

**TOWN OF SWEDEN  
Planning Board Minutes  
April 11, 2016**

A regular meeting of the Town of Sweden Planning Board was held on Monday, April 11, 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, David Strabel.

Absent: Wayne Rickman.

Also present: Nat O. Lester, III, Planning Board Counsel; James Oberst, P.E., MRB; Richard Maier, L.S., Maier Land Surveying; Craig Yunker, CY Properties; Marty Herrmann, Wegmans; Jeff Collins, Gilbane Building Company; Walter Eisenhauer.

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 March 14, 2016, be approved.

Ayes – 5  
Abstain – Mr. Hale

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.

**Brockport CBN Subdivision. 2400 Colby Street. 084.04-1-25.001/A.**

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. Minor, to adjourn the public hearing to the regular meeting.

Ayes – 6

**CY Properties-Lot 2 Subdivision. 824 Reed Road. 114.04-1-9.**

Mr. Minor abstained from this application due to a conflict of interest.

Mr. Craig Yunker addressed the Board. He explained the farm was purchased a few years ago and has been renting the residence. CY Properties is in the business of production agriculture, not renting properties. The tenants would like to purchase the property, which is approximately two acres, and make the necessary repairs.

It should be noted that the map shows the well for this property and a non-functioning windmill offsite located in an easement to this property. The storage barn shown outside Lot 2 will be kept by CY Properties.

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Moved by Mr. Strabel, seconded by Mr. Monno, that the CY Properties-Lot 2 Subdivision be accepted for review.

*Mr. Monno confirmed with Mr. Yunker that the old driveway to the barn was improved and will now be the access to the farmland in order that the driveway to the house is separate. Mr. Hale questioned the location of the well located in an easement. Mr. Yunker stated the well is in a hedgerow and believes the buyer anticipates public water. Additionally, a new water line from the well to the house has been installed. To enlarge the lot to include the well would make it unaffordable to the buyer.*

Ayes – 5  
Abstain – Mr. Minor

The Public Hearing will be May 9, 2016.

**CY Properties-Lot 1 Subdivision. 924 Reed Road. 114.04-1-9.**

Mr. Minor abstained from this application due to a conflict of interest.

Mr. Craig Yunker addressed the Board. He explained this application is similar to the one before. The property was bought from the Alexander Farm at the same time. There is an existing house located on the corner of Reed Road and Root Road, which is occupied. The current tenant would like to purchase the property and improve it. A purchase contract agreement is in place contingent upon the Town's approval to separate the property.

Moved by Mr. Strabel, seconded by Mr. Dollard, that the CY Properties-Lot 1 Subdivision be accepted for review.

Ayes – 5  
Abstain – Mr. Minor

The Public Hearing will be May 9, 2016.

Mr. Minor requested the Town's well water statement be added to the plans. The Clerk will forward it to Mr. Yunker.

**Speedway Amended Site Plan. 995 Transit Way. 084.10-1-10.11.**

Mr. Strabel explained the Board's abbreviated approval process for minor site modifications to Mr. Hale, who was not present at the time it was created. He added this project involves a proposal for a beer cave cooler that projects out five feet, which triggers an amended site plan. Mr. Strabel asked the Town Engineer for comments. Mr. Oberst's only concern was the placement of the bollards making sure there is sufficient space. Mr. Collins from Gilbane stated this particular layout has been done before making sure it is ADA compliant and greater than three feet clearance for the bollards. Mr. Dollard requested the site plan include the correct location, Town of Sweden not Brockport.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Speedway Amended Site Plan, located at 995 Transit Way, which was accepted for review on April 11, 2016, and

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WHEREAS, the Planning Board has reviewed the Project Information Form, Short Environmental Assessment Form, and comments from the Town Engineer,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board Accepts for Review the Speedway Amended Site Plan, 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 Speedway Amended 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 Planning Board determines the Speedway Amended Site Plan 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 Speedway Amended Site Plan, dated March 10, 2016, be granted approval, contingent upon the location's being changed on the site plan from Brockport to Town of Sweden, all required signatures being obtained, and the Chairman be authorized to sign the mylar.

Ayes – 6

**Wegmans Amended Site Plan. 6660 Fourth Section Road. 083.02-1-20.113.**

Mr. Marty Herrmann addressed the Board. He is requesting the abbreviated approval process. The existing transformer is being upgraded and has to be located outside and the existing generator is being replaced.

Mr. Strabel asked the Town Engineer for comments. Mr. Oberst asked what the sound attenuation would be for the generator. Mr. Herrmann stated the generator is fully encased and would be a Level 2. It is 600 ft. away from the apartments and 360 ft. off the property line. Bollards will be placed around the units. The 60kw generator is gas operated and will run once a week for a half hour for exercise.

Mr. Hale questioned how much space will be taken away from vehicles with the new units. Mr. Herrmann stated the delivery trucks will be fine. Mr. Hale's wife picks up surplus produce to distribute, which may be a problem with less distance between the door and bollards and the parked semi-trucks. Mr. Herrmann stated the distance between the two will be 50 ft. to 60 ft. away. To change any electrical work would be cost prohibitive.

Mr. Monno asked how long will the installation take. Mr. Herrmann stated the proposed work will be done first, maybe three to four hours, and then the units swapped out.

Mr. Dollard questioned if there would be any fencing around the units. Mr. Herrmann stated no and reiterated the units are fully encased. Mr. Strabel indicated he doesn't believe there will be any traffic snarls. Mr. Hale disagreed because he has seen them, especially Monday mornings at 10 a.m. Mr. Herrmann will try to address that issue especially during the winter months.

