

**TOWN OF SWEDEN
Planning Board Minutes
April 12, 2010**

A regular meeting of the Town of Sweden Planning Board was held on Monday, April 12, 2010, 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

Absent: William Hertweck, Arnold Monno, David Strabel

Also present: Adam Cummings, P.E., MRB, James Butler, Building Inspector, Kris Schultz, P.E., L.S., Robert Keiffer, P.E., Mr. Viele, Tony Gianni, and several students from a SUNY Brockport communications class

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

Correspondence was passed to members for review.

The approval of the March 22 minutes could not be completed due to absence of Board members.

CVS Pharmacy Resubdivision and Site Plan. 6510/6524 Bkpt-Spen Road.083.08-8-22,1.2,1.111

Chairman McAllister asked the Clerk regarding the status of the Town Attorney's comments, if any. The Clerk stated Attorney Bell would not be able to review the application in regards to an environmental motion until later in the week.

Mr. Robert Keiffer explained that he had contacted Attorney Bell directly after receiving permission from the Town to do so. Mr. Keiffer developed a Long Environmental Assessment Form (EAF) as well as a narrative of reasonable responses to issues associated with Part II of the Long EAF for Attorney Bell to review. However, the information was not received in enough time to respond by tonight's meeting.

Chairman McAllister stated that in addition to the above, comments were received from the Town Engineer, who had a chance to review the information and thought the information was good from an engineering standpoint.

Mr. Keiffer added a meeting was held with the Town Engineer to go over the response letter to MRB's review comments, and agreed that additional information was needed regarding storm drainage. He explained that a copy is needed from the Department of Transportation stating that CVS can discharge the same amount of storm water to the State R.O.W. on Rte. 19 as exists today. If that happens, then our storm water design system is reasonable and appropriate, if not, then it will be modified. Also, lighting information per code needs to be provided. It was discussed whether or not to eliminate one or more parking spaces from the site and CVS is seeking the Board's advice regarding this. If so, the Board's written response in support of reduced parking spaces for the site would be requested for the ZBA public hearing.

Chairman McAllister stated there is more than sufficient parking per code so this Board would support a reduction in parking on the site. Mr. Keiffer presented a drawing showing the proposal for reduced parking. He stated three spaces across from the Rte. 31 entrance would be eliminated and landscaped. Another space in the corner of the site would be eliminated due to lack of maneuverability in and out of the space. Mr. Keiffer stated the overall parking is then reduced by four spaces, resulting in an amount of spaces that CVS would not be comfortable with.

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Mr. Hale stated he noticed there is still a left-hand turn shown leaving the parking lot onto Rte. 31. Mr. Kieffer stated the NYSDOT formal response to that is waiting for signature. Per discussions with the NYSDOT regarding the response, the DOT is in agreement that having left and right turns at this location is reasonable and appropriate and while the Planning Board may be more restrictive regarding this, the DOT is ready to issue a permit for that work.

Mr. Hale stated he drives by that location maybe every other day and unless it's 2 a.m., he doesn't see how it could happen. Chairman McAllister stated with all due respect to DOT, the problem is that DOT doesn't visit the site at peak times to witness the traffic. Also, he reiterated that a meeting was held with DOT approximately two weeks ago and it was stated then that a left-hand turn would not be permitted at that location. Chairman McAllister stated this Board would most likely not allow it irrespective of what DOT decides. He sees the problem being that someone could wedge into the three lanes of traffic at peak times, and be hit by someone going 45 mph through the intersection. There would be no visibility for people leaving the site at peak times for eastbound traffic, which is a serious safety issue and should not be permitted.

Mr. Keiffer added that the traffic counts were done at peak times and an analysis completed based on that, which yielded that it is possible to make left-hand turns from that location with delays. The thinking is that after awhile residents would learn this and leave the site in another manner.

Mr. Dollard stated that it isn't a good idea to encourage residents to make that left-hand turn. There have been many, many accidents in that area. Chairman McAllister summarized that turning westbound will be tough, but that turning eastbound is definitely a non-issue. Mr. Keiffer will need some directive from the Town before the site plan can be revised. The Board stated the minutes would suffice or Chairman McAllister would be happy to send a letter regarding this.

Mr. Keiffer moved to discuss the architectural style of the building. He presented three different architectural renderings to the Board. The brick was changed to split-face block and not structural block for the reason that it is cost prohibitive. The drawings show the different colors, which resulted from an informal meeting with Mr. Strabel. Also, windows with awnings were added to the walls on all three options as requested and the entryway modified differently on the three options. The three options were reviewed and discussed. Mr. Keiffer would like a consensus on which option, if any, is preferred.

Chairman McAllister asked for the Board members' opinion. Mr. Hale stated that he still didn't like the options. He asked isn't there an architectural design at the corporate office that looks better. The Wal-Mart architects were able to find a style that this Board approved of.

