

**TOWN OF SWEDEN  
Planning Board Minutes  
June 13, 2011**

A regular meeting of the Town of Sweden Planning Board was held on Monday, June 13, 2011, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members present: Richard Dollard, David Hale, William Hertweck, Craig McAllister, Matthew Minor, Arnold Monno, David Strabel

Also present: James Oberst, P.E., Kris Schultz, P.E., Cory Tufano, DDS Engineers, Scott Harter, P.E., Stu Chait, Dave Bentley, Jerry Klafehn

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. Hertweck, that the minutes of May 23, 2011, be approved as amended. Change 1<sup>st</sup> page, last paragraph, last sentence to read, "As a result, Chairman McAllister and Mr. Hale offered to volunteer on this committee.

Ayes – 7

Moved by Mr. Monno, 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.

**St. John Subdivision. 6043 Lake Road. 113.02-1-5**

Mr. Kris Schultz addressed the Board. He asked if anyone from the public were present regarding this application. No one was present.

Mr. Schultz explained that one small revision has been made since the last meeting; the dimension from the property line to the septic system was added,  $\pm$  10 ft.

MC Planning and Development, the Town Engineer, Fire Marshal and the Environmental Conservation Board have reviewed the plans. There were no major revisions.

It was noted there are wetlands 1,000 ft. away, but with no site improvements, it is not an issue.

Chairman McAllister asked if there were any further questions, comments or concerns. There were none.

**Christ Community Church Site Plan. Lake Road/36 Coleman Creek Road. 083.02-2-1.12**

Mr. Scott Harter addressed the Board, along with Mr. Jerry Klafehn. Mr. Harter explained that this application has received comments from the Village of Brockport Planning Board similar to the Town Engineer's comments.

Mr. Minor asked if there were anyone present with questions, comments or concerns. There were none.

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

Ayes – 7

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**Time Warner Cable Amended Site Plan. 578 East Avenue. 069.02-2-3.2**

Mr. Stu Chait addressed the Board. He explained the applicant is adding a 20 ft. by 30 ft. addition west of the existing equipment building at their hub site on East Avenue. A small fence will be relocated to enclose the addition, as well as adding 30 ft. x 40 ft. of asphalt for parking.

Mr. Chait distributed a document with site information. He added this is a simple project with no grading issues, no utilities other than electric, and no plumbing. All submissions have been made to the County. Both buildings will look the same.

Moved by Mr. Hale, seconded by Mr. Dollard, that the Time Warner Cable Amended Site Plan be accepted for review.

Ayes – 7

The Public Hearing will be July 11, 2011.

**King Resubdivision. 741 –711 Shumway Road. 084.03-1-35, 36, 37, 38, 39, 40, 41, 42, 43**

Mr. Cory Tufano addressed the Board. Mr. Marshall King, owner of the property, was present. Mr. Tufano explained this is a resubdivision of the Butler Subdivision, Lots 1 through 9. The applicant would like to create 8 lots.

Mr. King explained there is a buyer for one of the lots, and one he plans on keeping. Mr. Tufano summarized there will be six smaller lots along Shumway Road, Lot 7, and Lot 8, the largest containing woods and a swamp.

Discussion followed as to the type of septic system that will be required for the smaller lots. The Town Engineer reviewed the code stating with public water, 40,000 sq. ft. (min.) and 150 ft. (min.) of frontage would be required for an inground or modified raised system, not a full raised. Mr. King had planned to install a full raised system due to the bedrock on the site with 260 ft. of frontage.

Mr. Kris Schultz added that the County doesn't have an acreage requirement any longer for septic systems, just a 100 ft. separation requirement. Chairman McAllister doesn't see any issues with the way the proposed lots are subdivided.

Moved by Mr. Hale, seconded by Mr. Dollard, that the King Resubdivision be accepted for review.

Ayes – 7

The Public Hearing will be August 8, 2011.

**Majcher Subdivision. 191 West Sweden Road. 082.04-1-3**

Mr. Kris Schultz addressed the Board. He explained that the applicant is subdividing Lot 1 with the existing home, septic system and well from a ±26.3 acre-parcel. The frontage is less than 260 ft. due to the type of existing septic system, which is a standard in ground system. Per Mr. Schultz and the MC DOH, if the existing system fails, it would be treated as a repair with more than sufficient area on the lot to install the necessary type of system.

Mr. Hale asked why Lot 2 wasn't labeled as remaining lands, which has been the usual way. Mr. Schultz stated Lot 2 was already labeled that way, but he could change it to remaining lands if the Board preferred.

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Mr. Monno asked for clarification as to why the location distance from the intersection and the site distance on the submitted subdivision application form were not the same. Mr. Schultz agreed that they should be the same and will make that correction.

Moved by Mr. Monno, seconded by Mr. Strabel, that the Majcher Subdivision – Lot 1 be accepted for review. Ayes – 7  
It is the Board's preference that Lot 2 on the plan be labeled; "other lands of" with a note indicating it is not approved for building.

The Public Hearing will be July 11, 2011.

