

**TOWN OF SWEDEN
Planning Board Minutes
September 9, 2024**

A regular meeting of the Town of Sweden Planning Board was held on Monday, September 9, 2024, at the Sweden Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members present: Richard Dollard; Craig McAllister; Mathew Minor; Wayne Rickman; Peter Sharpe.

Absent: David Hale; Nat O. Lester, III, Planning Counsel; James Oberst, P.E., MRB, Town Engineer.

Also present: Kris Schultz, Schultz Associates; Robert Fitzgerald, Fitzgerald Engineering; Kevin M. Johnson, ZBA; Ali Yildiz, CVE; Adam and Aimee Mesiti; Kris Sanger; Dave Zielinski; Brockport College Student.

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. Rickman, that the minutes of August 12, 2024, be approved.

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

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

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

The public hearing began at 7:02 p.m.

Chairman McAllister waived the reading of the legal notice.

Five Sons Subdivision and Amended Site Plan. 1356/1360 W. Sweden Rd. 113.01-1-4.11.113.01-1-4.12.

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

V&T Giglio Subdivision and Site Plan. 369 Beadle Road. 099.04-2-9.9

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

Maier Resubdivision and Amended Site Plan. 2819 and 2827 Colby Street. 099.01-1-1.1, 099.01-1-1.2.

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

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

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

The public hearing ended at 7:04 p.m.

Chairman McAllister stated that the Town Engineer completed review comments for all three proposed projects but could not make tonight's meeting.

Mr. Schultz asked the Chairman if he could go over his responses to Mr. Oberst's review comments to update the Board.

Maier Resubdivision and Amended Site Plan. 2819 and 2827 Colby Street. 099.01-1-1.1, 099.01-1-1.2.

Mr. Schultz addressed the Board.

1. SEQR has been updated with limits of disturbance of 1.25 acres. Mr. Schultz gave the Clerk an updated copy. An updated SWPPP will be provided.
2. Distance from the proposed home and leach field to the intermittent tributary and wetland B has been added to the plans.
3. All correspondence with MCDOH will be provided to MRB and the Town.
4. All correspondence with MCWA will be provided to MRB and the Town.
5. MCDOT will review and approve the curb cut location and proposed driveway apron layout and design.
6. A new soil stockpile detail has been added to the detail sheet.
7. Proposed vegetative clearing is now noted on the plans to run to the proposed silt fence throughout the site. The site was cleared three years ago with the original approvals. Brush and weeds have since revegetated the site.
8. Town Highway Superintendent signature line has been removed from the plans.

Mr. Schultz stated the only outstanding issue to be addressed is the updating of the original SWPPP. He will send the updated information to Mr. Oberst for review. The project should be in good shape for approval at the next meeting.

Five Sons Subdivision and Amended Site Plan. 1356/1360 W. Sweden Rd. 113.01-1-4.11.113.01-1-4.12.

Mr. Fitzgerald addressed the Board. He would like to update the Board with his responses to Mr. Oberst's review comments. Responses were distributed to the Board. Mr. Fitzgerald stated he does not need to go through each response but would be happy to answer any questions.

Mr. Fitzgerald noted the applicants would like to construct a new home this calendar year. The following points were discussed:

1. Lot line alteration showing where the lot line jogs down to the back to provide more acres to the existing house. Two residences will be served by one driveway. Because the property line was moved, a new ingress/egress easement will be required.

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2. The width and length of the driveways should be labeled, i.e., dimensions showing there isn't much distance from the road to the first parking lot and then to the first turnaround. The Clerk distributed copies of the Fire Marshal's comments requesting the driveway width at 14 ft. with a bump out at 250 ft.
3. Wetlands are at the back of the property beyond the grapes, not anywhere near disturbing any wetlands.
4. MCDOT is still reviewing the plans.
5. There is approximately 700 ft. of gravel driveway which will be labeled as the construction entrance.
6. New temporary topsoil detail was added to the plan.
7. Downspouts and sump pumps need to be discussed with the Building Department due to a slab on grade.
8. Size of house has been added to the plans, location remains the same. Chairman McAllister confirmed the new house will have its own well and septic system and will be labeled with the distance between the two shown and the distance from the septic system to the property line shown. All setbacks from the house should be noted on the plan.

Mr. Fitzgerald added that per the ECBs comments regarding planting native species to enhance the environmental integrity of this area, the applicants plan to plant a bunch of apple, cherry, raspberry, and blueberry trees. More contour lines have been added, which shows how much the site drops off, a good 20 ft.

The Board will continue review of this project at the next meeting.

V&T Giglio Subdivision and Site Plan. 369 Beadle Road. 099.04-2-9.9

Mr. Fitzgerald addressed the Board. The applicants purchased property at an auction and are seeking subdivision and site plan approvals. The proposed new home will be located towards the middle of the property approximately 400 ft. back. A 30 ft. by 60 ft. pole barn, patio and pool are also proposed.

