

**TOWN OF SWEDEN  
Planning Board Minutes  
February 24, 2025**

A regular meeting of the Town of Sweden Planning Board was held on Monday, February 24, 2025, at the Sweden Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members present: Richard Dollard; Mark Horschel; Craig McAllister; Matthew Minor; Wayne Rickman; Peter Sharpe.

Absent: David Hale

Also present: Nat O. Lester, III, Planning Counsel; James Oberst, P.E., MRB, Town Engineer; Lyle Stirk, Building Inspector; Larry Adler, 7 Brew Coffee; Sarah Costich, Costich Engineering; Hayden Woods and Randy Bebout, Bohler Engineering.

Chairperson McAllister called the meeting to order at 7 p.m. and asked everyone present to say the Pledge of Allegiance.

Correspondence was passed to members for review.

Moved by Mr. Dollard, seconded by Mr. Rickman, that the minutes of February 10, 2025, be approved.

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale – Absent  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe - Aye

Moved by Mr. Rickman, seconded by Mr. Dollard, that the regular meeting be adjourned to the public hearing.

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale – Absent  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe - Aye

The public hearing began at 7:01 p.m.

Chairperson McAllister waived the reading of the legal notice.

**7 Brew Coffee Site Plan. 6517 Brockport-Spencerport Road. 084.01-1-4.2.**

Larry Adler, 7 Brew Coffee, addressed the Board. He introduced Sarah Costich, Costich Engineering, assisting with this project.

Chairperson McAllister asked if there was anyone present with questions, comments, or concerns. There were none.

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**O'Reilly Auto Enterprises Site Plan. Lake Road. 083.02-1-24.**

Hayden Woods, Bohler Engineering, addressed the Board.

Chairperson McAllister asked if there was anyone present with questions, comments, or concerns. There were none.

Moved by Mr. Minor, seconded by Mr. Sharpe, to adjourn the public hearing to the regular meeting.

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale – Absent  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe – Aye

The public hearing ended at 7:03 p.m.

**7 Brew Coffee Site Plan. 6517 Brockport-Spencerport Road. 084.01-1-4.2.**

The Board continued review of this project.

Chairperson McAllister asked Mr. Oberst for an update. He received response comments back last week and revised plans tonight. Most response comments indicate there will not be any issues completing his requests.

Chairperson McAllister asked if a response was received from NYSDEC. Only DRC comments were received this afternoon. Mr. Adler had a copy with him and indicated there was mention of having provisions in place for older people who may be around and in the building. The public is not allowed in the building, employees only.

Mr. Adler continued the owner's environmental engineer has been in contact with the NYSDEC. There is a management plan that has always been in place and if there is a project under review at the Planning Board, NYSDEC will review a work plan. The management plan states that before any work can begin, NYSDEC needs to be notified, and it will be onsite to monitor activity. Chairperson McAllister stated this Board is requesting NYSDEC to respond in writing if it is okay to move forward with approvals for development. He thought the only environmental issue left on site is relative to where the utilities are located. Are existing hook ups or new hook ups proposed in the easement areas? Mr. Adler stated that in the Utility Plan, the existing water line from Brockport-Spencerport Road will be tapped into and new trenches installed. NYSDEC will be overseeing the environmental engineer making sure that any contaminated materials are removed.

Mr. Minor asked for clarification regarding the storm line that connects to the system in the plaza, which is new. Mr. Minor also asked if easements will be needed between the properties. Chairperson McAllister stated no because it is all one property. The proposed project is in a leased area. There is one deed for the property including the leased areas. Planning Counsel Lester stated the Mobil gas station did not own its property. Parking easements will not be needed as the required number of parking spaces has been met in the leased area.

Mr. Minor confirmed with the Clerk that the address is 6517 Brockport-Spencerport Road which is the road the front of the building faces.

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Mr. Dollard asked for further clarification as to whether pedestrians can walk up to the store or enter the building. Mr. Adler stated less than one-half percent of the business is a walk up. Pedestrians can be accommodated if there is room under the canopy where the order can be taken through a sliding glass door. Mr. Dollard believes people will just walk up. Mr. Adler stated 99.5 percent of customers order from their cars. Typically, the walk-up customer is a firefighter or police officer who walk up and receive a discount or free coffee. Chairperson McAllister added that truck drivers might be a third type, considering all the truck drivers who pull their tractor trailers in the plaza's parking lot to get a meal.

Mr. Horschel asked if there should be a zoning table on the plan showing what is required versus what is proposed. There are statistics listed on the site plan, but no table. Mr. Adler will provide a zoning statistics table. Mr. Minor requested statistics for the whole parcel not just the corner leased area since it was determined it is one parcel. Chairperson McAllister stated the leased area is only being revised and the requested overview will show existing zoning statistics that are complying or noncompliance.

