

LIVONIA JOINT ZONING BOARD OF APPEALS
October 6, 2025

Present: Chairman M. Sharman, R. Bergin, D. Major, Zoning Compliance Assistant Julie Holtje.

Excused: J. Prato, M. Thompson, CEO, A. Backus, Attorney, J. Campbell.

- AGENDA:** *(1) Accept and approve the meeting minutes of September 15th, 2025.*
- (2) Richard Wrightman – 3482 & 3490 Livonia Center Road, Livonia, NY*
- (3) James Marchegiano – 6256 South Lima Road, Livonia, New York*
- (4) William VanHarken – 6595 Niver Road, Livonia, New York*

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 September 15th, 2025. The Board agreed they had, and a motion was made to approve the minutes. M/2/C D. Major and R. Bergin. Carried: 3-0.

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

PLEASE TAKE NOTICE that the LIVONIA JOINT ZONING BOARD OF APPEALS will hold a public hearing on Monday, **October 6, 2025**, at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, NY, to consider the application from **Richard Wrightman** for an area variance pursuant to Section 150-17C of the Zoning Code of Livonia. This area variance is requested for a proposed lot line adjustment. The property is located at **3482 & 3490 Livonia Center Road**, Livonia, NY, and is zoned Agricultural Residential Conservation - 5 (ARC-5). The application is on file in the Building Zoning Department in the Livonia Town Hall, 35 Commercial Street, Livonia, NY, for public review. All interested parties will be heard at this time.

Chairman M. Sharman polled the Board for site visits:

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

Chairman Mike Sharman asked Richard Wrightman to come forward for the proposed Lot Line adjustment. Land Surveyor Dan Holtje, representative of Richard Wrightman, came forward.

Chairman Mike Sharman stated for the record:

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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 (#6). No new Lots created.

This application was also determined to be a Type II action, and SEQOR was not required per (#17) of the New York Codes, Rules, and Regulations 617.5 Type II Actions.

Discussion: Chairman M. Sharman – Explained that two Board members are absent and that the applicant does have the right to postpone if they would like the full five members present. D. Holtje chose to continue.

Discussion:

- D. Holtje explained that Mr. Wrightman and his neighbor, the Cassagrandes, would like a lot line adjustment. They had appeared before the Planning Board and received a conditional approval subject to the ZBA's approval of the area variance.
- ZCA J. Holtje read the minutes from the Planning Board meeting regarding the lot line adjustment.
- This would create/fix one non-conforming lot at # 3460, while creating a non-conforming lot at Wrightman's #3482/3490.
- While this makes Wrightman's lot non-conforming, it is balanced by the practical usage of each parcel, as it eliminates the L-shape and straightens the property lines, making a better situation.

Chairman Mike Sharman asked the Board to go through the area variance criteria:

1. Will an undesirable change be produced in the character of the neighborhood, or will a detriment to nearby properties be created by granting the variance? No
2. Can the benefit sought by the applicant be achieved by some feasible method other than a variance? No
3. Is the variance substantial? No
4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood? No
5. Is the alleged difficulty self-created? Yes

With no more discussion, Chairman Mike Sharman asked the Board for a motion to approve or disapprove the Area Variance for the proposed Lot Line adjustment. Rosemary Bergin made a motion to approve the application to grant area variance with no conditions. Motion to approve. M/2/C by Doug Major. Carried: 3-0

(3) James Marchegiano – 6256 South Lima Road, Livonia, New York

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PLEASE TAKE NOTICE that the LIVONIA JOINT ZONING BOARD OF APPEALS will hold a public hearing on Monday, **October 6, 2025**, at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York, to consider the application of **James Marchegiano** for a Conditional Use Permit pursuant to Section 150-17 B of the Zoning Code of Livonia. A Conditional Use Permit is requested for the use of a travel trailer for more than 14 consecutive days per Section 150-49. This property is located at **6256 South Lima Road, Livonia**, New York, and is zoned Neighborhood Residential District (NR). 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.

Chairman M. Sharman polled the Board for site visits:

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

Chairman Mike Sharman asked James Marchegiano to come forward for the proposed Conditional Use Permit for the travel trailer for more than 14 consecutive days and opened the Public Hearing.

Chairman Mike Sharman 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.

Chairman M. Sharman opened the public hearing and explained that two Board members are absent, and that the applicant has the right to postpone if they would like to have the full five members present. J. Marchegiano chose to continue.

Discussion:

- J. Marchegiano owns two parcels next door to each other, one has rentals on it, and the other is vacant. He would like this to be a “home base” for his mother, as they travel and are in this area only seasonally. They have installed an electric service, water is obtained from the house owned next door, they use the dumping facility in Livonia for sewage, and have propane for gas and a generator. They are willing to make any improvements the Board would like, and there will be no outdoor storage since there is a barn and storage capabilities on site. He will not rent out the property to anyone else; it is strictly for his parents while they are in town. While they are there, they manage his rental properties on both sides of the road. They do the lawn care and maintenance.

