

**TOWN OF SWEDEN
Planning Board Minutes
February 26, 2018**

A regular meeting of the Town of Sweden Planning Board was held on Monday, February 26, 2018, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

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

Absent: David Hale

Also present: James Oberst, MRB; Nat O. Lester, III, Planning Board Counsel; Kris Schultz, A.J. Barea; John Egan; Fred and Linda Rister; Joe Rej; Alex Merz.

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. Monno, seconded by Mr. Rickman, that the minutes of February 12, 2018, be approved.

Ayes – 6

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

Ayes – 6

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

Rister-Bernhardt Family Trust Resubdivision. 766/774 W. Sweden Road. 098.03-1-1.1/098.03-1-1.2.

Mr. Kris Schultz addressed the Board. Updated plans were distributed to the Board per MRB's comments.

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

Drake Subdivision and Site Plan. 1687 Reed Road. 128.02-1-3.111.

Mr. Kris Schultz addressed the Board. Updated plans were distributed to the Board per MRB's comments.

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

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

Ayes – 6

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Egan-Fogarty Subdivision. 444/456 Shumway Road. 084.03-1-11/084.03-1-12.11.

Mr. A.J. Barea addressed the Board. He explained the applicant, John Egan, owns property on Shumway Road, and purchased additional land to the west. He is requesting the two properties be merged and a new lot created at the front of the property with the existing house. A colored map was submitted showing the proposed changes.

Moved by Mr. Strabel, seconded by Mr. Minor, that the Egan-Fogarty Subdivision be accepted for review.

Ayes – 6

The Public Hearing will be March 26, 2018.

Rister-Bernhardt Family Trust Resubdivision. 766/774 W. Sweden Road. 098.03-1-1.1/098.03-1-1.2.

Chairman McAllister continued review of this application.

Mr. Schultz gave a brief overview of the Rister-Bernhardt Plan to Joe Rej and Alex Merz, who were in attendance. They had no comments.

MRB Comments

1. Wetlands have been identified.
2. A note was added requiring additional review by the Planning Board before development since it had an approved site plan. The wording on the mylar should be modified to say review is required not may be required.
3. The stream that runs through the property has been labeled.
4. The two structures on the plan have been labeled sheds.

Moved by Mr. Strabel, seconded by Mr. Dollard,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Rister-Bernhardt Family Trust Resubdivision, located at 766/774 West Sweden Road, which was accepted for review on January 22, 2018, and

WHEREAS, a public hearing was held by the Planning Board on February 26, 2018, and all persons wishing to be heard were heard, and

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

NOW, THEREFORE, BE IT RESOLVED, the Planning Board declares itself lead agency for the environmental review of this application, and determines that the Rister-Bernhardt Family Trust Resubdivision is an unlisted action which will not have a significant impact on the environment and grants Preliminary Approval, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final hearing be waived and the Rister-Bernhardt Family Trust Resubdivision be granted final approval, contingent upon receiving all required signatures, and the Chairman be authorized to sign the mylar.

Ayes – 6

Drake Subdivision and Site Plan. 1687 Reed Road. 128.02-1-3.111.

Chairman McAllister continued review of this application.

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MRB Comments – February 2, 2018

Per Schultz Associates Response Letter – February 21, 2018:

1. The Subdivision Plat shows the entire 10 acre parcel. Per the Town of Sweden requirements, this pre-existing individual lot is required by the Town to have a subdivision plat filed with Monroe County.
2. The MCHD has reviewed the plans. Their approval signature will be on the final plans prior to submission for Town signatures. The MCHD correspondence is included with this submission for your files.
3. The MCDOT has reviewed the plans. Their comments are included within the MCDRC comment letter.
4. The proposed driveway culvert has been shifted south to ensure proper cover over the pipe. Spot elevations have been added to clarify the elevations.
5. The proposed barn will not be built at the same time as the house and other improvements. The house and infrastructure will disturb approximately 0.76 acres and the future barn will disturb 0.22 acres. The total proposed disturbed area will be less than 1 acre.
6. The roof leaders are shown discharging to splash block near the house corners. The proposed gravity foundation drain will convey minimal discharge.
7. The silt fence has been removed from near the proposed driveway culvert.
8. The proposed topsoil stockpile location has been added to the plans within the area of disturbance.
9. The owner states that there will not be an access drive to the barn. If he needs to drive anything to or from the barn he will drive over his grass. An electric service is now shown to the barn.
10. The distances from the septic system to the property lines are now shown on the plans.