Mr. Adler stated 7 Brew Coffee only has rights over the leased area not the remainder of the property. The remainder of the property is not changing. One owner owns the plaza and leased areas. The Board will wait until the overview is received to discuss how to proceed.

Mr. Horschel noted that in Detail C7, the word "construction" should be changed to "contraction." Mr. Horschel had additional questions regarding the wall elevation. Mr. Adler stated changes will be made to the architectural drawings. Chairperson McAllister commented that the building department reviews architectural drawings.

Chairperson McAllister requested an overall of the parcel. Mr. Adler will try to obtain one. Mr. Oberst needs to finish his final review, and the Board still needs to receive a response back from NYSDEC. He asked if there was anything else.

Mr. Oberst requested an application be made to NYSDOT for work being done in the ROW. There is an old, abandoned curb cut that needs to be removed. Mr. Adler asked if the site plan approval is dependent upon getting the ROW permit or does that come after? Mr. Oberst stated he likes to run the process concurrently.

Mr. Minor discussed the proposed signage and whether free standing signage is permitted. What signage is permitted? Mr. Stirk stated signage is permitted on all four sides of the building and he would check to see if a freestanding sign is permitted as the plaza already has one. Mr. Adler added, typically where this site is located, 7 Brew Coffee would not have a freestanding sign.

Chairperson McAllister asked if elevations were included in the planning submission. Mr. Adler stated the last three sheets are elevation drawings, including a dumpster enclosure elevation. Mr. Adler stated it is a very nice-looking building, cementitious brick panel wall. The color of the panel can be accommodated per the Board's preference. It is a pre-manufactured building that comes in two parts, lower level and muffin top, and canopies on either side to protect the servers.

Mr. Horschel requested a dimension from the canopy to the lot line be added to the zoning statistics table as the canopy becomes part of the structure. He also referenced the landscape sheet, note #3; the architect or owner's representative reserves the right to reject any plant material not meeting specifications and asked if Mr. Stirk

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reviews that. He does not. Mr. Horschel notes that inkberry and maple-leaved viburnum shrubs are proposed alternately around the berm as a glare screen for the cars coming around. The berm is only two feet high soil.

The inkberry is an evergreen planting and maple-leaved is deciduous. Mr. Horschel recommends the maple-leaved viburnum be changed to an evergreen planting so there is a glare screen one hundred percent of the year. Mr. Adler agreed.

Chairperson McAllister confirmed with Mr. Adler that the hatched area shown after the berm on the landscape plan will be grass.

Mr. Minor stated the dumpster opening faces southeast which has access from offsite. Mr. Adler agreed and stated it will have a solid gate. Mr. Horschel noted that the proposed walls are 6 ft. 9 in. tall and asked if that would obstruct people's view traveling through the plaza accesses. Mr. Adler stated Mr. Oberst had commented on the same, so the door was pushed back. Mr. Horschel requested the sight distance on the corner be checked as there is room for the dumpster to be pushed back.

Mr. Adler concluded construction could start in April/May as soon as the project receives approval and NYSDEC okays the work plan.

**O'Reilly Auto Enterprises Site Plan. Lake Road. 083.02-1-24.**

The Board continued review of this application.

Chairperson McAllister checked with Mr. Oberst for an update. Mr. Oberst received revised plans last week. All concerns have not been answered to date.

Hayden Woods, Bohler Engineering, addressed the Board. He stated this project is for O'Reilly Auto Parts, located at 4885 Lake Road on approximately 2.6 acres situated between the existing CountryMax and Aldi's stores. A 7, 225 sq. ft. O'Reilly Auto Parts store is proposed. Most of the existing lawn area will be maintained, .6 acres will be impervious where 1.94 acres will be maintained as green. There will be 38 new parking spaces including 2 ADA. The front half will be concrete, and the rest will be asphalt. There will be a dealer door for servicing and parts deliveries located on Duryea Drive. New utilities will be off Duryea Drive for the most part and the water service connecting on Duryea Drive. A new sanitary sewer connecting on the western property line, which has been submitted to the highway superintendent for ongoing review. Two infiltration basins are proposed for stormwater mitigation which Mr. Oberst has commented on requesting further infiltration testing in the spring. The existing drainage path is being maintained split into two drainage patterns. The front half will be pushed up to Lake Road into an existing drainage ditch and the other half gets pushed to an existing drainage ditch on the western half. A new two-inch water service is proposed and submitted to MCWA for review. A backflow system will be reviewed by MCWA and MCDOH. Dark sky compliant lighting fixtures are proposed and new signage, one building mounted sign along the front and one ground monument sign upfront. New landscaping consists of trees along Duryea Drive and screening trees towards CountryMax in the back. Arborvitae are proposed to screen the dumpster enclosure and sodded lawn areas along the frontage and hydroseed.

