

**LIVONIA JOINT PLANNING BOARD**  
**JULY 13<sup>th</sup>, 2020**

Present: Chair Bennett, D. Andersen, J. Brown, R. Haak, J. Sparling, L. Willoughby, CEO A. Backus.

Excused: Attorney J. Campbell, J. Palmer, Zoning Compliance Assistant J. Holtje & 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. –June 8<sup>th</sup>, 2020***

***2) Richard Finocchario – Richmond Mills Road, Livonia, NY.***  
*Approval of Subdivision*

***3) Wegener Office Park – Thomas Drive, Lakeville, NY.***  
*Preliminary Site Plan*

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

**1) Approve Meeting Minutes for June 8<sup>th</sup>, 2020.** Chair R. Bennett asked for a motion to approve. M/2/C (J. Sparling/ D. Andersen) approved as submitted. Carried 6-0.

***2) Richard Finocchario – Richmond Mills Road, Livonia, NY.***

Chair R. Bennett asked Barry Carestio, Land Surveyor representing Richard Finocchio to come forward for the Subdivision of Richmond Mills Road, Tax Parcel # 75.-1-3.112. R. Finocchario is proposing to divide off 5+ acres from the 101+ acre parcel. The parcel is located on the north side of Richmond Mills Road, approximately 1100 feet +/- of East Avenue, Livonia, New York. R. Finocchario will continue to farm the remainder of the land.

CEO A. Backus stated that this property has been a topic at the Town Board level, as Perry Vet, located in Livonia Center would like to expand their business. They would like to re-build their location to offer services to large farm animals. They would like to stay in the same area as their current location on Richmond Mills Road. The Town Board has agreed to change the Zoning to

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allow professional services such as this, in the Neighborhood Residential District. Perry Vets proposal would require the Zoning Board granting a Conditional Use Permit, which would provide some controls if granted. Planning Board Site Plan approval would be a requirement as well. This would provide the opportunity for both Boards to ensure safety measures for the proposal, and get out in front of any other businesses that may want to do the same thing, but don't fit in the NR District. Its not uncommon to see a professional service, such as dentist's office in a converted house in a Village. The Town Board is in the process of filing the Zoning change. This Subdivision is strictly for the purposes of just the Subdivision. Future use will require Site Plan approval for future Building Permits. Driveway spacing for this Subdivision may not meet the recommend spacing distances, but it can be difficult to meet those requirements when there are many preexisting driveways. CEO A. Backus stated that it appears that it would be able to get above 200' of separation, which is recommended. Also, there were questions regarding the access for the other remaining parcel. It was undetermined why they didn't have additional road frontage, if that was left for just tractor path access, or possibly left open for a future subdivision. B. Carestio stated that the plan was to keep it separated from the old Schuster homestead by 175'. R. Finocchario stated that he felt that would be a nice buffer between the property that Perry Vet is interested in, as the other parcel will be continued to be farmed. This will still leave approximately 20'-30' of grass that the new owner of the homestead mows, which is part of R. Finocchario's property. R. Finocchario stated that he has discussed the proposed Subdivision with the homeowner, and this would still provide a nice buffer between his house, the farm land, and Perry Vet. CEO A. Backus asked if there were any future plans to do anything with that strip of land. R. Finocchario stated that area will be continued to be farmed. He wanted to provide an additional access to that area for farm equipment.

L. Willoughby asked for clarification regarding the proposal. CEO A. Backus reviewed the proposal with L. Willoughby.

J. Sparling asked if the new location of Perry Vet will only services large animals. Robert Bausch, Project Manager from Perry Vet stated that the practice in Livonia Center will be moved to the new location. They have tried to service large animals at the current location, but the driveway is not conducive to large animal trailers. The new location will allow them to service Horses, Alpacas, Pigs and Cows, in addition to small companion animals. R. Haak asked for clarification regarding the old Veterinary Clinic. R. Bausch confirmed that location will be closed, and they will service all animals from the new facility. The old location will be sold. They also own the house directly to the east of the old facility, and that will be sold as well. R. Bausch stated that the new proposed building will be similar to their Batavia location.

CEO A. Backus stated that this Subdivision was submitted to Livingston County Planning Board for their review. It is anticipated that it will be a local option, but we have not received final notification back from Livingston County Planning as of today. If the Board is comfortable addressing this provided there is no county wide impact, a Motion can be made contingent on notification from Livingston County.

