

LIVONIA JOINT PLANNING BOARD
November 23, 2020

Present: Chair R. Bennett, D. Andersen, J. Brown, R. Haak, J. Palmer, J. Sparling, L. Willoughby, CEO A. Backus, Zoning Compliance Assistant Julie Holtje.

Excused: Attorney J. Campbell, Recording 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.
- In addition to attending personally, the Public Hearing was also held using the remote meeting platform Go to Meeting, so that the public could participate via telephone or video conferencing. Information and possible updates could be found on the Community Website <https://www.livoniany.org/>. Livonia Joint Planning Board.

Agenda:

- 1) Approve the meeting minutes. – November 9th, 2020**
- 2) GBT Realty Corp. For Dollar General – 4797 Main Street, Hemlock, NY**
Site Plan review.
- 3) Ralph Parker – 22-24 Commercial Street, Livonia, NY.**
Modification to existing grandfathered Site Plan.

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

1) Approve Meeting Minutes for November 9th, 2020. Chairman Rick Bennett asked for a motion to approve. M/2/C (R. Haak/J. Palmer) approved as submitted. Carried 7-0.

2) GBT Realty, for Dollar General – 4797 Main Street, Hemlock, NY

Chairman Rick Bennett asked Steve Vukas of Bohler Engineering, on behalf of Franklin Land Associates for Dollar General, to come forward for the proposed Preliminary Site Plan review for the Retail building proposed at 4797 Main Street, Hemlock. Chairman Rick Bennett clarified that this is a preliminary meeting that will be followed up with a Public Hearing on December 14th, and then a final Site Plan. Steve Vukas stated that they have a project on the south east corner of NYS Rt. 20A and South Main Street in the Hamlet of Hemlock. Mr. Vukas reviewed the Site Plan presentation with the Board. They are proposing a 9100 Sq. Ft. retail store known

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as the Dollar General. There will be 30 parking spaces with most of the spaces situated in front of the store. They are complying with the Town's green space requirements. Those areas are shown as green islands on the Site Plan and will have landscaping within. There is no municipal sanitary on the site. They will be proposing a septic system in the rear and coordinate with Livingston County Department of Health. Most of the stormwater flows in a westerly direction towards Rt. 15A. There is a culvert running under the roadway to downstream tributaries. The stormwater will be treated according to NYS DEC requirements. They are proposing green infrastructure practices. The applicant was before the Planning Board for a sketch conference in October of 2019. From there, they were referred to the Zoning Board of Appeals for an area variance to allow a 9100 Sq. Ft. building. They were granted the Variance and they are now back to the Planning Board for preliminary Site Plan review. Jack Sparling asked how they plan to retain the stormwater? Mr. Vukas referred to Site Plan page C-401, which shows a stormwater pocket wetland. The roof water will be captured into a stormwater planter, which helps address NYS DEC runoff reduction. The storm water will go through a filter media into an underdrain. For extra detention, it will then go into the pocket wetland. Mr. Vukas provided drawings of the proposed architecture for the site. This site will have a full gabled roof with another peak in front, to add flare to the building. This goes beyond what the typical Dollar General looks like. Mr. Vukas believes this style building will fit the character of the community. Larry Willoughby asked if most of the parking will be in front of the store, and where will the balance of the parking be? Mr. Vukas stated that there are four spaces on the south side of the building, and the balance will be in front of the store and will equal 30 spaces. Mr. Vukas stated that the Town's requirement for this site was 28. The applicant has tried to maintain as much of the natural conditions as possible, such as the wooded areas. Chairman Rick Bennett asked for clarification regarding being adjacent to an archeological site. Mr. Vukas stated that the site lies within a sensitive archeological area which requires them to perform an initial check with SHIPO. They went beyond that and performed Phase 1A & 1B investigations to determine if they are impacting anything of historic significance. Nothing of significance was found. Those reports were submitted to SHIPO. SHIPO concurred with the reports that the Dollar General project would not have any significant impacts or warrant any further investigation. CEO Adam Backus confirmed that the letter stating no significant impact is on file in the Building & Zoning office. Chairman Rick Bennett discussed the Stormwater Pollution Prevention Plan. Mr. Vukas will forward the SWPPP when approved by the DEC. Anytime you disturb over one acre, it triggers the requirement of a storm water pollution prevention plan. Larry Willoughby asked if the only entrance to the site will be off from Rt. 15A. Mr. Vukas stated that is correct. There is a two-way, 30' wide entrance. It is set back a distance from the intersection which is what D.O.T wants to see. Having the entrance any closer can cause interactions that could be problematic. They have submitted the proposed entrance location to the NYSDOT for their review, as the site is within their jurisdiction. They have concurred with the conceptual layout. Now they are moving to Phase II, which is the detailed technical review. Jeanne Brown asked how far the building setback was off from Rt. 15A. Mr. Vukas stated the building will be approximately 200' from the shoulder of the road. Robbyn Haak stated that it was documented on the SEQR form, that the proposal will not result in substantial increase in traffic. Mr. Vukas stated that the Dollar General is not a high-volume generator. On average you will only see about five cars at a time in the Dollar General parking lot. The average transaction is about 15-20 minutes. Customers don't spend a lot of time in the store. CEO Adam Backus asked if they find that customers stop on their way by, or is it a set destination? Mr.

