

LIVONIA JOINT PLANNING BOARD

September 8th, 2025

Present: Chairman R. Bennett, A. Baranes, J. Brown, J. Chamlis, R. Haak, K. Strauss, CEO Adam Backus, Zoning Compliance Assistant J. Holtje.

Excused: Attorney J. Campbell, Dawn Andersen

Agenda:

- 1) Accept and approve the meeting minutes – No minutes to be approved.*
- 2) Jeff Swan – 3057 Poplar Hill Road, Livonia, New York –
Tax # 66.-1-24.11
1-Lot Subdivision.*
- 3) Laurie Brown – 4873 South Livonia Road, Livonia, New York –
Tax # 84.-1-41
1-Lot Subdivision.*
- 4) Richard Wrightman – 3482-3490 Livonia Center Road, Livonia, New York –
Tax # 66.-1-39.121
Re-Subdivision/Lot Line adjustment.*

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

- 1) Approve Meeting Minutes – No Meeting Minutes to be approved at this time.*

- 2) Jeff Swan – 3057 Poplar Hill Road, Livonia, New York –*

Chairman R. Bennett asked Dan Holtje, L.S. of Finger Lakes Land Surveying, who represents Jeff Swan, to come forward for the 1-Lot Subdivision review.

D. Holtje passed out updated maps showing the addition of notes, location of the house and septic. This is a five-acre lot. They have an application at the DEC regarding the driveway crossing the flood plain, but have not gotten a reply to date. According to NYSDEC, there are no jurisdictional wetlands on site. They have a flood plain permit application on file with the Town, and a driveway permit with the County has been approved. It is above the flood plain, so it does not look like it is going to be an issue, it is just a matter of waiting for DEC to process.

Chairman R. Bennet stated: 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.

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Chairman Rick Bennett asked for a Motion to waive or schedule a Public Hearing. Jeanne Brown made a Motion to waive the Public Hearing: M/2/C (J. Brown/K. Strauss) Carried 6-0

R. Bennett asked for any comments from the public or the Board. No comments from the public.

J. Brown – On the map there is mention of a driveway from the north. Is that going to be deeded?

-D. Holtje – He owns that parcel to the north. It is just another access point. The old farm lane goes along the north property line, and he can use that as he owns both sides.

With no further comments, Chairman Rick Bennett and the Board reviewed the Short Environmental Assessment Form. Discussion included critical environmental areas (CEA), and the flood plain is one of those areas. This is mitigated by the flood plain permit, so it was determined to have a small impact. No Moderate to large impacts were identified. A negative determination of Significance was determined. Motion to accept a negative declaration: M/2/C (J. Brown/A. Baranes) Carried 6-0

Chairman Rick Bennett asked for a motion to approve the Subdivision application with or without conditions. Motion to approve the Subdivision as submitted. M/2/C (R. Haak/K. Strauss) Carried 6-0

3) Laurie Brown – 4873 South Livonia Road, Livonia, New York –

With no one present to represent the applicant, the Board decided to proceed with review of the Laurie Brown and Linda Burley one-lot subdivision.

Chairman R. Bennett read the following:

This application was determined not to require Livingston County Planning Board review per Section 239-m and 239-n of Article 12 of the General Municipal Law agreement (#7) as a Minor Subdivision.

ZCA J. Holtje explained that the existing driveway shown on the map meets Access Management Code, and the only other recommendation they had was that the remaining road frontage along Price Road be labeled with a dimension so that there was confirmation of 250 feet remaining for a conforming lot in the future.

CEO A. Backus explained that the existing driveway is currently being used as a turnaround for the school bus.

Chairman Rick Bennett asked for a Motion to waive or schedule a Public Hearing. Robbyn Haak made a Motion to waive the Public Hearing: M/2/C (R. Haak/J. Brown). Carried 6-0

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Chairman Rick Bennett asked if anyone wanted to comment on the application. One gentleman, who was notified by the Agricultural Data Statement, identified himself as a neighbor and wanted to understand where the 3 acres were being divided. He was shown the map and had no further concerns, understanding that the project is only a subdivision and does not include any construction at this time.

Discussion regarding sewer, water, and gas in the neighborhood. None of these utilities appear to be available.

Chairman Rick Bennett and the Board reviewed the Short Environmental Assessment Form. No Moderate to large impacts were identified. A negative determination of Significance was determined. Motion to accept a negative declaration: M/2/C (K. Stauss/R. Haak) Carried 6-0

Chairman Rick Bennett asked for a motion to approve the Subdivision application. J. Brown made a motion to approve the Subdivision with the condition that the remaining road frontage on Price Road be added and that the dimension is greater than or equal to 250 feet. M/2/C (J. Brown/K. Strauss) Carried 6-0

4) Richard Wrightman – 3482 & 3490 Livonia Center Road, Livonia, New York –

Chairman R. Bennett asked Dan Holtje, L.S. of Finger Lakes Land Surveying, representing Richard Wrightman, to come forward for the Lot Line adjustment review.

Chairman R. Bennett reviewed this application, stating that it creates a nonconforming lot and remedies a nonconforming lot in the process. Parcel A, as it exists not, is a conforming lot at 6.43 Acres, but is an odd shape. Parcel A is proposed to be reduced to 4.208 Acres. Parcel C is currently 4.82 acres, slightly nonconforming, and is proposed to be 7.05 Acres.

CEO A. Backus explained that a normal lot line adjustment is streamlined and is exempted from formal subdivision review, but this application warranted coming before the Board because it is creating a nonconforming lot and will need to be referred to the Zoning Board of Appeals.

Discussion:

- The flag portion will be removed, making a more practical rectangular-shaped lot.
- D. Holtje explained that they realize it is a nonconforming lot, but this is the most practical use of the land between the two owners.
- It is possible to put the lot line at an angle or shift it enough, making both lots conform
- R. Haak – It is not that big of a difference, 4.2 Acres.

With no further discussion, the Board agreed that they looked favorably upon the application and referred it to the Zoning Board of Appeals for the Area Variance for creating a non-conforming Lot of 4.208 Acres (Parcel A).

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With no further discussion, Chairman Rick Bennett asked for a Motion to adjourn the meeting at 7:38 p.m. Motion to adjourn: M/2/C (R. Haak/K. Strauss) Carried 6-0

Respectfully Submitted,

Julie Holtje, Zoning Compliance Assistant