

**TOWN OF SWEDEN  
Planning Board Minutes  
February 8, 2016**

A regular meeting of the Town of Sweden Planning Board was held on Monday, February 8, 2016, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members present: Richard Dollard, David Hale, Craig McAllister, Matthew Minor, Arnie Monno, Wayne Rickman, David Strabel.

Also present: James Oberst, MRB, Steven Lauth, Building Inspector, Wendy Meagher, Meagher Engineering, A.J. Barea, P.L.S., Jonathan Bennett, Architect, Econolodge, Robert and Maria Foshier, John P. Lanni, Marshall King, Peter Maxson, Terry Houseknecht.

The meeting was called to order at 7 p.m. by Chairman McAllister.

Correspondence was passed to members for review.

Moved by Mr. Monno, seconded by Mr. Dollard, that the minutes of January 11, 2016, be approved.

Ayes – 7

Chairman McAllister introduced Steven Lauth as the new Building Inspector, Code Enforcement Officer.

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

Ayes – 7

Chairman McAllister read the notice of public hearing and affidavit of publication.

**Reding Subdivision. 4583 Sweden Walker Road. 084.02-1-40.**

Mr. Peter Maxson, 5197 Brockport-Spencerport Road – Mr. Maxson stated he has been the caretaker for the property for approximately 21 years. His concern is whether the Redings are going to sell the property because he would be interested in purchasing land to add to his own. Mr. Barea answered the Reding family is not proposing any new development at this time. Michael Reding will retain Lot 2, Lot 1 will be sold, and Lot 3 will remain farmed. Shown on the plan is a proposed 60 ft. access for the lands to the north. Also, Mr. Maxson wanted the Board to be aware that there are Class 3 wetlands on the property. Mr. Barea stated the wetlands are located at the back of the property.

**Lanni Subdivision and Site Plan. 650 Shumway Road. 084.05-1-6.21.**

Ms. Wendy Meagher addressed the Board. She is representing Mr. John Lanni for approval of a single family home on Shumway Road. While there is an existing farmer's access on the property, the owner has decided to straighten out the access, centering it on the lot. All county comments have been addressed to date. The owner has decided to shift the septic system farther away from the home to reduce the amount of fill and sand needed. A SWPPP will be required.

Mr. Robert Foshier, 746 Shumway Road – Mr. Foshier reviewed the plan. He was interested in seeing the new location of the septic system. Ms. Meagher explained it is still in the front of the house, just shifted about 20 ft. to the west. It will be a raised bed system. Also, Mr. Foshier is concerned that in the past when new houses were constructed on Shumway Road, there was a lot of dirt left on the road. The Town had to put a stop work order on one of the projects. Mr. Foshier requested the requirement of 75 ft. of stone be adhered to. Ms. Meagher stated she is required by the DOT to add a stabilized construction note on the plan.

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Chairman McAllister asked if there were any more questions, comments or concerns.

Mrs. Fosher wondered if there would be more than one home or additional lots since it was referred to as a subdivision. It was explained that another lot or home could not be approved unless the applicant came back before the Planning Board for approval. This lot was previously subdivided from a larger parcel.

Mr. Fosher requested that during construction his driveway not be used as a turnaround. During the last construction of a house, his driveway was used and the dump truck hit the post damaging it. Mr. King assured him that wouldn't happen with the construction of this house.

Mr. Monno questioned what is the right tax account number for this lot? The number is different in the legal notice and in MRB's review comment letter. It was determined that the right tax account number is what is stated in the legal notice.

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

Ayes – 7

Ms. Meagher requested to table the review of this project until the February 22, 2016, meeting. The Board agreed.

**1954 Reed Road Amended Site Plan. 1954 Reed Road. 128.02-1-15.1**

Ms. Wendy Meagher addressed the Board. She explained that the previously approved site plan is shown as well as the proposed changes on a separate drawing. The septic system is in the same location. A letter has been received from the DOH extending approvals for up to a four bedroom home. The applicant is proposing a five bedroom home, which entails extending the leach lines by three feet with one extra line and a 1,750 gallon septic tank. The DOH is reviewing the updated plan. The existing driveway was installed as per the original site plan. The proposed house is shifted approximately 40 ft. A pole barn is proposed for storage. Drainage will be the same as the previously approved plan. All required notes have been added to the plan.

Moved by Mr. Hale, seconded by Mr. Rickman, that the 1954 Reed Road Amended Site Plan be accepted for review.

*Mr. Dollard asked what the width of the driveway is. Ms. Meagher stated 14 ft. A notation on the plan was requested. Mr. Minor requested that the proposed changes be shown on the previously approved site plan. Site requirements have been listed, but actual distances should be shown. Mr. Monno asked if the septic system details were updated per the proposed system. Ms. Meagher stated yes and agreed to the above updates.*

Ayes – 6

Abstain – Mr. Strabel

The public hearing will be March 14, 2016.