**Bentley Brothers, Inc. Amended Site Plan. 5605 Brockport-Spencerport Road. 084.02-1-38**

Mr. Kris Schultz addressed the Board. He explained that a lot of issues have been resolved, including applying to the NYSDOT for permission to use the State R.O.W., which included paying several thousand dollars per year for the right to do so.

Chairman McAllister stated this brings a whole new discussion to the table regarding the Town's 25 ft. buffer requirement since the State R.O.W. is approximately 70 ft. to the curb line. Mr. Schultz added that the 25 ft. buffer would be met, as well as all other requirements under the jurisdiction of this Board.

The plan shows where the farm equipment, tractors and lawn mowers are displayed. The second sheet shows the section of the State permit as part of record. The area between the two-blacktop entrances is crosshatched to show the State area given to Bentley Brothers. The two blocks shown represent the amount of space used to display the product on the State R.O.W.

Mr. Schultz has included on the plan the new lighting detail.

Chairman McAllister asked for clarification as to how the lot shown on page 2 meets the 25 percent perimeter buffer requirement. Mr. Schultz explained that everything with a saw tooth pattern depicts the 30 percent open space requirement. It should be noted that this is a pre-existing site, which has two large access drives and a small area that is currently a drive lane, resulting in this site already lacking the 25 percent buffer requirement. Also, the site has had its property line moved inward from a series of State takings prior to the large curve taking.

Mr. Monno asked where Sweden Walker Road ends as a State road. Mr. Schultz confirmed that this part of Sweden Walker Road is a County road. There are no improvements shown that would dictate a permit from either the County or State DOT.

Chairman McAllister explained per today's code in a commercial-zoned area, all greenspace area is to be kept vacant/green, free of display of product.

Moved by Mr. Hale, seconded by Mr. Minor, that the Bentley Brothers, Inc. Amended Site Plan be accepted for review.

*Mr. Schultz suggested specifically delineating the display areas to avoid losing greenspace. The intent is to not add more blacktop or impervious stone, but limited to the type of equipment displayed. The approval given to this tenant would not allow a future tenant to display a different product, i.e. cars, etc.*

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*Mr. Minor summarized that the applicant has over the required 30 percent greenspace, but is leaving it green, instead of paving it, to better display the product on grass. The applicant has shown the ability to create the space if need be, but is choosing not to. Mr. Strabel asked how would the delineation be controlled in order to have code enforcement. Mr. Schultz will document the distance from the edge of pavement on the site plan. It was agreed small mowers are okay to park on the septic system, not the huge tractors. Mr. Schultz explained the parking worked out nicely with the amount of retail space versus storage, totaling 22 spaces along the building and the remaining 22 parking spaces for display. Also shown on the plan, is the display of carports (portable) on the side of the building, which can be moved closer to the building if there is an issue with the location.*

Ayes – 7

The Public Hearing will be July 11, 2011.

The Board is in agreement with the banking of space as long as there is a notation specific to what type of product can be displayed and the distance labeled from the edge of pavement.

**Christ Community Church Site Plan. Lake Road/36 Coleman Creek Road. 083.02-2-1.12**

Chairman McAllister continued review with this application. Mr. Scott Harter and Mr. Jerry Klafehn addressed the Board.

Mr. Harter explained since the last meeting, the application has received approval from the Zoning Board of Appeals for a 0 ft. front setback instead of the required 25 ft. Comments have been received from the Town Engineer and the Village Planning Board. There are no objections to any of the Town Engineer's comments, which will be addressed.

Mr. Monno asked for a response to lighting question #5. Mr. Harter stated the lighting fixtures are 15 ft. high, 250 watts, and dark sky compliant.

The Board agreed with Mr. Minor's request for a separate signature block for the Town's approval.

Moved by Mr. Hale, seconded by Mr. Hertweck,

WHEREAS, the Town of Sweden Planning Board has received an application for site plan approval for a parking area addition at Christ Community Church, located at 36 Coleman Creek Road, a portion of which is in the Town of Sweden; and

WHEREAS, the Planning Board held a public hearing on June 13, 2011, and all persons wishing to be heard were heard; and

WHEREAS, the proposal has received a front setback variance from the Zoning Board of Appeals on May 19, 2011; and

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

NOW, THEREFORE, BE IT RESOLVED, the Planning Board determines that the Christ Community Church Site Plan, parking area addition, is an unlisted action which will not have a significant impact on the environment;

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NOW, THEREFORE, BE IT FURTHER RESOLVED, that the portion of the site plan within the Town of Sweden be approved contingent upon the Town Engineer's and Fire Marshal's signature being obtained, and the Chairman be authorized to sign.

Ayes – 7

**St. John Subdivision. 6043 Lake Road. 113.02-1-5**

Mr. Kris Schultz distributed updated plans showing the distance from the setback to the septic system.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the St. John Subdivision, located at 6043 Lake Road; and

WHEREAS, the Planning Board held a public hearing on June 13, 2011, and all persons wishing to be heard were heard; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town of Sweden Planning Board determines that the St. John Subdivision is an unlisted action which will not have a significant impact on the environment and grants Preliminary approval,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final public hearing be waived, the St. John Subdivision be granted final approval and the Chairman be authorized to sign the mylar.

Ayes – 7

The meeting was adjourned on motion at 8:30 p.m.

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**Planning Board Clerk**