Mr. Woods stated that as of the last meeting, January 27, 2025, comments have been received from MRB, Highway Department, Fire Marshal, MCDRC, and ECB. An application will be made to MCDOT for review per MCDRC's request to determine jurisdictional rights. He would be glad to answer any questions.

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Mr. Rickman would like to see sidewalks installed. Mr. Woods stated there is a large drainage ditch along the front of the property. Chairperson McAllister stated there are existing sidewalks along the east side of the road from the light all the way up. There is a partial sidewalk on the west side. Mr. Oberst added the Hampton Inn has a sidewalk, but CountryMax does not. Mr. Woods stated CountryMax also has a large drainage ditch along the front, and added getting approval from NYSDOT to do a large amount of earthwork might be cumbersome, but he can look into it. Mr. Minor confirmed that Duryea Drive has a sidewalk on the south side. Mr. Rickman suggested access to the south side by adding a crosswalk. Mr. Woods stated from a life safety point to encourage people to cross Duryea Drive at that point. Mr. Rickman agreed.

Mr. Sharpe asked for clarification regarding the lighting in the parking lot. Mr. Woods explained there will be a mixture of wall pacs along the building as well as light poles. Mr. Sharpe confirmed with Mr. Woods that the light poles will shine over the blacktop. Mr. Woods submitted lighting cut sheets for review. Mr. Oberst asked for cut sheets for the wall pacs. Mr. Woods will submit them. He also asked for the light pole height and that it should be added to the plan. Mr. Woods stated the light pole height is 25 ft. and will add it to the plan.

Mr. Minor confirmed with Mr. Woods that the required number of parking spaces is 37 and that 38 is provided. Mr. Minor stated if 38 parking spaces are not needed, land banked parking is an option to have less impervious area. Mr. Woods explained that the typical O'Reilly number of parking spaces is between 35 and 40. The company frequently has special events so overparking is good. Mr. Woods could discuss that with the owners. Chairperson McAllister added if land banked parking were used, the south end area of the parking lot would be a good place to eliminate spaces.

Mr. Oberst asked if there are any easements over the drainage structures and utility poles onsite. Mr. Woods stated he is working with the survey control associates currently to obtain an abstract title to find all easements and address any easements with the Town that need to be filed.

Planning Counsel Lester requested the abstract of title and preliminary title insurance report be sent to the Clerk. Mr. Woods agreed.

Mr. Minor asked where the electricity will come from. Mr. Woods stated there is an electric pole at the corner where Country Max is and at the corner of Duryea Drive. Mr. Horschel confirmed with Mr. Woods that the electrical and communications lines will be underground.

Mr. Horschel confirmed with Mr. Woods that his response to Mr. Oberst's comment #17 should state maximum 75 feet, not minimum for cleanout distance.

Mr. Oberst asked what was decided as far as installing sidewalks. It was determined there would be no change.

The Board had no other questions. Mr. Woods stated he will revise the plans for the March 10 meeting.

**OTHER**

**Notice of Intent to Establish Lead Agency: Orleans County ALL Broadband Municipal Infrastructure Program**

Chairperson McAllister explained the Board received a request from Orleans County asking to be Lead Agency. This Board agreed it has no desire to be Lead Agency for the Orleans County All Broadband Municipal Infrastructure Program.

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Moved by Mr. Minor, seconded by Mr. Sharpe, that the Planning Board has no objection to Orleans County being Lead Agency for the ALL Broadband Municipal Infrastructure Program.

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale – Absent  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe - Aye

**Owens Road Self Storage Subdivision and Site Plan – Phase 1. 90 Owens Road. 084.01-1-19.141/19.145**

Chairperson McAllister stated the two easements to the Town have been reviewed by Planning Counsel Lester and are ready to be filed. The third easement internal to the property has been completed but does not have an impact on the Town. The fourth easement has not been completed because the bank has not signed it, and it could take up to four weeks. Chairperson McAllister discussed this with Planning Counsel Lester. Planning Counsel Lester stated it would be appropriate to extend the conditional final approval to the March 24, 2025, meeting. If the fourth easement is not signed by March 24, 2025, the conditional final approval will be rescinded without prejudice and a new application will have to be submitted for approval.

Moved by Mr. Dollard, seconded by Mr. Rickman, that the conditional final approval for the Owens Road Self Storage Subdivision and Site Plan - Phase 1 be extended to March 24, 2025.

Discussion: March 24, 2025, is a scheduled Planning Board meeting. Mr. Dollard asked for the name of the bank that needs to sign the easement. Planning Counsel Lester will find out. Planning Counsel Lester will notify the applicant's attorney.

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale – Absent  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe - Aye

Moved by Mr. Minor, seconded by Mr. Horschel, to adjourn the meeting at 8:15 p.m.

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale – Absent  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe - Aye

Respectfully submitted,  
Phyllis Brudz, Planning Board Clerk