**Econolodge Amended Site Plan. 6575 Fourth Section Road. 083.02-1-15.1**

Mr. Jonathan Bennett addressed the Board. He explained the applicant is proposing to close off the side of the building for weather purposes. The northwest winds come right through the building. Also, expansion of the lobby to include a manager's apartment would make it more efficient and enhance the lobby at the same time. The sign would be removed from the Tim Horton's site to the applicant's property with an updated design.

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The lobby and canopy would be expanded approximately two feet beyond the porte-cochere. The driveway would have adequate clearance because there's already two-way traffic in front. The alley way would be closed off for weather purposes as well. Phase II would include closing off the hallway, stair towers, and back area for maintenance and weather concerns. The intent is to use all masonry construction. The old balcony has some structural issues and requires reinforcement.

Mr. Dollard questioned the applicant's address and owner information. Mr. Bennett stated he is representing the owner. The owner is Kashi LLC, d/b/a, Econolodge of Brockport. The Clerk will update the PIF.

Mr. Monno questioned page 3 of the PIF, C, Planning Considerations, no open drainage. There is a wetland in back of the church. Mr. Bennett will find out if it is a DEC wetland and update the name of the proper drainage ditch or stream.

Will there be any changes to the parking lot? The parking spots will be restriped with 10 ft. by 20 ft. spaces. A restriping plan should be shown on the plan.

Mr. Minor explained there was a previous issue with the sign location many years ago. The Clerk stated that hotels and motels have specific signage requirements. Mr. Bennett will look into the new sign requirements to make sure whether the sign should be relocated.

Moved by Mr. Hale, seconded by Mr. Rickman, that the Econolodge Amended Site Plan be accepted for review.

Ayes – 7

The public hearing will be March 14, 2016.

**Reding Subdivision. 4583 Sweden Walker Road. 084.02-1-40.**

Mr. A.J. Barea addressed the Board. He explained there is no proposed development. All structures are existing.

An overlay of both federal and state wetlands is on the plan. The centerline of Otis Creek has been shown on the plan as well.

Mr. Minor asked that Mr. Barea show that the existing structures meet current code requirements with the proposed lot lines. How far are the existing structures from the lot lines? In order to show that structures meet code, Mr. Barea will show a 10 ft. side setback line around the property.

It was noted that the lean-to structure on the property previously used for drying corn will be demolished even though it has been shown on the plan.

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Moved by Mr. Hale, seconded by Mr. Dollard,

WHEREAS, the Town of Sweden Planning Board has received an application for subdivision approval of the Reding Subdivision located at 4583 Sweden Walker Road, which was accepted for review on January 11, 2016, and

WHEREAS, the Town of Sweden Planning Board held a public hearing on February 8, 2016, 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, the Environmental Conservation Board, the Fire Marshal, and the Building Inspector/Stormwater Manager,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself Lead Agency and determines that the subdivision 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 grants the subdivision Preliminary Approval.

Ayes – 7

**OTHER**

Mr. Strabel asked for the Board's opinion whether or not a threshold should be created for commercial projects that change the footprint of the building minimally, which would negate an amended site plan approval. An example is the Golden Eagle Restaurant not needing amended site plan approval for an 8 ft. by 10 ft. vestibule addition. The Econolodge's expansion is much larger and clearly requires approval. Speedway Gas Station is proposing a small bump out to the footprint for a cooler, which may or may not require approval.

Another point to consider is that the application fee and engineer fees will most likely cost more than the construction of the proposed minor change.

Mr. Dollard recommended the Board discuss this with Planning Board Counsel to advise the best way to handle this matter. Chairman McAllister had previously discussed this issue with Attorney Lester, who advised an option may be when a minor application presents itself, the Board be polled as to whether approval is needed.

Mr. Hale is open to the option of reviewing any proposed changes for a lesser fee and approval done administratively with no public hearing.

Mr. Minor stated the Board will have to take into consideration applicants who continue to make application year after year for small projects resulting in an overall larger expansion. Is the Board setting a precedent?

Mr. Monno expressed his opinion that Speedway is one of the most unsafe places to buy gas. Parking and visibility is very poor. Discussion followed.

Mr. Lauth recommended a percentage of square footage per structure be permitted without Planning Board approval.

Mr. Hale's opinion is that anything that changes the existing exterior footprint should come before this Board for review.

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Discussion took place regarding whether amended site plan approval is required for both a change to the footprint as well as a change to the color and/or design of a structure.

The Board agreed to wait and discuss this matter with the guidance of the Planning Board Counsel at a future work session. In the interim, the current process would remain, which is any change to the footprint requires an amended site plan approval.

The meeting was adjourned on motion at 8:35 p.m.

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**Planning Board Clerk**