Board for their review. They determined that it has no significant Countywide or inter-municipal impact. Approval or disapproval of this application is a matter of local option.

The subdivision applications require SEQR and this will be completed with the Livonia Joint Planning Board during the final subdivision review.

J. Ransom, L.S. introduced the project. He and the owner consider this the best layout of the remaining lands for saleable residential lots. This is self-created from what is left over from a number of previous subdivisions.

A. Backus: clarified that past poor planning responsibility falls on the property owner, not the Town. When someone presents a plan to the Planning Board, they approve what is permitted, not always what is a good idea.

Discussion:

- R. Bergin: Has the applicant considered a private drive?
  - not encouraged by Town Design Criteria
  - private drives generally have maintenance issues
  - a private drive would reduce the number of accesses on Price Road. Lots 2 & 3 would continue to use the existing driveway as allowed by the easement on the previous subdivision.
- Easements for use of the existing driveway
  - access given to Blake's parcel and the entire property being subdivided here
  - private drive may only serve four lots
- J. Prato: is not so concerned about narrowing the frontage, but more about leaving a parcel that creates problems for future development (Lot 3).
- J. Ransom: most of the 38 acres of lot 3 is not suited for development. Some can be farmed; some are woods and gullies. The pond sits high, and the land that falls away behind the pond is wet.
- Given the number of people who have the right to use the existing driveway, a private driveway seems the most practical.

Discussion summary: From a previous subdivision, filed map AO010179, the Beardsley parcel (consisting of proposed lots 1-3) has an easement for use of the existing driveway owned by Jamison's flag lot to the east. Currently, a total of 3 lots have access to this driveway by the easement labeled on the filed subdivision map. If this existing driveway was made into a private road, lots 2 & 3 could access it, and there would be no need for variances. This plan would also provide more practical access for lot 3 as it would not create the pinch point of 25 feet to the pond, and there would not be two 1000'+ driveways running side by side.

J. Ransom: does not believe it is a big ask to reduce lots widths by 10' each. There are many parcels in this area that do not meet the 250' lot width, and the proposed lots are over the 3-acre

**LIVONIA JOINT ZONING BOARD OF APPEALS**  
**March 3, 2025**

minimum size requirement. He does understand that it is easier to grant a variance when the lot is a pre-existing lot and not when being asked to create a new nonconforming lot.

Chairman M. Sharman: this is an unusual project to come before the Zoning Board. We will want the Town Attorney to weigh in on the private road.

Wayne France, from 6108 Wilkins Tract: his wife owns the flag lot to the east with the existing driveway being discussed. Mr. France would like more information on what a private driveway means. This information will be made available by the Building & Zoning Dept.

The Board discussed tabling the application in order to refer it back to the Livonia Joint Planning Board for further review on a solution that would not create non-conforming lots. The Board suggests the owner/applicant work with the neighbor to the east to create a private road so no variances are needed since this property already appears to have access rights to that driveway.

Chairman Mike Sharman asked for a motion. Motion made to table the application and refer it back to the Livonia Joint Planning Board with the comments from this meeting: M/2/C (M. Sharman/M. Thompson) Motion carried: 5-0

With no more public comment and no further discussion from the Board, Chairman Mike Sharman closed the public hearing and asked for a motion to adjourn the Livonia Joint Zoning Board Meeting at 7:50 p.m. M/2/C (D. Major/M. Thompson) Motion carried: 5-0

---

Respectfully submitted,  
Julie Holtje