Mr. Keiffer stated the style that the Board previously liked with the cupola feature would have cost \$120,000 extra, plus it encroached into the sidewalk such that the 3 ft. requirement per the Town might not be met. This is a prototype that CVS would like to build at this location. Mr. Hale understands it's a prototype, but on behalf of the Board it is not liked. Chairman McAllister stated that if the Board selected a building style from the Internet, could Mr. Keiffer take it back to CVS. Mr. Keiffer stated he is happy to put forth the effort to explain the Board's desire, as long as it's not the building shown in North Carolina, which would be a deal breaker.

Mr. Minor asked why wouldn't CVS be willing to spend the money here as done in North Carolina. Mr. Keiffer stated it comes down to demographics, dollar volume of the store, etc. Mr. Minor added that CVS is building on a premier corner of the Town and that the CVS store will be used for directions the next 30 years.

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Mr. Dollard added that it is a high visibility corner and the style of building should be presentable within our community. Mr. Keiffer stated he thought the building styles presented tonight would meet that request. Chairman McAllister stated he agreed that the building is nice, and would work in other Towns, but not what this Board wants for the main intersection of our Town.

Mr. Keiffer stated he thought the options presented tonight were of equal or better quality of construction than Wal-Mart. Chairman McAllister stated aesthetically he doesn't think it looks as good. The Board asked to look at the North Carolina drawing again. The question was asked if the significant cost differential was due primarily to the cupola. Mr. Keiffer stated it's far more than that. Chairman McAllister stated it's most likely the windows too. Discussion took place.

Chairman McAllister stated on behalf of the Board, he doesn't think the Board is asking for anything more than given to other Towns, just a building that is attractive and would represent the Town appropriately at a highly used intersection.

Mr. Keiffer asked if it is a consensus of the Board that the store in North Carolina does meet the above criteria. Chairman McAllister stated yes, but he could only speak on behalf of the four members present, which would be a majority. He added in his opinion, the building wouldn't have to include such a high cupola. Mr. Dollard stated if the cupola is left out, something else would still be needed to complete the look. The Board was in agreement with that, and would appreciate if those thoughts were shared with CVS. Mr. Keiffer assured the Board that would be done.

Chairman McAllister moved to discuss the traffic report. He wanted to look quickly at the number of trips generated and proposed trips generated from the site versus the number of trips generated from the site today. Mr. Keiffer stated page 8 of the traffic report referenced trips generated, but it would be difficult to answer with the two different businesses, and could the question be asked differently. Chairman McAllister stated he's more interested in the number of vehicles. Mr. Keiffer will get back to the Board with that information.

Mr. Minor asked if the total traffic counts were available on Rte. 31 west and Rte. 19 north, south. Mr. Keiffer stated there is an average of 19,173 on Rte. 31 and 15,527 on Rte. 19. He added that the peak hour is approximately 10% of that number, and distributed 60/40 and 70/30, northbound/southbound and eastbound/westbound. He continued with the 2010 traffic volumes for weekday evening peak hour passing westbound in front of the CVS site at 939, eastbound at 1,073, and southbound at 750, northbound at 570 on Rte.19.

Mr. Minor asked how did NYSDOT grade the CVS intersection. Mr. Keiffer stated reports conclude that the level of service does not change as result of this redevelopment. Chairman McAllister stated that the intersection is failing and/or still failing. Mr. Keiffer stated the level of service at this intersection was given C's and D's. Chairman McAllister stated at the DOT meeting two weeks ago, the overall service of the intersection was failing. It was failing before and after Wal-Mart. Discussion followed.

Mr. Schultz asked for an updated schedule for this project. Chairman McAllister stated before an environmental motion can be given, the Board needs to hear back from the Town Attorney. The Board will be very interested in hearing back from CVS regarding any architectural modifications. In regards to the site, the amount of required variances have been minimized to everyone's satisfaction. The site plan has to be finalized before going to the ZBA. Chairman McAllister stated the environmental must be completed before going to the ZBA. Mr. Keiffer stated the ZBA could render a decision subject to SEQRA determination by this Board.

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Chairman McAllister stated it could, but without knowing what the SEQRA determination of this Board will be, it could technically make any variances null and void, which isn't legal. The variances stay with the property, not the project.

Mr. Schultz explained that the applicant would like to make application to the ZBA as soon as possible. The applicant would like to have the building constructed and open by October 2010.

Chairman McAllister stated because the next meeting will not be held due to absences in the Town, the Board would be willing to hold a meeting on May 3 as long as a quorum is available. Mr. Schultz stated that would be wonderful. Discussion took place as to when a potential ZBA meeting could be held. It was agreed to try for May 20. Hopefully, after that, final approval could be granted at the May 24 meeting.

Northview Subdivision and Site Plan – Section 2. Goldenhill Lane. 083.01-1-27

Mr. Kris Schultz addressed the Board. He responded to the April 5 review comments from the Town Engineer.

MRB's Comments
Utility Plan (C-2)

1. Per a conversation with the Highway Superintendent, storm manhole D-6 should be installed as a doghouse style manhole and grate combination (for this location only) due to its proximity to the gutter. Please remove CB-2 from the plans.