Responses discussed include the following:

1. Wetlands - SEQR online shows wetlands on site. There are no wetlands on the property, however, there are wetlands on the adjoining property to the east which are from the project area and unable to map the approximate location of said wetlands. A note has been added to the site plan referencing this. Most important, there is no impact to the wetlands.
2. Site statistics have been updated to show more information, i.e., pullover area is 24 ft. by 50 ft.
3. There is disturbance over an acre; a SWPPP has been included in this plan.
4. MCDOT is still reviewing the plan. The driveway has been shifted over to the west for better sight distance.
5. Temporary construction entrance detail has been added to the plan.
6. Dimensions between the well and septic and from the property line have been added to the plan.
7. Note revised that the size of the house is the actual footprint.
8. The Town Engineer and ECB have clearly depicted limits of disturbance.
9. Signature block has been revised.

The Board will continue review of this project at the next meeting.

INFORMAL

Wolf Solar Farm Subdivision, Site Plan and SUP. 7484 Fourth Section Road.

Ali Yildiz, CVE Engineering Department, addressed the Board. He is representing the Wolf and Mantsi solar farms which was discussed at the last Planning Board meeting.

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Wolf Solar Farm

The issue is that the trees shown on the approved site plan were planted and removed by the farmer's contractor before a certificate of compliance could be obtained to close out the building permit. CVE had no prior knowledge that this took place.

Mr. Yildiz distributed landscaping photos to the Board to seek its opinion of what to do. The red and yellow lines indicate where the trees were removed and the location of the proposed replanting of trees (yellow line). The replanting will provide more trees to achieve the proper screening for the Northview Subdivision and allow the farmer more leased land to farm.

Mr. Yildiz referenced the third photo showing the areas he spoke with three neighbors who acknowledged the subdivision was built on a hill so there is a direct line of sight, and that the cornfields are helping screen the view. The trees to be planted on the yellow line and property line will help with screening too.

Mr. Yildiz requested expedited approval for the amended site plan as the certificate of compliance for the building permit issued is up at the end of December.

Chairman McAllister confirmed with Mr. Yildiz that the yellow line and all ag district land are part of the leased property. Mr. Yildiz explained that the contractor, with the farmer's permission, removed 169 trees in order to continue planting.

Discussion took place regarding the approved subdivided lots. The back parcel is a separate leased area from the solar farm. There is an additional leased area. Mr. Sharpe clarified the Chairman's concern is that the applicant is proposing to expand the project off the approved site for the solar farm by the planting of trees. The planting of a tree, while not a solar glass panel, is still part of the approved project. Chairman McAllister agreed and stated that should the solar farm parcel be sold, the second parcel may not be sold, which would have the planting of trees for screening on it.

The Clerk presented the original approved plans for review and discussion. The Clerk was asked to bring the landscaping plan for review.

The landscaping plan was reviewed. The Board agreed that the additional front property was not discussed to be used for landscaping or screening with the original approval.

It was suggested the planting of trees along the fence line, which will not provide adequate screening unless the trees grow to 50 ft. or 60 ft. high, creating a wall.

Mr. Yildiz expressed the importance of an expedited amended site plan approval as the building permits have to be closed out by the end of December; there are no more extensions to be granted.

Mr. Minor added that the farmer gave up his right to farm the land when he leased the land to the solar company. The farmer will not want to resubdivide. A meeting with the farmer to discuss what options are available should take place. The planting of trees should be on the approved solar farm parcel.

Mr. Yildiz will review the above information and decide what option is best for the Wolf Solar Farm project.

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Mantisi Solar Farm

The Board discussed the proposed Mantisi Amended Site Plan while waiting for the Clerk to return.

Mr. Yildiz explained the northwest neighbor has asked that the approved red line screening of trees as shown on the drawing be relocated to the yellow line. The yellow line will still provide screening from the solar farm and allow the neighbor to continue to use the land as her backyard. The applicants agree with her request. The Board asked that the applicants have the neighbor sign a document with the request in writing to avoid a change of mind in the future.

Mr. Yildiz will seek an expedited amended site plan approval for the Mantisi Solar Farm project.

Mr. Sharpe stated Mr. Yildiz should be commended for trying to please the residents by seeking approval to modify the approved plans. Mr. Yildiz expressed his thanks and appreciation for the Board's time and opinion.

OTHER

Moved by Mr. Minor, seconded by Mr. Sharpe, that the Planning Board desires to continue review of the Five Sons Subdivision and Amended Site Plan, the V&T Giglio Subdivision and Site Plan, and the Maier Resubdivision and Amended Site Plan projects until the next meeting.

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

Stonebriar Glen South Site Plan

Chairman McAllister explained that the conditional approval for the Stonebriar Glen South Site Plan expires September 11, 2024, and the easements are still being reviewed by Planning Board Counsel. No more than thirty days are needed.

Moved by Mr. Rickman, seconded by Mr. Sharpe, that the Planning Board desires to extend the conditional final approval for the Stonebriar Glen South Site Plan for thirty days.

Moved by Mr. Strabel, seconded by Mr. Hale, that the meeting be adjourned.

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

Respectfully submitted,
Phyllis Brudz, Planning Board Clerk