ECB and Fire Marshal Comments

- No comments.

Building Inspector/SW Manager Comments

- The limit of the area of disturbance is shown and labeled on the site plan. The total area of disturbance will be less than 1 acre.

DRC Comments

1. The MCHD has reviewed the plans.
2. Monumentation will be checked by the County Surveyor prior to MCDOT signing the plans.
3. The required review fee will be provided to the MCDOT.

Moved by Mr. Strabel, seconded by Mr. Rickman,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Drake Subdivision and Site Plan, located at 1687 Reed Road, which was accepted for review on January 22, 2018, and

WHEREAS, a public hearing was held by the Planning Board on February 26, 2018, 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, Environmental Conservation Board, Fire Marshal, Building Inspector/Stormwater Manager, Highway Superintendent, and Monroe County Planning and Development,

NOW, THEREFORE, BE IT RESOLVED, the Planning Board declares itself lead agency for the environmental review of this application, and determines that the Drake Subdivision and Site Plan are unlisted actions which will not have a significant impact on the environment and grants the subdivision Preliminary Approval, and

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NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final hearing be waived and the Drake Subdivision and Site Plan be granted final approval, contingent upon receiving all required signatures, and the Chairman be authorized to sign the mylar.

Ayes – 6

Supervisor Johnson previously met with the Planning Board to understand the Board's responsibilities better and to see if the Board had any requests to help carry out those responsibilities better. Chairman McAllister asked the Board if they had any requests.

The following points were discussed:

- Change the code regarding required parking spaces for commercial developments and land banked parking. Mr. Strabel suggested adding language in the code giving the Planning Board authority to land bank parking spaces since the Board has approved it for previous developments as part of good planning.
- Counsel Lester stated he is working with Counsel Bell to update the code to require Planning Board approval for both subdivision and site plan approval.
- The Planning Board resolution verbiage is not part of the code and can be modified at the Board's discretion. The Board is satisfied with the current resolutions.
- Mr. Minor and Mr. Dollard suggested updating the sidewalk requirements for commercial developments. The use of easements may help with installing sidewalks. It was noted that Lowes, Frances Apartments and the Mini Self-Storage units have people walking on Owens Road. Also, people walk on Rte. 31 near the Wal-Mart SC, which is very unsafe.
- The Town adopted a solar law, and recently, several changes were recommended to clarify solar farm requirements. Chairman McAllister added that the solar farm verbiage referencing Town Zoning Board still needs to be changed to Zoning Board of Appeals as previously requested. It was noted that in order for a solar development to be approved on its own lot, subdivision approval would be required. Various solar requirements/companies were discussed.
- Chairman McAllister recommended a new ordinance be created to temporarily to allow overflow parking of cars in a designated area. The Town was approached by Spurr Dealerships to temporarily use Hogan's property on Transit Way without obtaining the required site plan approvals.
- Mr. Dollard asked for the Board's thoughts regarding a new ordinance for putting containers in the ground for shelters. There is a company from Texas that builds houses in the ground. Mr. Strabel indicated there's a chapter in the NYS code regarding containers or underground bomb shelters. It was noted there is a lot of bedrock in our area.

Chairman McAllister asked the Board to give the above more thought and to ponder any other requests that would help this Board better carry out its duties. To be discussed at a future meeting.

The Clerk confirmed with the Board that JoJo's Bakery may extend its subdivision and site plan applications by written notice to the Board. An extension date should be included in the letter. The Clerk confirmed with the Board that any minor/grammatical changes to approved minutes may be made by the Clerk before posting to the website.

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

Respectfully submitted,
Phyllis Brudz - Planning Board Clerk