Gutter inlet CB-2 was removed. Manhole D-6's notation was revised to be an inlet doghoused manhole. An additional note was added to provide a larger apron to accommodate the extra distance for the inlet manhole opening being further from the gutter flowline than the Town standard requires.

2. According to the Highway Superintendent, a stabilized access / maintenance drive should be provided to access the proposed offsite sanitary sewer. Delineation and a detail of this drive should be provided on the plans.

Notes were added to provide an access way along the offsite sanitary sewer down to the pump station. The access way shall consist of the millings produced from the lane-widening project that is required by the NYSDOT as part of this section.

Grading and Erosion Control Plan (C-3)

1. Sequence of Construction Note 3 should be updated to reference GP-0-010-001.

The note was revised.

2. A typical individual lot sedimentation and erosion control detail should be added which details measures to be performed during the home construction phase. Please provide this detail for both a lot where grading runs towards the front of the property (road) and one where the grading runs toward the back of the property.

All lots drain to the road in the front yard and to the rear of the lot behind the pad. They all break drainage midway through the house pad and divide the runoff to the front and back of the lots. A typical erosion control detail was added to the plans.

3. A concrete truck washing area should be provided on the plans near the stabilized construction entrance.

A concrete truck washing area was placed within the temporary turnaround area at the end of Buckthorn Lane. Stone within the area is to be replaced prior to paving the temporary turnaround.

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4. Due to the limited space behind lots 201-209 accessory structures may not be permitted; therefore consideration should be given to relocating the rear yard drainage swale behind lots 201-209 closer to the back property line.

The developer will take it under advisement and discuss with MRB.

5. The note at the top of Sheet C-3 should be revised to state “prior to construction of this section” in lieu of “following construction of this section”. Please revise accordingly.

The note was revised.

6. Elevation markers identifying the cleaning level should be placed within all silt sinks and noted on the plans.

Elevations levels for cleaning are noted at all silt sinks. The existing pond is fairly close to design grades at the bottom elevations in the fore bay and micro pool. At this time, the long swale conveying runoff from the completed construction has kept silt runoff from reaching the pond. The pond will be monitored during the SWPPP inspections for Section 2 for accumulation.

7. According to the plans, there appears to be an existing farm lane. Please clarify if this is currently being utilized or if it is to be removed and/or abandoned.

It is being used where possible. The proposed swale severs it but the remaining sections will remain. There is no need to remove.

8. The plans should depict the location of the existing storm water management facility and identify the how the drainage runoff produced by the proposed site improvements are being conveyed to this facility.

An inset showing the pond and the existing conveyance swale was added to the Offsite Plan, Sheet C-4.

Profile Sheets (C-4 – C-7)

1. According to Sheet C-4, the storm sewer pipes and manholes appear to be missing from the storm sewer profile for D-2.2 to D-2.

The AutoCad layering has been corrected.

Miscellaneous

1. An easement map and descriptions should be provided with future plan submission and forwarded to the Town for review.

The final easements will be forwarded as soon as your office and all agencies have approved the layout.

2. All crosswalk locations should be indicated on the plans.

Crosswalks were added.

3. An updated SWPPP should be prepared to include the requirements of GP-0-010-001 and the Town’s Stormwater Code. This information including a new Notice of Intent (NOI), the MS4 Acceptance Form and a 5-acre waiver has not been provided to date.

An updated SWPPP was sent to your office for review. A cop was sent to the Highway Superintendent along with the 5-acre waiver.

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4. All correspondences with NYSDOT regarding their review of the revised Permit Plans and signal changes at Redman Road/NYS Route 31-31A intersection are to be provided to the Town and MRB for our files.

I will forward on any NYSDOT correspondence.

Mr. Schultz is looking for preliminary approval tonight. The environmental was completed with the rezoning of this project.

Mr. Minor stated he had three concerns:

1. Does the current storm water in Section 1 exit into the swale that runs all the way down the hill? Mr. Schultz stated yes.
2. Will Section 1 tie into Section 2 and exit into the same swale? Mr. Schultz stated yes.
3. In regards to the defined ditch at the back, there are intakes every three lots except for 208, 209 and 210. What happens then? Mr. Schultz stated the next section will pick those lots up because it is so low by those lots that to run a storm backup the hill to get out to the roadway would not be possible. The next section will have a rear intake back at the corner. There will have a temporary silt trap at the end of the next section.

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

WHEREAS, the Town of Sweden Planning Board has received an application for Subdivision and Site Plan approval of Section 2 of the Northview Subdivision, nineteen lots on Golden Hill Lane off Fourth Section Road; and

WHEREAS, the Planning Board held a public hearing on March 22, 2010, and all persons wishing to be heard were heard; and

WHEREAS, the Planning board has reviewed the Project Information Form, the comments of the Town Engineer, the Monroe County Department of Planning and Development, the Environmental Conservation Board, and the Fire Marshal;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board determines that the Northview Subdivision, Section 2, and 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 subdivision be granted preliminary approval.

Ayes – 4

The meeting was adjourned on motion at 9 p.m.

Planning Board Secretary