

**TOWN OF SWEDEN
Planning Board Minutes
April 25, 2022**

A regular meeting of the Town of Sweden Planning Board was held on Monday, April 25, 2022, at the Sweden Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members present: Richard Dollard; David Hale; Matthew Minor; Craig McAllister, David Strabel.

Absent: Wayne Rickman; Peter Sharpe.

Also present: Nat O. Lester, III, Planning Board Counsel; James Oberst, P.E., MRB, Town Engineer; David Matt, Schultz Associates; Hayden Woods, DDS Engineering, Patrick Lloyd; Jeff Arnold; Catherine Bauer; Mike Cunningham, Jr.

Chairman 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. Hale, that the minutes of April 11, 2022, be approved.

Chairman McAllister - Aye
Mr. Dollard – Aye
Mr. Hale - Aye
Mr. Minor – Aye
Mr. Rickman – Absent
Mr. Sharpe - Absent
Mr. Strabel – Aye

Moved by Mr. Minor, seconded by Mr. Strabel, that the regular meeting be adjourned to the public hearing.

Chairman McAllister – Aye
Mr. Dollard – Aye
Mr. Hale - Aye
Mr. Minor – Aye
Mr. Rickman – Absent
Mr. Sharpe - Absent
Mr. Strabel – Aye

Public Hearing began at 7:02 p.m.

Chairman McAllister waived reading the legal notice.

Bauer Site Plan. 4475 Sweden Walker Road. 084.02-1-2.

Mr. Dave Matt addressed the Board.

Chairman McAllister asked if anyone was present with questions, comments, or concerns relative to this project. There were none.

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Moved by Mr. Strabel, seconded by Mr. Dollard, to adjourn the public hearing to the regular meeting.

Chairman McAllister – Aye
Mr. Dollard – Aye
Mr. Hale – Aye
Mr. Minor – Aye
Mr. Rickman – Absent
Mr. Sharpe - Absent
Mr. Strabel – Aye

The Public Hearing ended at 7:03 p.m.

Eric Chick Property Amended Site Plan. 977 West Avenue. 068.01-2-1.

Mr. Dave Matt, Schultz Associates, addressed the Board. He is representing Paul McGowan who recently purchased the Eric Chick property. The Eric Chick property was approved in 2015.

The revised plan shows a different house configuration and size from the originally approved Eric Chick property. The house size increased from approximately 1,900 sq. ft. to a little over 2,400 sq. ft. and is now a big, long ranch. The garage increased to a four-car garage. The driveway loops around the house now. The leach field remains the same for a three-bedroom house, but the pump chamber and septic tank were relocated to fit the new house design. The existing well will be utilized, no public water.

Mr. Minor discussed the changes. The house is in the same place, just different size. The leach field is in the same place, subject to approval of the MCDOH. Mr. Matt stated MCDOH will issue a two-year approval letter for the septic system. The driveway remains the same until it reaches the house, then the road forks to the house and to the garage looping back around. The driveway width is now 24 ft.

Moved by Mr. Minor, seconded by Mr. Strabel, that the Eric Chick Property Amended Site Plan be accepted for review.

Chairman McAllister – Aye
Mr. Dollard – Aye
Mr. Hale – Aye
Mr. Minor – Aye
Mr. Rickman – Absent
Mr. Sharpe - Absent
Mr. Strabel – Aye

The Public Hearing will be May 23, 2022.

Splash Car Wash Amended Site Plan, Special Use Permit. 6273 Brockport-Spencerport Road. 084.01-1-12.11.

Mr. Hayden Woods, DDS Companies, addressed the Board. He introduced Mr. Jeff Arnold, partner of Splash. Approximately, two weeks ago we were here for approvals, but were missing some information regarding the gate and encroachment in the 7.5 ft. perimeter buffer requirement.

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The revised plans show that the parking has been shifted to the west to outside of the 7.5 ft. buffer. Also, we have worked with the Fire Marshal to provide more information about the gate to gain the Fire Marshal's approval. For clarification on how the gate works, it will be located across the entire 26 ft. concrete exit with the motor and lifting mechanism located on the island to the north. The gate will be motion activated for customers wishing to exit the vacuum spaces. In the event of an emergency, the gate can be operated via a remote control from onsite staff. There will also be an additional remote in the Knox Box per the Fire Marshal's request. In the event the gate fails to open during an emergency for an emergency vehicle, the vehicle can break the gate because it is plastic and made to break away. Mr. Woods added he confirmed that the gate will be alarm activated as well. If the internal alarm goes off, the gate will open automatically.

Mr. Woods is requesting final approval for the site plan since all prior concerns have been addressed. He is happy to answer any questions.

Chairman McAllister asked for a status update from the Town Engineer. Mr. Oberst stated the project is in good shape. He confirmed with Mr. Woods that the requested signage was added to the plans. Mr. Woods stated also cones have been added at the bypass area. Mr. Oberst asked if landscaping around the dumpster enclosure was completed. Mr. Woods stated he left what was shown but would be happy to add more landscaping before final signatures.