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Vukas stated most traffic is from people passing by as they are going to or coming from work. The peak hours for traffic are around 5:00-5:30pm. CEO Adam Backus asked if they anticipate any increase in traffic? Mr. Vukas said no. Dawn Andersen asked for clarification on truck traffic for deliveries. Mr. Vukas stated that there will be a truck that will come in from the north, make a left turn into the site, pull in front of the store, and then back up by the side of the building. The truck will pull out the same entrance it came in. Deliveries will come in once a week at non-peak business times and will usually be there about an hour. They will be providing the DOT a truck turn simulation, illustrating that the trucks can make it in and out. Dawn Andersen asked if the delivery trucks will be coming when the stores not open? Mr. Vukas stated that is their aim, but sometimes that may change due to weather or traffic. Dawn Andersen stated that if the trucks will back up and unload in the south east corner of the property, they should not be impacting any customers who may be there at that time. Mr. Vukas confirmed and stated the delivery truck turn diagram was located on page C-301 of the Site Plan.

CEO Adam Backus stated to the Board members that in preparation for the next meeting please continue to digest the information that has been sent to you as a result of the Public Hearing from the Zoning Board. Please communicate any issues or concerns so that we can forward them to Dollar General. We would like the next meeting to be as productive as it can be. We still need to take into consideration comments from the Public Hearing and the Livingston County Planning Board.

Chairman Rick Bennett asked for clarification about the sidewalk project that is in progress in Hemlock. CEO Adam Backus stated that there are currently sidewalks on the other side of East Avenue. The project ends at the north side of the old gas station. Robbyn Haak asked if there were plans for sidewalks near the Dollar General. Mr. Vukas stated that there are no plans for sidewalks at this time. Dawn Andersen stated that if you were to walk from the Village area, you would get to the old gas station and from there you would need to walk across that parking area, and across Rt. 20A to access the north side of the Dollar General building. Mr. Vukas stated that there is a shoulder that customers could access to walk along. The area beyond the old gas station is gravel, and that is the DOT's jurisdiction. Jeanne Brown stated that she felt that the local people who were in favor of the proposal, thought that Dollar General was going to provide sidewalks. Some of the locals don't drive or have transportation. CEO Adam Backus stated that the sidewalks have been discussed and while they are talking to the DOT regarding the access, that would be a good time to find out what it would take to have a cross walk put in. Since there would be several people in the area walking, it needs to be determined if there is a safe way for customers to walk down that road to get to the store. The Hemlock Fair could generate a large amount of people walking in that area as well. Robbyn Haak stated that there absolutely should be a sidewalk from East Avenue all the way to the driveway of the Dollar General. CEO Adam Backus repeated that this would be a good time for the applicant to discuss with the DOT about putting in sidewalks and a crosswalk. Jeanne Brown felt that sidewalks would help get the support for their project. Mr. Vukas stated that he will take this suggestion to his client as something to consider. Robbyn Haak stated that it is needed for safety reasons. CEO Adam Backus stated that intersection clearances may create issues regarding the sidewalks. Chairman Rick Bennett stated that this site looks like a baseball field. Along the edge of the property is gravel, and to make that area into sidewalk wouldn't be difficult. CEO Adam Backus stated that a lot of that area is on the DOT's property. Robbyn Haak asked how much of the gravel area is

