

Town of Sweden  
Legal Notice  
Zoning Change

- WHEREAS, Stonehaven Commercial, 154 Cobblestone Court Drive, Victor, New York 14564, acting as developing agent for the owner of the properties, Estate of Eugene Jason, c/o Acea Mosey, 625 Delaware Avenue, Buffalo, NY 14202, has submitted to the Town Board an application and proposal to re-zone approximately 50 acres of portions of two tax parcels, 083.040-0001-001.21 and 083.040-0001-005.111, from R1-2S Single Family Residence to MR-1 Multiple Residence; and
- WHEREAS, a map of the property and legal description has been filed with the Town, and the required fee paid; and
- WHEREAS, the goal of the developer is to construct a residential community with mixed housing types of townhomes, apartments and duplexes; and
- WHEREAS, a public hearing was held on April 23, 2019 at 7:00 PM and a second public hearing was held on May 25, 2021 at 7:00 PM and all persons desiring to be heard were heard: and
- WHEREAS, the proposed rezoning was reviewed by the Town of Sweden Environmental Conservation Board, the Town of Sweden Highway Department, the Town of Sweden Planning Board, the Town of Sweden Zoning Board of Appeals, the Town Engineer, the New York State Department of Environmental Conservation, the New York State Department of Transportation, the Corp of Engineers, the Monroe County Planning & Development, Monroe County Water Authority, the Monroe County Department of Health and the Monroe County Department of Transportation and others; and
- WHEREAS, Stonehaven Commercial recognizes the importance to its community of residents the proximity of the Sweden/Clarkson Community Center and associated recreational facilities and desires to make improvements to the same as part of its next phase of development. That these improvements tendered by Stonehaven Commercial include the renovation of the main restrooms at the Sweden/Clarkson Community Center and a Conservation Easement to certain areas of the Stonehaven project as identified on Drawing No. 1, BME Associates, Project 2498SO for passive recreation use by the Town of Sweden.

NOW, THEREFORE BE IT RESOLVED:

- Sec.1. That the Zoning Map of the Town of Sweden be amended to changing the zoning classification from R1-2S Single Family Residence to MR-1 Multiple Residence, that the portion of property proposed to be re-zoned is more particularly described as follows:

LEGAL DESCRIPTION

All that tract or parcel of land, containing 50.081 acres more or less, situate in the Phelps and Gorham Purchase, Triangle Tract, Township 3, Section 7, Town Lots 6 & 7, Town of Sweden, County of Monroe, and State of New York, as shown on the drawing entitled "Townhomes at

Stonebriar Glen South, Rezoning Exhibit,” prepared by BME Associates, dated February 12, 2019, being more particularly bounded and described as follows:

Beginning at a point, said point being the intersection of the southerly boundary line of lands now or formerly of Edwin Duryea Properties LLC (T.Z. No. 083.02-1-12.001) with the westerly boundary line of lands now or formerly of Edwin Duryea Properties LLC (T.A. No. 083-04-1-18); thence

1. S 08°26'35" E, a distance of 1,458.72 feet to a point; thence
2. S 89°12'32" W, a distance of 1,602.69 feet to a point; thence
3. N 00°47'28" W, a distance of 1,451.57 feet to a point; thence
4. N 89°06'40" E, a distance of 854.25 feet to a point; thence
5. S 02°09'44" W, a distance of 9.97 feet to a point; thence
6. N 88°56'04" E, a distance of 554.73 feet to the point of beginning

Sec. 2. That no building permit shall be issued in connection with Stonehaven’s development of this property prior to completion of the restoration of the main restrooms at the Sweden/Clarkson Community Center to the satisfaction of the Town or the deposit of a sum of money sufficient to complete the renovation as determined by the Town Architect.

Sec. 3. That no building permit shall be issued in connection with Stonehaven’s development of this property prior to the filing of a Conservation Easement to access areas identified on Drawing No. 1, BME Associates, Project 2498SO dated February 2019 and as further defined within a forthcoming easement description and as mutually agreed upon between the Town of Sweden and Stonehaven Companies.

Sec. 4. That the granting of this rezoning does in no way endorse or imply permission to access any public roadway through any property owned by the Town of Sweden. That such access, if needed, would be achieved through ordinary and lawful processes outside of this re-zoning process.

Sec. 5. That the Town Clerk is directed and authorized to publish a notice of adoption of this Resolution.

Sec. 6. That this amendment and change shall take effect immediately.

By Order of the Sweden Town Board  
Town of Sweden, Monroe County  
Karen M. Sweeting, Town Clerk