Mr. Woods discussed the proposed eight Calgary Juniper evergreens that grow between seven to eight feet tall. Mr. Strabel asked if they were deer proof. Mr. Woods will double check. Mr. Strabel advised Mr. Woods to check what type of Juniper is proposed. Mr. Woods agreed.

Mr. Strabel confirmed with Mr. Woods that he noted the 7.5 ft. buffer has been added to the plans. Mr. Strabel added that he understands why the proposed dumpster location works best for ease of pick up by the garbage truck. Mr. Minor stated it is a necessary evil and he is okay with the proposed location. Mr. Minor requested the plans note that the dumpster enclosure will have the same look as the material of the building. Mr. Woods indicated the masonry will match the masonry of the building.

Mr. Strabel confirmed with Mr. Woods that there is not a gate by the bypass area and that cones will be added to limit people from using it as much as possible. The plans show a stop bar. The pay stations have gates. Mr. Strabel requested all gates be labeled on the plan. Mr. Woods agreed.

Mr. Jeff Arnold addressed Mr. Minor's concerns regarding the noise from the motor pad. Mr. Arnold explained the new vacuum systems used today and at this location are turbine motor vacuums with silencers on them. They are quiet and work at a decibel of 30 to 35. It is a new and improved system, much more user friendly for the customer.

Mr. Oberst added that a stormwater maintenance agreement was discussed at the last meeting and a copy was sent to Mr. Woods. Mr. Woods acknowledged receipt of it and is working on it.

Moved by Mr. Hale, seconded by Mr. Strabel,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Splash Car Wash Amended Site Plan and Special Use Permit, located at 6273 Brockport-Spencerport Road, which was accepted for review on March 14, 2022, and

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WHEREAS, a public hearing was held by the Planning Board on April 11, 2022, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Project Information Form, comments of the Town Engineer, Fire Marshal, Environmental Conservation Board, and Monroe County Planning and Development.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself lead agency for the environmental review of this application and determines that the Splash Car Wash Amended Site Plan and Special Use Permit are unlisted actions, which will not have a significant impact on the environment, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Splash Car Wash Amended Site Plan and Special Use Permit be approved, contingent upon approval of the stormwater maintenance agreement, all gates labeled on the plans, all required signatures are obtained, and the Chairman be authorized to sign the mylar.

Chairman McAllister - Aye
Mr. Dollard – Aye
Mr. Hale – Aye
Mr. Minor - Aye
Mr. Rickman – Absent
Mr. Sharpe – Absent
Mr. Strabel – Aye

Bauer Site Plan. 4475 Sweden Walker Road. 084.02-1-2.

Mr. Dave Matt, Schultz Associates, addressed the Board. He distributed revised plans to the Board. Mr. Matt stated Town Engineer comments were addressed at the end of March. A use variance was granted by the Zoning Board of Appeals on Thursday, April 21, 2022, which has been noted on the plan. Also addressed are the Fire Marshal's comments regarding the widening of the entire driveway to 14 ft., and to add an address post at the road. Miscellaneous labels have been added to the plan.

Chairman McAllister asked if part of the existing house will be taken down. Mr. Matt stated the wood half is coming down and the brick portion turned into a storage building.

The Clerk confirmed with Counsel Lester that at the Zoning Board of Appeals hearing, it was determined that the whole house, both wood and brick parts, will be demolished prior to the issuance of the certificate of occupancy for the new home. Mr. Matt will update the plan accordingly.

Chairman McAllister asked if the .5 acres of disturbance is identified on the plan. Mr. Strabel confirmed with Mr. Matt that the dotted line on the plan is the .5 acres of disturbance for the new leach field. Mr. Matt explained the variance specifies that the existing house is to be demolished, and the new home built on the existing garage foundation.

Mr. Dollard asked what the front setback of the new house is. Mr. Matt stated the front of the new house is approximately 380 ft. back. Mr. Dollard asked if the Fire Marshal is okay with fire trucks moving around the turnaround at the end of the driveway. Mr. Matt stated the Fire Marshal reviewed the plans and commented. Mr. Minor read the Fire Marshal's comments that the driveway should be 14 ft. wide, and an address post installed at the road.

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Moved by Mr. Hale, seconded by Mr. Strabel,

WHEREAS, the Town of Sweden Planning Board has received an application for site plan approval of the Bauer Property, located at 4475 Sweden Walker Road, which was accepted for review on February 28, 2022, and

WHEREAS, a public hearing was held by the Planning Board on April 25, 2022, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form, comments of the Town Engineer, Fire Marshal, and Environmental Conservation Board, and

WHEREAS, a Use Variance was granted by the Zoning Board of Appeals on April 21, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself lead agency for the environmental review of this application and determines that the Bauer Site Plan is an unlisted action, which will not have a significant impact on the environment, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Bauer Site Plan be approved, contingent upon relabeling the site plan to show the whole house will be demolished, all required signatures are obtained, and the Chairman be authorized to sign the mylar.

