

LIVINGSTON PLANNING BOARD

October 04 2023

The regular meeting of the Livingston Planning Board was held 04 Oct 2023 and opened at 7:00pm with the Pledge of Allegiance.

In attendance:

Chairman Martin Nayowith

Robert Bellinger

Chip Keil

Brian Molinski

John Ross

Bernie Stickle

Rebecca Harcleroad

Attorney Andy Howard

Michelle Mormile of Crawford & Associates

Absent:

Stephen Thibeault

Correspondence:

- Received a letter from resident. re: PB-19 Special Use Permit (Wyatt Lucas / B&D Holdings)
- Received a letter from resident. re: PB-29 Special Use Permit (Vosburgh Brewing Company)

Motion to accept minutes from 06 Sep 2023 by Bernie Stickle, 2nd by Chip Keil. All in favor.
Motion approved.

Mr. Amrod returned to present his updated site plan for application, PB-15, to rebuild a bus garage at 1637 Blue Hill Road. Mr. Amrod presented his updated application, with changes to remove the accessory apartment. He plans to continue with this project for just the garage. Questions were asked and answered.

Motion to accept application as complete by John Ross, 2nd by Brian Molinski. All in favor.
Motion approved.

Motion to set public hearing 01 Nov 2023 by Bob Bellinger, 2nd by Rebecca Harcleroad. All in favor. Motion approved.

Motion to send application to county planning by Bernie Stickles, 2nd by Brian Molinski. All in favor. Motion approved.

Applicant will return for public hearing at the 01 Nov 2023 meeting.

Mr. Lucas did not appear to present any updates for PB-19, a special use permit application at US 9 and Orchard Road. Construction of a small warehouse with adjoin office. A distribution facility to operate 24-7. This is the 2nd month in a row they did not appear. The Planning Board Secretary will notify Mr. Lucas that if he does not appear at the next planning board meeting or does not request to be removed from the agenda, his application will be cancelled and he we will need to resubmit a new application.

Mr. Birch presented his subdivision application, PB-28, to create 3 parcels at Rt 9 and Orchard Road 151-1-4.4 Will have 2 residential lots and 1 commercial lot. Purpose is to sell the storage units. DOT letter was reviewed. No concerns to report from NY DOT. A concern about driveways not being identified on the map. Additional questions were asked and answered. Concern about the amount of the lot that is used for solar and having more than 25% of the solar lot for ELP. Originally was 63 acres, which made the solar company with less than 25%, however this lot is not on this application.

Parcel C abuts Orchard Road. So a driveway cut is needed. Singular access would need to be up to highway department codes. Need clarification that whether the setbacks are sufficient for the storage units and each of the boundaries. Need to update the map, to show the side and front/rear setbacks.

This will be a common drive, which will require road maintenance agreement and that it meets the town roadway specs. Applicant will need a driveway permit for Orchard road. Work with highway department to identify the correct placement.

Escrow will be required at \$2500.

Motion to set escrow by Bernie Stickles, 2nd by Bob Bellinger. All in favor. Motion approved.

Applicant will return at the 01 Nov 2023 meeting with updated documents.

Mr. Stier presented his special use application, PB-29, for 1065 County Route 19 Elizaville 192.00-01-50.11. He wants to increase number of events from 2 per year, to a total of 8 events per year. Events are significant portion of their income. Will really help make ends meet. Willing to work with any restrictions that the planning board sets.

Live music is currently inside only on Sundays from 2:00pm-5:00pm. Would like to have it occasionally outside weather permitting from 2:00pm-5:00pm. The applicant has access to noise monitoring equipment, that will monitor real time 24/7. Won't exceed any threshold based on what the planning board sets. Wants the community to enjoy themselves, promote tourism, while not bothering the neighbors. Many local breweries have opened up over the years and have drawn away business. Trying to improve business with additional events and live music.

Location is Agriculture. Events are intended to be outdoor events, not indoor. On the maps, music area and porte-potties are identified. Mainly woods separate the business and abutting neighbors.

Comments from the public. The Chairman asked for order, as this is not a public hearing.

Fire Chief brought in a copy of commercial events law. Additional questions were asked and answered.

Motion to deem application complete by Bob Bellinger, 2nd by Rebecca Harclerod. All in favor. Motion approved.

Motion to set a public hearing by Rebecca Harclerod, 2nd by Chip Keil. All in favor. Motion approved.

Escrow will be required at \$2500.

There being no further business, a motion to adjourn was made by Chip Keil, 2nd by Bob Bellinger. All present voted AYE. Motion passed. Next scheduled meeting will be held 01 Nov 2023.

Meeting closed at 7:51pm.

Respectfully submitted,

Eileen Yandik
Secretary Livingston Planning Board