

**TOWN OF SWEDEN
Planning Board Minutes
April 25, 2016**

A regular meeting of the Town of Sweden Planning Board was held on Monday, April 25, 2016, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

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

Absent: David Hale

Also present: James Oberst, P.E., MRB; Bryan Matthews, RJA Architects; Marty Herrmann, Wegmans; Jonathan Bennett, R.A.; Laurie Schindler, Store Crafters.

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

Correspondence was passed to members for review.

Moved by Mr. Dollard, seconded by Mr. Minor, that the minutes of April 11, 2016, be approved.

Ayes – 5
Abstain – Mr. Rickman

Harbor Freight Tools Amended Site Plan. Sweden Corners Plaza. 084.01-1-4.11.

Mr. Bryan Matthews, ADA Architects, addressed the Board. He explained he was here to address the façade changes to the plaza for the above project, and some engineering concerns regarding the placement of the bollards and proposed lighting.

Mr. Oberst asked if there was adequate separation distance between the bollards and edge of pavement for emergency vehicles. Mr. Matthews distributed updated plans to the Board. Mr. Matthews stated the proposed bollards are approximately two feet from the exterior of the wall continuing approximately 30 ft. to 40 ft. to the edge of pavement, which is more than adequate space for emergency traffic. The bollards do not create a critical width reduction. Mr. Oberst agreed.

The cut sheets for the wall packs have been added to the plan as requested. These lights are low intensity and are installed on the back of the building for security.

The existing facade is being raised approximately 2 ft., 3 inches. Mr. Strabel commented that part of the existing façade is being removed and then rebuilt. The resulting height of the façade is 31 ft. to the top of the parapet, which would be the highest point of the plaza. The client requested a portion of the façade be removed to create a separation between the client and the adjacent tenant. That portion of the façade will be left for the new tenant to renovate. Colors of the façade were discussed. Mr. Strabel stated the proposed façade looks lopsided or has a “missing tooth” look. Mr. Matthews stated the design is per the lease contract.

Chairman McAllister explained the issue the Board has with the plaza owner is that when tenants change, it’s always the tenant to make application, never the plaza owner. The Board reviews an amended site plan based on the whole plaza not just per tenant. Approval will not be granted if the site as a whole is not acceptable.

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Ms. Laurie Schindler, Store Crafters, addressed the Board. She explained that her company is the general contractor for this project. Her experience with Harbor Freight is that nothing is left undone. Until a new tenant moves in the vacant space, the façade is a reflection of Harbor Freight. Once the parapet is built and sign installed, a meeting with the involved parties should take place to discuss how to complete the facade so that it is not left unfinished.

Chairman McAllister stated that would work; however, what the Planning Board is approving is for the whole site, not just one tenant space. Mr. Strabel added that the Planning Board has had issues in the past with the plaza owner because new tenants are sent in for individual approval without the owner's completing previously approved site plan improvements. For example, repairing the huge potholes in the parking lot and installing dumpster enclosures. Mr. Matthews stated the applicant is working with the owner regarding the condition of the parking lot.

It's not fair to expect the individual tenants to make good on previously approved site improvements. This leaves the Planning Board in a difficult place. Per Mr. Strabel, in order to write violations, it has to be for something specific from the Property Maintenance Code. Chairman McAllister stated the plaza could be shut down because it's in violation of the original approved site plan. Mr. Strabel stressed, per the Property Maintenance Code, the violation is for something existing. Chairman McAllister recommends asking Planning Board Counsel to get involved to help rectify the site issues.

Architecturally, leaving the façade with a "missing tooth" look is a problem. It would be better to finish the façade off right away. Mr. Matthews understood and will try to accommodate the Planning Board. Mr. Strabel suggested making the façade higher and projecting the sign out further.

Moved by Mr. Monno, seconded by Mr. Strabel that the Harbor Freight Tools Amended Site Plan be accepted for review.

Mr. Dollard requested that a note be added to the plan clarifying the name of the architect, ADA Architects or RJA Architects. The Project Information Form and the plans should match.

Ayes – 6

The Board will revisit this project later in the meeting. Mr. Monno asked why not wait until the next meeting? He may not be here for the continued discussion. Chairman McAllister stated the Board would wait and see.

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 for the installation of three new concrete pads on the site. One pad will be off the side of the building for additional cart storage. There are two existing gravel areas to be paved for safety reasons, which have picnic tables on them for employees. At the last meeting, the Board determined that replacing the asphalt under the canopies with concrete is a maintenance issue.

Pictures were shown on the plan for the Board to review. The changes are part of Wegmans' property pavement project for this summer.

Moved by Mr. Rickman, seconded by Mr. Minor, that the Wegmans Amended Site Plan – Concrete Pad Installation be accepted for review.