DISCUSSION: Chairman McAllister confirmed with Mr. Matt that the new septic system will be approved by MCDOH prior to signatures obtained.

Chairman McAllister - Aye
Mr. Dollard – Aye
Mr. Hale – Aye
Mr. Minor - Aye
Mr. Rickman – Absent
Mr. Sharpe – Absent
Mr. Strabel – Aye

OTHER

Ledgesdale Airpark Resubdivision-3 Lots and Site Plan-Lot R-5B.10 Eisenhower Drive.084.04-1-25.005

Mr. Patrick Lloyd addressed the Board. He is the owner of 10 Eisenhower Drive. Mr. John Sciarabba, Land Tech, could not be here tonight.

Mr. Lloyd explained that the application review notes from the November 25, 2021, meeting have been addressed. He is also requesting a small addition to the original site plan before the conditional approval expired in May for the proposed project.

The small addition is a new driveway for delivery trucks to pull in and out of the parking lot. Currently, tractor trailers have a difficult time backing out into the street. It is a safety concern and a way to prevent the lawn from being destroyed. The new driveway will be located where an old driveway exists. Mr. Ingraham, Highway Superintendent, visited the property and confirmed a culvert was installed. He was good with the installation of a new driveway at that location.

Chairman McAllister explained the reason the Board needs to review the new driveway is because it is an additional curb cut that was not approved with the original commercial site plan. The Highway Superintendent is okay with it and there is an existing culvert.

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Mr. Minor clarified that Lot R-5A was not included in the above-mentioned project. The Board agreed. Mr. Hale stated this is a minor amended site plan. Mr. Minor asked with this modification is the greenspace requirement impacted. Mr. Strabel commented that by looking at the site plan, approximately 70 percent greenspace remains. There are no other impacts.

Moved by Mr. Hale, seconded by Mr. Minor,

WHEREAS, the Town of Sweden Planning Board has received an application for amended site plan approval of the Ledgeale Airpark Site Plan, located at 10 Eisenhauer Drive, and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board Accepts for Review the Ledgeale Airpark Amended Site Plan, Lot 5-RA, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Board declares itself Lead Agency for the environmental review of this application, and determines that the Ledgeale Airpark Amended Site Plan, Lot 5-RA, is an unlisted action which will not have a significant impact on the environment, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Board determines the Ledgeale Airpark Amended Site Plan, Lot 5-RA, is appropriate in the interest of the public health, safety and general welfare, and no undesirable change will be produced in the character of the neighborhood or no detriment to nearby properties will be created.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the public hearing be waived and the Ledgeale Airpark Amended Site Plan, Lot 5-RA, dated April 25, 2022, be granted approval, contingent upon all required signatures being obtained, and the Chairman be authorized to sign the mylar.

Chairman McAllister - Aye
Mr. Dollard – Aye
Mr. Hale – Aye
Mr. Minor - Aye
Mr. Rickman – Absent
Mr. Sharpe – Absent
Mr. Strabel – Abstain

Heritage Square Phase 1A Site Plan. Persistence Path, 068.03-1-18.113.

Chairman McAllister explained this application is before the Board for approval of a three-month project extension as the conditional final received October 25, 2021, expires today. The conditional final approval was contingent upon obtaining required signatures.

Mr. Strabel asked who still needs to sign the mylars. It was discussed that the agencies and the Town Engineer have not signed to date. Mr. Oberst is not sure of the status of the signing by the agencies.

Mr. Matt, Schultz Associates, commented that he is a third party to this project, but understands that the applicant is working on their financing for a letter of credit before the Town signs.

The Board discussed if a letter of credit was required. The Clerk found a copy of the approved letter of credit in the file. The mylars should have been circulated for signature by now. The letter of credit funds would need to be delivered to the Town prior to a building permit issued.

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Chairman McAllister stated it is at the discretion of the Board if it wants to approve a three-month extension for this project. He is not in favor of doing so. Mr. Strabel asked Counsel Lester for his opinion as to any legal implications for the Town. Counsel Lester stated a motion, like previously, needs to be made and put to a vote.

Moved by Mr. Hale, seconded by Mr. Dollard, that the Planning Board rejects the Heritage Square Phase 1A Site Plan without prejudice its request for a three-month extension.

Chairman McAllister - Aye
Mr. Dollard – Aye
Mr. Hale – Aye
Mr. Minor - Aye
Mr. Rickman – Absent
Mr. Sharpe – Absent
Mr. Strabel – Aye

Mr. Hale will be traveling to Iceland and will not attend the next meeting, May 9.

The Clerk discussed the Eric Chick property that was approved in 2015. The 2015 final resolution stated a structure was built on vacant land prior to any approvals. The resolution stated a permit for the accessory structure should be obtained when the permit for the proposed single-family home is issued. The Board agreed that this matter should be addressed by the Building Department.

The meeting was adjourned on motion at 8 p.m.

Respectfully submitted,
Phyllis Brudz – Planning Board Clerk