

LIVONIA JOINT PLANNING BOARD
JANUARY 14TH, 2019

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

Agenda:

- 1) *Approve the meeting minutes. –November 26th, 2018, 2018***
- 2) *Wooded Valley Brewing – 3100 Rochester Road, Livonia, NY
Preliminary Site Plan Modification.***
- 3) *Stump Blower Cider – 5901 Big Tree Road, Livonia, NY
Site Plan Modification & 1 year follow up.***

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

The Board welcomed Jeanne Brown to the Planning Board.

- 1) Approve Meeting Minutes for November 26th, 2018. Chair R. Bennett asked for a motion to approve. M/2/C (R. Haak/D. Richards) approved as submitted. Carried 7-0

2) *Wooded Valley Brewing – 3100 Rochester Road, Livonia, New York.*

Chair R. Bennett asked Nicole Flora to come forward to discuss the Microbrewery. Attorney J. Campbell stated for the record that this office, Kruk & Campbell has represented the Flora family for many years. CEO A. Backus stated that the Wedding Venue at this property is owned by Vicki Bishop, previously Vicki Flora. Inspections have been performed and they are ready to open to the public, which is located on the lower level of the building. Upstairs is currently vacant and her son and daughter wish to proceed with a Brewery on the north end of the building. The Brewery tanks will be located on the first floor. They are aware that they need to have a Code compliant path to move forward. They are at the stage of the compatibility between a Brewery and Wedding facility, modification to Site Plan. They would be expanding the use, not the actual building to include a Brewery. Attorney J. Campbell stated that the Board & applicant need to be sensitive to the impacts of the waste water treatment from the brewery. The Livingston County Water and Sewer will want to be included in this process. N. Flora stated that they are currently addressing this issue and plan to have a waste water collection tank in the brewing area. Everything will be pumped up into the tank, which will be treated prior to its discharged. Attorney J. Campbell stated that he advised the applicant to coordinate with the LCWSA, and have them sign off on the proposed treatment plan. Final approval from this Board can't happen without LCWSA acceptance. Attorney J. Campbell stated that the applicant is here for the modification to existing Site Plan and the Conditional Use Permit. The Board can hear any public comments, but Final Site plan will need to be presented prior to any approval. N.

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Flora stated that she thought they had already submitted a copy of their business plan. They plan to brew everything on the first floor and then send it up to the Tap room, where everything will be served. J. Sparling asked when they anticipated being in operation. N. Flora stated that once they get their approval, they will order the equipment, which typically takes about thirty weeks to arrive. With the necessary paperwork and licensing, they are about a year and a half to two years from opening. R. Haak asked if the Brewery will be separate from the Wedding venue? N. Flora confirmed that it would be. CEO A. Backus stated that the Planning Board will want a detailed vision of your projected Site Plan. Including coordination with LCWSA. Will there be adequate parking associated with the brewery? If there are wedding events at the same time, has parking been accounted for. What are the impacts on the site, soccer fields and community? Laying out the atmosphere, bar type venue or more of a tasting room, and hours of operation. If your intentions are to provide music, DJ's, or promotional events, what would the days and hours be for those. N. Flora stated that in the future, their thoughts might include using the soccer fields for music and offering their products to the customers. J. Palmer asked if there is an evening wedding, would the Brewery stay open to accommodate the wedding guests. N. Flora stated that the Wedding venue would be using Partyman Catering. They would keg their product, and send it down ahead of time, so they would still close at the scheduled time. The Brewery would be a total separate operation. J. Brown encouraged the applicant to provide the Board with their long-term future plans. N. Flora stated that in the future, they are considering adding a Deck on the north side of the building. They plan to have board games, pool tables and dart boards. They would like customers to come and have a beer and stay for a while. Chair R. Bennett stated that the Planning Boards looks favorably on the concept, and the applicant should prepare a detailed Site Plan to submit. The Board is here to balance what you want to do, and guide you through the process.

2) Old Stump Blower – 5901 Big Tree Road, Livonia, New York.

Chair R. Bennett asked Elise Barnard to come forward to discuss the Modification to Site Plan for the 12' X 30' Roof Structure, and for a one year follow up. CEO A. Backus stated that they were due for the one-year review, and in the mean time they extended a roof structure off the east side of the building without obtaining a Building Permit or Site Plan approval. The applicant did email the Building & Zoning department regarding the roof structure, but proceeded without the Building Permit being issued, and approval from the Planning Board. They were notified to contact the Building & Zoning department and they then followed up with completing the permit and modification to Site Plan applications. Chair R. Bennett confirmed that the structure was completed without any inspections from CEO A. Backus. E. Barnard stated that Warren Wheeler of A to Z Contracting completed the work. They had Randy Fuller of Crosier Consultants inspect the structure and provide a stamped letter. CEO A. Backus stated that he has spoken to R. Fuller, who stated he was confident in how it was constructed. Attorney J. Campbell stated that the letter states, the construction appears to be a robust design more than structurally adequate for the intended use. R. Haak asked if CEO A. Backus still needs to inspect the roof structure. CEO A. Backus stated that he requested they consult with an Engineer, since the structure wasn't built conventionally, using modified Trusses. He will still require an inspection prior to issuing a Certificate of Compliance. CEO A. Backus asked if this area was part of the original parking plan, and were there any parking spaces that were lost due to the new

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roof structure. E. Barnard confirmed that this area was not part of the original parking plan and no spaces were lost. D. Richards asked about the existing house that is on the same property as Old Stump Blower. E. Barnard stated that the property is all one parcel and she owns the entire parcel. This was the old Robin's Nest, and is now Empire Realty. J. Sparling stated that there seems to be a pattern of starting projects without going through the proper process. Beginning work without coming to the Planning Board for Site Plan approval, and then obtaining a Building Permit. E. Barnard stated that she thought they had approval for the Patio. CEO A. Backus stated that the existing Patio did not require Site Plan review or Building Permit. It was the roof structure that triggered the review and prior approval. J. Sparling stated that the cooler, storage body and music were all added without prior approval. E. Barnard assumed that this did not require a Building Permit. CEO A. Backus stated that the contractor who completed this job, definitely knew he needed a Permit to add a structure. R. Haak stated that when Elise didn't get a response from the email, she should have reached out by phone. Attorney J. Campbell stated that any changes whatsoever, from the smallest thing to serious construction is going to require, at minimum Site Plan review application. This seems to be a pattern and he recommends that in the future, that the Planning Board is not so forgiving. R. Haak confirmed that there were not plans to enclose the roof. E. Barnard stated they will not be enclosing the roof. It was added to stop snow from rusting the bottom of the cooler out.

Chair R. Bennett asked for a motion to approve Modification to Site Plan for the 12' X 30' Roof Structure. Motion of final approval provided the applicant completes the Building Permit and CEO A. Backus inspection process. All future improvements, expansions and modifications must be brought to the Planning Board for approval, prior to construction. M/2/C (R. Haak/J. Palmer) Carried 7-0

The Planning Board requested that E. Barnard pass this information onto everyone involved with the OSB Ciderworks, so there are no misunderstandings in the future about obtaining prior approval before beginning any work.

Chair R. Bennett wanted to address the one year follow up. J. Palmer asked, in regards to the one year follow up – were there any issues or complaints received. CEO A. Backus stated that he has not received any complaints or issues that he is aware of, relative to what this Board has approved.

With no further questions, Chair R. Bennett asked for Motion to adjourn the meeting at 7:56 p.m... Motion to adjourn: M/2/C (J. Palmer/J. Sparling) Carried 7-0

Respectfully Submitted,
Alison Houk, Recording Secretary