Ayes – 6

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Mr. Strabel asked the Town Engineer for comments, questions or concerns. Mr. Oberst stated his only question is to confirm that the areas being changed to concrete are existing pavement, gravel, or stone. Mr. Herrmann stated yes, except for the grassy area on the side of the building that will be used for cart storage. The total is approximately 1000 sq. ft. for all three areas. Mr. Oberst stated he didn't have any other concerns.

Mr. Strabel suggested an abbreviated approval for this project. The Board agreed but decided to address the other projects here tonight for accept for review first.

Econolodge Amended Site Plan. 6575 Brockport-Spencerport Road. 083.02-1-15.1.

Mr. Jonathan Bennett addressed the Board. He explained where the project was left at the last meeting. He distributed updated drawings showing the addition of the stair towers.

Chairman McAllister asked if there was an application form with the submission. The Clerk stated no, but had asked that the applicant to bring updated forms to the meeting.

Mr. Minor asked the Clerk for an update on the approval status. The Clerk explained final approval was granted on February 22, 2016, but the plans were never signed. Mr. Strabel added that approval was for adjusting the footprint of the building for a manager's apartment, installing windscreens at the two breezeways, and moving the freestanding sign. The modified plan shows two proposed stair walls and a wing wall to serve as a wind break. The canopy and lobby will not change. The balcony will not be enclosed.

Parking was discussed. There is adequate parking for the 38 rooms. The parking lot will be restriped and shown on the plan, including handicap spaces. As this is an amended site plan of the previously approved amended site plan, new application and SEQR forms must be submitted for the next meeting. Also, a parking plan should be included.

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

The Board continued review of this application.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Wegmans Amended Site Plan – Concrete Pad Installation, located at 6660 Fourth Section Road, which was accepted for review on April 25, 2016, and

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 declares itself Lead Agency for the environmental review of this application, and determines that the Wegmans Amended Site Plan – Concrete Pad Installation 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 – Concrete Pad Installation 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, and

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NOW, THEREFORE, BE IT FURTHER RESOLVED, that the public hearing be waived and the Wegmans Amended Site Plan – Concrete Pad Installation dated April 19, 2016, be granted approval, contingent upon all required signatures being obtained, and the Chairman be authorized to sign the mylar.

Mr. Monno asked the Clerk if she has the verbal comments from the Town Engineer. The Clerk stated yes. The minutes will reflect the Town Engineer's verbal comments.

Ayes – 6

Harbor Freight Tools Amended Site Plan. Sweden Corners Plaza. 084.01-1-4.11.

Chairman McAllister proposed that the Board approve the tenant's application, if acceptable. Any site violations with the plaza owner, Gibraltar Management, should be turned over to Planning Board Counsel to seek relief.

Ms. Laurie Schindler suggested that from her experience in working with landlords who don't take care of properties per the Town's code is to note specifically on the plans or permit that the contractor must make the listed improvements to the tenant site prior to the issuance of a certificate of occupancy. Then it becomes the contractor's responsibility to make the improvements. The contractor will have to negotiate these improvements with the plaza owner; not the Town's problem.

Mr. Minor asked the Board what the outstanding issues are with the plaza site. Mr. Strabel stated the back end of the plaza needs to be cleaned up and the parking lot repaired. In the mid-1990s, the plaza was granted amended site plan approval, whereby the plaza owner promised to clean up the back end, move the entrance towards Golden Eagle, connect the two plazas, and install dumpster enclosures. The amended site plan approval was for a Staples store, which didn't materialize. Thus, the plaza owner never made any of the site improvements.

The square footage of Harbor Freight is 18,216 sq. ft. The code states that there should be 5 spaces per 1000 sq. ft. of retail space. So approximately 90 (10 ft. x 20 ft.) parking spaces are required for Harbor Freight and should be in good shape and restriped. Additionally, a dumpster enclosure is required. A dumpster detail should be shown on the plans.

The Board would like to see the above changes on the plans prior to granting approval at the May 9 meeting. Mr. Matthew asked if there was any way to avoid coming back for another meeting. Mr. Strabel stated the Board needs to review the changes. Ms. Laurie Schindler will represent the project at the meeting.

The Board agreed that the discussed site changes will be submitted for the next meeting for final approval, and an interior permit only can be issued as soon as Mr. Strabel completes his final review. An exterior permit will be issued after the Planning Board grants approval for the proposed site changes. Also, the sign code was discussed. The Clerk mentioned she had addressed the sign code with the sign company, who in turn, will inform Harbor Freight. The Board highly recommends the installation of a stop sign in front of the store in the crosswalk to the handicap spaces.

Further discussion took place regarding possible changes to the façade design. There were many recommendations suggested for the applicant to consider. The Board will accept the applicant's choice.

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

Planning Board Clerk