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DOT property? Mr. Vukas clarified their property from the Site Plan. Robbyn Haak stated that her concern is that there are always cars & trucks pulling into that gravel area.

Dawn Andersen stated that lighting needs to be considered from that intersection going south. If there are sidewalks put in, we would like to make sure there will be adequate lighting. There needs to be lighting coming off from the building and parking lot to illuminate the sidewalks, without affecting traffic. Mr. Vukas stated that most of that area is DOT's jurisdiction, but on their property they will be providing downward facing dark sky compliant lighting. LED lights will be in the parking area.

Jack Sparling asked if there will be grass seeding over the gravel area. Mr. Vukas stated yes, that is what they would like to do. They felt it would make that area look more ascetically pleasing. Jeanne Brown asked who maintains the property, as far as lawn mowing. Mr. Vukas stated that Dollar General leases from Franklin Land Company. Lessee's are responsible for the property and maintaining the lawn, snow removal and all regular maintenance issues. Robbyn Haak asked if they will be installing a fence. Mr. Vukas stated that there is residentially zoned property to the south of them, so they will have a 6' tall stockade fence that runs along the south side, approximately 345'.

CEO Adam Backus stated that this application has been sent to Livingston County Planning Board for their review, and we are scheduled for a public hearing on December 14th with this Board. Any feedback the Board can provide will help to ensure a more complete application when they return for the public hearing. Mr. Vukas stated that there were great questions, and it seems that the sidewalks are the main issue. CEO Adam Backus stated that a significant portion is owned by the DOT, and when addressing the DOT about seeding that area, a conversation regarding sidewalks could be done at the same time.

3) Ralph Parker – 22-24 Commercial Street, Livonia, NY.

Chairman Rick Bennett asked Tracy Cope to come forward for the modification to existing grandfathered site plan for a Yoga Studio. This building is the former Livonia Lumber Company located at 24 Commercial Street. The building is an 18'8" X 74' structure that was used as a former Hardware store and most recently TML Woodworking. 22 Commercial Street is the former Livonia Lumber showroom and it has been vacant and used for storage for some time. TML Woodworking terminated their lease on 2/1/2020 and the applicant is seeking a new tenant. They have a tenant interested that would like to operate a Yoga Studio. The space is clear and has a restroom facility and forced air heating. Parking would be onsite and offsite in the local public parking areas. There is an area between 22 & 24 Commercial Street that is approximately 432 sq. ft. that was the former Livonia Lumber office space. They would like to repurpose this space as an office / retail space for rent. The interior needs some cosmetic repair and the exterior front of the proposed office/retail space is old wood clapboard that is in serious need of repair. They would like to replace windows, an entry door and siding to improve the appearance and energy efficiency. They feel that it would be better to have the space rented out, than stay vacant.