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

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Chair R. Bennett and the Board reviewed SEQR. Negative declaration was determined. Motion to approve: M/2/C (R. Haak/J. Sparling) Carried 7-0

Chair R. Bennett asked for a motion to approve the Subdivision as presented, provided notification back from Livingston County Planning Board states no significant impacts. Motion to approve: M/2/C (R. Haak/L. Willoughby) Carried 6-0

***3) Wegener Office Park – Thomas Drive, Lakeville, NY.***

Chair R. Bennett asked Chris Wegener to come forward for the Preliminary Site Plan review. This is for the proposed development of a two-story multi use building located on Thomas Drive, along with associated site improvements. Although the building tenants are yet to be determined, the anticipated uses will include General Office, General Retail, and Other Services. A Site Plan application has been submitted, which includes stormwater management, grading & drainage, utility plans, SEQR, and a concept floor plan. They feel that this project will be a great addition to the community.

CEO A. Backus stated that this application has been submitted to the Livingston County Planning Board for their review. This meeting is preliminary to present the Board their proposal, and address any comments or concerns prior to them attending the Final Site Plan approval meeting. At the time of Final Site plan, we will have received comment back for the Livingston County Planning Board regarding their decision on the application.

There are still items that will need to be addressed, such as buffering since it could be a two-story building. There was a comment from Clark Patterson Lee regarding the building finish floor elevation. The applicant indicated as 838.25', and the sanitary lateral invert is indicated as 838.10'. The applicant will need to revise the slope of the lateral to provide a minimum cover of 4-feet on the sanitary lateral. Livingston County Water & sewer will need to weigh in and provide comments for the next meeting. Fire protection as a normal Site Plan review. The applicant also needs ensure there are easements in place to get the water to the creek behind McDonalds. C. Wegener stated that there is an existing 12' culvert pipe. The engineered drainage plan would result in less water leaving the site than what currently exists. J. Sparling stated that south west of the gully, there is a structure there and asked where that water flows to. C. Wegener stated that it goes to a retention/detention pond. J. Brown asked how long the applicant has owned the property. C. Wegener stated approximately four years. J. Brown stated that she remembered someone had inquired about putting in a car wash at this location. C. Wegener stated that he also researched a car wash for this location. He felt that with other business and offices nearby, adding a professional building would complement the area. C. Wegener has spoken with Boyd Brokaw who owns the office buildings adjacent, Sally Brooks from the Livonia Pharmacy, and Andy Mattel who owns the Physical Therapy building. They are all in support of his proposal. He has some prospective tenants in mind, but plans to proceed once he has someone committed to one of the office spaces. J. Sparling asked how many units would be in the building. C. Wegener stated with approximately 1500 Sq. Ft. each, there could be four offices on the lower level, and 1000 Sq. Ft. on the second floor to allow for elevators and

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stairs. He is also considering putting balconies on the second floor, and possible residential units. D. Andersen asked if he could share what type of tenants he is looking at. C. Wegener stated that they all would be professionals; one is medical and the other is professional. CEO A. Backus stated that the Board would like to see additional elevation renderings showing the height of the building in relation to nearby structures. R. Haak stated that her concern was being a two-story building. C. Wegener stated that the Code for this district states the maximum height is 40'. This building is 8' under 40' at the top of the most ridgeline. CEO A. Backus stated that the Code states it is not 40' to the peak, there is a formula. C. Wegener stated that they are under that. CEO A. Backus stated that it would help to confirm the elevation of the Physical Therapy building, in comparison to this proposal.

Chair R. Bennett stated that the Board will want to see further information regarding drainage. Comments back from Livingston County Water and Sewer Authority, and Livingston County Planning Board. The biggest issue is providing a prospective of how the proposed building will fit in as far as the elevations. CEO A. Backus stated that Building & Zoning could help with researching the physical therapy building elevations. This would give the Board a comparison to how your proposed building would fit in. R. Haak asked why was he considering a two-story, verses a larger foot print single story. C. Wegener stated that it would utilize the space better, more under one roof. He felt the need was there. CEO A. Backus stated that with a two-story building, there would be less of an impact on stormwater, and less foot print. Chair R. Bennett stated he would like to see a proposed elevation in comparison to the Pharmacy, Re-max and the finished elevation for the Physical Therapy building. CEO A. Backus asked if the Board felt the Final Site Plan meeting would require a Public Hearing. The Board felt that since the application use fits within the district and neighborhood, that a Public Hearing was not needed.

With no further questions, Chair R. Bennett asked for Motion to adjourn the meeting at 8:17 p.m... Motion to adjourn: M/2/C (R. Haak/J. Brown) Carried 6-0

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Respectfully Submitted,  
Alison Houk, Recording Secretary