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- Jen from 6311 S. Lima Rd – talked about what great neighbors James’ parents are. They used to rent a neighboring property 3 doors down from her, and it would be a benefit to have them stay in this community.
- J. Marchegiano requested 8-9 months of the year. They travel and camp a lot so they would not be on site the entire time.
- Dawn Andersen, 6282 S. Lima Road. They were there all summer, 80-95% of this past summer. She feels like they are asking permission and forgiveness all in the same meeting. This meeting should have taken place last year.
Does the fact that it is a separate lot impact the decision?
- The Conditional Use Permit would be strictly for his parents.
- R. Bergin – if it is denied, they could be there for 14 days, vacate, and return.
- J. Marchegiano offered to do anything to the lot that would make it more aesthetic.

Chairman Mike Sharman 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 (R. Bergin/D. Major) Carried 3-0

Chairman M. Sharman closed the Public Hearing with no one in attendance to comment.

Chairman Mike Sharman asked the Board to go through the Conditional Use Permit criteria:

- (1) Will the proposed building or use be in harmony with the general purpose, goals, objectives, and standards of the Comprehensive Plan, this chapter, and, where applicable, Chapter [125](#), Subdivision of Land? Yes
- (2) Will the proposed building or hours of operation or use not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting public health, safety, and general welfare? No, N/A
- (3) Will the proposed building or use be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations? Yes
- (4) Will the proposed building or use be adequately served by essential public facilities and services? Yes
- (5) Will the proposed building or use comply with all additional standards imposed on it by the particular provision of this chapter authorizing such use? Yes
- (6) Have all steps possible been taken to minimize any adverse effects of the proposed building or use in the immediate vicinity through building design, site design, landscaping, and screening? No
- (7) If appropriate, a performance bond or other suitable financial guarantee has been provided to assure compliance with the conditions of the conditional use permit. No, N/A

With no more discussion, Chairman Mike Sharman asked the applicant if he still wanted to proceed with the limited Board. Upon confirmation that he did, Chairman M. Sharman asked for a motion to approve or disapprove the proposed Conditional Use Permit for the travel trailer

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for more than 14 consecutive days. M. Sharman made a Motion to approve with the condition that it is only to be used by J. Marchegiano's mom and husband from April 1 to October 30. D. Major stated that the time frame includes most of the year and seems like a stretch of the Code. J. Marchegiano said if the Board wanted to shrink that time, they would deal with it. With the time changed to be more seasonal, May 1 – September 30, D. Major seconded the motion. M/2/D D. Major. R. Bergin – Nay. Motion denied.

(4) William VanHarken – 6595 Niver Road, Livonia, New York

PLEASE TAKE NOTICE that the LIVONIA JOINT ZONING BOARD OF APPEALS will hold a public hearing on Monday, **October 6, 2025**, at 7 p.m. at the Livonia Town Hall, 35 Commercial Street, Livonia, New York, to consider the application of **William VanHarken** for an area variance pursuant to Section 150-17C of the Zoning Code of Livonia. This area variance is requested for a proposed 32' X 60' Barn, which will violate the front Setback requirements according to Section 150-33G (1). This property is located at **6595 Niver Road, Livonia**, New York, and is Zoned Agricultural Residential Conservation 5 (ARC-5). 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.

Chairman M. Sharman polled the Board for site visits:

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

Chairman Mike Sharman asked William VanHarken to come forward for the proposed Area Variance.

Chairman Mike Sharman stated for the record:

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 (#4).

This application was also determined to be a Type II action, and SEQOR was not required per (#16) of the New York Codes, Rules, and Regulations 617.5 Type II Actions.

Discussion: Chairman M. Sharman – Explained that two Board members are absent and that the applicant does have the right to postpone if they would like the full five members present. VanHarken chose to continue.

Discussion:

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- W. Van Harken – There is no storage on the property, and he would like to put up a barn before winter. Topography and drainage limit the area's practical and available.
- Neighbors to the east use part of the property for pasture

Chairman Mike Sharman asked the Board to go through the area variance criteria:

1. Will an undesirable change be produced in the character of the neighborhood, or will a detriment to nearby properties be created by granting the variance? No
2. Can the benefit sought by the applicant be achieved by some feasible method other than a variance? No
3. Is the variance substantial? Yes
4. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood? No
5. Is the alleged difficulty self-created? Yes

With no more discussion, Chairman Mike Sharman asked the Board for a motion to approve or disapprove the Area Variance for the proposed 32' X 60' Barn. D. Major made a motion to approve the application to grant area variance with no added conditions. Motion to approve. M/2/C R. Bergin. Carried: 3-0

With no further discussion, Chairman Mike Sharman asked for a motion to adjourn the Livonia Joint Zoning Board Meeting at 7:48 p.m. M/2/C D. Major/R. Bergin. Motion carried: 3-0

Respectfully submitted,
Julie Holtje