

**TOWN OF SWEDEN  
Planning Board Minutes  
July 14, 2014**

A regular meeting of the Town of Sweden Planning Board was held on Monday, July 14, 2014, 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: Lance Brabant, MRB, Ed Summerhays, L.S., Tim Oakes, P.E., Michael and Janice Waeghe, Don Grentzinger, Walter and Helen 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 June 9, 2014, be approved.

Ayes – 5  
Abstain – Chairman McAllister

**Waeghe Subdivision – 4 lots. Sweden Walker Road. 069.04-1-5.11**

Mr. Michael Waeghe addressed the Board. He is proposing to subdivide the approximate 115 acres into four lots. The property has a County R.O.W. that runs through it. Also, Mr. Waeghe has purchased the rail bed from CSX, which runs from Sweden Walker Road to Owens Road and will provide access to Lots 3 and 4.

Mr. Hale asked what the width of the County R.O.W. is. Mr. Waeghe stated just around 60 ft., a little narrower than the rail bed.

Mr. Strabel asked if there were easements included with the purchase of the rail bed. The various easements were discussed.

The Clerk mentioned the name of the subdivision should be corrected. The Waeghes will notify their surveyor.

Mr. Minor clarified that currently there are two tax map account numbers, one for the property and one for the rail bed. Once the subdivision is approved, there will be four tax map account numbers.

Mr. Strabel summarized that Lot 4 will have access to East Canal Road, Lot 3 will have access to Owens Road, and Lots 1 and 2 will have access to Sweden Walker Road. The Waeghes were in agreement.

Moved by Mr. Minor, seconded by Mr. Hale, that the Waeghe Subdivision, 4 Lots, be accepted for review.

Ayes – 6

The public hearing will be August 11, 2014.

**TOWN OF SWEDEN**  
**Planning Board Minutes**  
**July 14, 2014**

**Eisenhauer Site Plan. 1 Shumway Road. 084.04-1-21**

Mr. Ed Summerhays addressed the Board, and introduced Mr. Tim Oakes, engineer for this project.

Mr. Summerhays stated he addressed the list of questions raised by some neighbors from the last meeting. The questions and answers were forwarded to the Board and Town Engineer. His goal is the same as the last meeting to obtain final approval contingent upon the MCDOH's approval. Mr. Summerhays stated he has received verbal approval from MCWA, MCDOH and MCDOT.

Mr. Monno questioned the water capacity for the system behind the house. What is the elevation of the high water compared to the elevation of the bottom of the basement? Mr. Oakes stated the two systems are designed for one inch of rainfall from the impervious surface without percolation. Mr. Monno asked how many gallons, the answer, 187.6 cubic feet where the four chambers are together. With a major storm event, the highest the water level will be is to the level of the road, 635.7 or 635.8. The Board asked for a comparison of the Triton system. Mr. Summerhays responded that the elevation of the stone is 637 and the bottom of the tank or arched pipe is 637.5. Mr. Oakes added that the highest that the water elevation could back up to is 640. Mr. Monno clarified that the water level will be higher than the basement. Mr. Oakes agreed there's no way to avoid that. The 640 is really 639.7 for the overflow on the 4-unit. The other system's overflow goes into a catch basin by the road.

Mr. Monno stated the system is awful close to the basement. Mr. Oakes stated the system by the driveway is far enough away, but the one next to the house could be moved 10 ft. farther away. Mr. Brabant confirmed that by moving the system away, the drainage swale would not have to be moved. Mr. Summerways stated he could move the system so that it would end up at the 642 contour.

Chairman McAllister questioned if the County approves the design/specs of the septic system, can it be modified. Mr. Brabant stated the County looks at all aspects of the system and should enhance it, if possible, to be the best system for that site.

Discussion took place regarding the extra measures taken for this site in comparison to other applications. It was determined that the work done to this site prior to an application being made attributed to the extra design. However, Mr. Oakes pointed out that there is a ponded area on this site which fills up with water and always has done so. The limit is the elevation of the road with no fill going below that elevation. The ponded area and capacity is remaining as is.

Mr. Brabant stated MRB is ready to sign the plans. They have been reviewed with all comments addressed satisfactorily, specifically the drainage issues. It has been determined that this is a residential project and has met DEC's requirements for stormwater mitigation, holding water back, treating it for one acre of disturbance for a commercial project. This site is under that and is residential. The applicant has definitely met the State's requirements and is also meeting the Town's requirements for disturbance of 25,000 sq. ft. The applicant has gone above and beyond providing a level of quality/quantity control on the site. With that being said, Mr. Brabant believes the applicant is meeting all aspects in terms of what is being required and exceeding that in terms of water and drainage runoff.