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A Site Plan map was prepared by Architect Tim Brinduse. The applicants first priority is the Yoga studio. The next step will be the boutique/gift shop. Chairman Rick Bennett asked what they are proposing to do in this phase, and how it fits with Zoning. CEO Adam Backus stated that it is a permitted use and a change of use, which is what triggers Planning Board review. Jeanne Brown asked if it was because the proposed use is not all retail? CEO Adam Backus stated that it was historically a lumber yard/mercantile, and it's now changing to a business classification with a Yoga Studio. Different clientele and possibly different hours of operation. This requires the Planning Board to review items of their Site Plan such as lighting, parking, hours of operation, safety and access. The activities are changing from one class to another. Chairman Rick Bennett stated that the biggest concern with that change is that you are taking something that was a drive-thru area, and will now need to create parking. There is a vacant area that needs to be secured for the safety. Tracy Cope stated that they have no problems with addressing any of those items. Chairman Rick Bennett stated that there is currently lighting outside the doors to the leased space and existing mercury lights throughout the parking lot. Robbyn Haak asked what the hours of operation were? Tracey stated that the Yoga Instructor plans to be operate during the day into the early evening, being done by 6pm. If she wants to do it later, they have no problems adding additional lighting at that time. Joanne Palmer asked if any of the parking spaces were going to be handicapped? Tracy Cope stated that one of them will be handicapped. CEO Adam Backus stated Architect Tim Brinduse changed that after discussion with the Yoga instructor. She has agreed that if anyone had problems with access, she would offer in home sessions. They don't get a lot of people in wheelchairs that want to do Yoga. Joanne Palmer stated that she was referring to someone who may be on a cane. If someone is using a cane, and had to walk from the Village parking lot on a snowy day, that could be difficult. CEO Adam Backus stated that they are willing to offer additional parking. The building is not all accessible the way it is now. Even if they could get to the building, there is currently not an accessible handicapped ramp, and the bathroom doesn't have handicapped radius. It is a balance to try to bring everything up to today's standards while working with what is existing. They have plans to keep progressing to improve the accessibility into the building. CEO Adam Backus felt at this time it wasn't necessary to provide a full detailed plan for handicapped accessible parking, when 99% of the people going into the building don't require this. At this time, they are just trying to fill the building and keep it from becoming a financial burden. If someone had special needs, they are very willing to accommodate them. Accessibility as needed will be accommodated, and will be stipulated on their permit. Tracy Cope stated that if this did come up and someone needed special accessibility, they could use the Livonia Inn building on off hours. Livonia Inn has handicapped access and bathrooms. She also wanted it known that as far as the handicapped access, they are looking at that and it's something they definitely want to do in the spring. They are hoping to install a ramp so both spaces will be wheelchair accessible. They don't want to limit anyone who may be handicapped. They want to offer those services to everyone in the community. Jeanne Brown stated that it's nice to see a proposed business in our Town.

Chairman Rick Bennett asked what the long-term plan is for the vacant space. Tracy Cope stated that she would love to see the bay on the inside used as a Farmer's Market. She would offer that space for free to the Farmer's to have something to offer to our community. She is aware that there are safety issues that would need to be addressed before that could happen. They have no

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immediate plans to do anything with the front storage area because its not a secure building. They want to make sure things are safe. Larry Willoughby asked what the plans were for the pole barn? Tracy stated that will stay as storage. If there were any future plans for that building, they would need an Architect to look at the plans to make sure it was secure. She has hopes that it could be an antique co-op someday. Right now, she would like to be able to get the Yoga business in there. Larry Willoughby asked what the traffic patterns would be into the parking lot. CEO Adam Backus stated that Architect Tim Brinduse has made a note on the plans that there will be a sign showing a entrance only on the north area. Tracy Cope stated that there is also a fence and that area can be closed off when not in use. They will rope off any areas that are deemed unsafe and make sure kids have no access to that area. Robbyn Haak asked about the plans for the Boutique. Tracy Cope stated they will start that process in the spring. It will be a retail gift shop. That part of the building needed to be looked at and re-drywalled, which has already been done. They have spoke to CEO Adam Backus and will make sure everything is up to Code and compliant before that opens. They are here to make sure they are doing everything correctly and safely so they can keep moving forward. There were no further questions or comments from the Board.

Chairman Rick. Bennett asked for a motion to approve the Site Plan as presented. Motion to approve: M/2/C (J. Palmer/J. Brown) Carried 7-0

With no further questions, Chairman Rick. Bennett asked for Motion to adjourn the meeting at 7:47 p.m... Motion to adjourn: M/2/C (R. Haak/D. Andersen) Carried 7-0

Respectfully Submitted,
Alison Houk, Recording Secretary