Moved by Mr. Strabel, seconded by Mr. Minor,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Wegmans Amended Site Plan – Electrical Upgrade, located at 6660 Fourth Section Road, which was accepted for review on April 11, 2016, and

WHEREAS, the Planning Board has reviewed the Project Information Form, Short Environmental Assessment Form, and comments from the Town Engineer,

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NOW, THEREFORE, BE IT RESOLVED, that the Planning Board Accepts for Review the Wegmans Amended Site Plan – Electrical Upgrade, 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 Wegmans Amended Site Plan – Electrical Upgrade 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 Wegmans Amended Site Plan – Electrical Update 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 Wegmans Amended Site Plan – Electrical Upgrade dated March 9, 2016, be granted approval, contingent upon all required signatures being obtained, and the Chairman be authorized to sign the mylar.

*Mr. Hale requested an Accept for Review be included in the resolutions. The Board agreed.*

Ayes – 5

Abstain – Mr. Hale

**OTHER**

**Wegmans Parking**

Mr. Herrmann explained that Wegmans has two other projects that may require amended site plan approval. Wegmans is proposing to do a full parking rehab, both milling and topping. Wegmans' new policy is to have concrete under the canopies instead of having asphalt run to the storefront. There are two gravel areas to the west with picnic tables that will be changed to concrete pads. There are two handicap parking spaces across the front by the catch basin, which are too steep and not ADA compliant. The plan is to shift the two spaces over to the high spines in order to be compliant. The size of the parking spaces will not change and the number of spaces will still meet Town Code. The cart returns will remain the same.

Chairman McAllister summarized the proposed changes. Wegmans plans to take up some of the blacktop and replace it with concrete; the rest of the blacktop will be removed and replaced with new blacktop. The parking configuration will be the same, just moved around. The changes are more maintenance than amended site plan, except for the gravel areas becoming concrete pads and an additional bike rack. The Board agreed an amended site plan would be required for the additional concrete pads.

**Wegmans Lighting**

Mr. Herrmann explained that the lighting for the whole site is being redone. Mr. Strabel requested to see photometric drawings. Mr. Oberst will review how much light is going offsite and that the lights are dark sky compliant. Only new fixture heads will be replaced, the existing pole will remain. Mr. Oberst requested a lighting plan and catalog cuts for his review. An amended site plan will not be required.

**Brockport CBN Subdivision. 2400 Colby Street. 084.04-1-25.001/A.**

Mr. Maier continued review of this application.

**County Comments**

1. There are wetlands on the northwest corner of the property, which will not be affected by the change in lot lines.
2. DEC had the same concern as above.
3. Monumentation will be checked.

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Town Engineer Comments

1. The 30 ft. easement area has been changed to a lease area.
2. If easement remains, it will have to meet the requirements of the Land Use Development Regulations.
3. Existing greenspace is 40 percent and will be shown on the plan.
4. The structure to the east is a metal building and will be labeled.
5. The County stamps will remain in order for filing the subdivision.

Chairman McAllister explained that since the original leased area is now a separate parcel, a 7 ½ ft. greenspace buffer between commercial properties is required on the sides and rear. A 25 ft. greenspace buffer is required at the front of the property. An area variance would be required where the buffer requirement isn't met.

The jersey barriers were originally located on the site for fear of airplanes' hitting the property. The barriers are portable and should be labeled as such. Planning Board Counsel recommended that the easement be removed from the plan for ease of approval. After the close of sale of the property, an easement can be granted.

Mr. Minor stressed the importance of making sure the subdivision and amended site plan conform to Town Code requirements, i.e., setbacks, lighting, greenspace, etc.

Mr. Maier requested final approval for the subdivision so that the map can be filed before appearing before the ZBA for a variance. After that, the applicant will have to go back to the Planning Board for amended site plan approval.

The Planning Board recommended this project for approval to the ZBA as it is the applicant's only option for amended site plan approval due to the existing layout of the site. The cars shown on the site plan should be removed and only allowable parking spaces shown on the plan. Mr. Strabel recommended that the 30 percent greenspace requirement to be maintained be outlined on the plan.

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

WHEREAS, the Town of Sweden Planning Board has received an application for subdivision and amended site plan approval of the Brockport CBN Subdivision, located at 2400 Colby Street, whereby the subdivision was accepted for review on March 14, 2016, and the amended site plan accepted for review on April 11, 2016, and

WHEREAS, the Town of Sweden Planning Board held a public hearing on April 11, 2016, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Project Information Form, Short Environmental Assessment Form, comments from Monroe County Planning and Development and the Town Engineer,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board Accepts for Review the Brockport CBN Amended Site Plan, and

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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 Brockport CBN Subdivision and Amended Site Plan are unlisted actions which will not have a significant impact on the environment, and grants the subdivision preliminary approval.

*Mr. Monno requested that the amended site plan be accepted for review in the resolution. The Board agreed. Mr. Minor summarized the above motion grants final approval for the subdivision so that it can be filed, but until the variance is approved, there isn't an approved amended site plan. Without an approved amended site plan, the current business can't operate as such. By approving the new lot lines, a nonconforming site plan is created. The Board agreed to retract the final approval for the subdivision until the amended site plan is approved.*

Ayes – 6

The meeting was adjourned on motion at 8:40 p.m.

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**Planning Board Clerk**