Mr. Hale asked for clarification, procedurally, whether Parts 2 and 3 of the SEQR form should be completed. Mr. Hale completed those parts for the two applications approved at the last meeting the next day after the Board passed an unlisted action motion for those projects. Planning Board Counsel Lester interjected that

**TOWN OF SWEDEN  
Planning Board Minutes  
July 14, 2014**

SEQR forms submitted prior to October 2013 could rest on the old/previous SEQR process for completion of Parts 2 and 3.

Mr. Hale added, related to that, how does this Board declare itself as Lead Agency. Should it be put in the final resolution? Mr. Strabel commented that is how some towns do it, on a per project basis. Mr. Brabant added that unlisted actions give the Planning Board options on how they want to proceed, short form, long form, etc. Ninety percent of the time, boards choose short form for unlisted actions so there is no coordination needed. Mr. Brabant's recommendation is with most of the unlisted actions that are not coordinated, due to outside agencies not being part of the review, should be granted with a single resolution acknowledging the board as lead agency and a determination made based on the completion of Parts 2 and 3.

Mr. Brabant stated most important is that the Board has addressed SEQR and that the Board agrees with its decision. The Board should be declared Lead Agency in the resolution as a separate clause. The DEC website and the NYPF offer an explanation for the new SEQR form and process. MRB is available to answer any questions and provide training to the Board.

Mr. Hale read the Part 2 questions and answers for this project. The Board agreed.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Eisenhower Site Plan, located at 1 Shumway Road, and

WHEREAS, the Town of Sweden Planning Board held a public hearing on September 10, 2012, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form, Agricultural Data Statement, comments received from the Town Engineer, Monroe County Planning and Development, Environmental Conservation Board, and Fire Marshal,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself as Lead Agency for review of this project,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Board determines that the Eisenhower Site Plan is an unlisted action which will not have a significant impact on the environment,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Eisenhower Site Plan be approved contingent upon the relocation of the storage chamber at the back of the house .15 ft. from the rear of the house, receiving Monroe County Department of Health approval, all required signatures, and the Chairman be authorized to sign the mylar.

Ayes – 6

**OTHER**

**SEQR Lead Agency Coordination Request**

Chairman McAllister asked the Board if there was any desire to be Lead Agency for the mixed use development project, Brook Field at Clarkson. The answer was an overwhelming no.

Moved by Mr. Minor, seconded by Mr. Dollard, that the Town of Sweden Planning Board does not accept the lead agency request for the Brook Field at Clarkson project.

Ayes – 6

The Clerk will send back the signed information form to Clarkson.

**TOWN OF SWEDEN  
Planning Board Minutes  
July 14, 2014**

**AT&T Cell Tower Amended Site Plan. 441 Sweden-Ogden TL Road. 099.04-2-2.21**

The Clerk asked the Board how to proceed with the above-mentioned project being that the applicant never attended the scheduled public hearing and submission of a current site plan. Discussion followed.

Moved by Mr. Minor, seconded by Mr. Dollard, to reject the AT&T application due to lack of required information being submitted and not attending the scheduled public hearing.

Ayes – 6

**Planning Board Applications**

Mr. Minor asked the Clerk to provide a list of outstanding projects that are older than 90 days to the Board by the August meeting. Discussion followed. The Clerk will provide a spreadsheet of all current and old applications and status of each one either by the August or September meeting.

**Town Code Modification - SWPPP Requirement**

Moved by Mr. Strabel, seconded by Mr. Monno, that the Town of Sweden Planning Board requests the Sweden Town Board to modify the Town Code for the SWPPP requirement from 25,000 sq. ft. or more of disturbance to one acre or more of disturbance. A memorandum will be prepared and distributed to the Town Board and Planning Board Counsel.

Ayes – 6

**Conference Update**

Mr. Monno asked the Clerk to find out if the upcoming NYPF conference scheduled in Batavia on August 8, 2014, will also be held in the fall. The Clerk will look into this.

**Town Code Modification - Parking Requirement**

The Board discussed the Town's code for required parking for commercial applications and provisions for land banked parking. Mr. Strabel asked Mr. Brabant what other towns are doing and if he could provide some data for the Board to review. Should the Town Code reflect the Planning Board's authority to approve land banked parking based on the data the applicant submits? To be discussed further at a future meeting.

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

---

**Planning Board Clerk**