

**TOWN OF SWEDEN
Planning Board Minutes
August 8, 2016**

A regular meeting of the Town of Sweden Planning Board was held on Monday, August 8, 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, Wayne Rickman.

Absent: David Strabel.

Also present: James J. Oberst, MRB; Nat O. Lester, III, Planning Board Counsel; Kris Schultz, Schultz Associates; Bob Winans, LandTech Surveying and Land Planning; Scott Smith, Smith Land Surveying; Jamie Pentland, DDS Engineering; Robert and Maria Fosher; Sam Guarino; Tracy Clark, Alan Adams, Marshall King; Brandon Tumia; John Lanni; Lisa Lamphron.

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. Hale, that the minutes of July 11, 2016, be approved.

Ayes – 6

Moved by Mr. Monno, seconded by Mr. Rickman, that the regular meeting be adjourned to the public hearing.

Ayes – 6

Chairman McAllister read the notice of public hearing and affidavit of publication.

Owens Road Storage Buildings Site Plan. 084.01-1-19.141.

Chairman McAllister asked if there was anyone present from the public for this application.

Mr. Bob Winans, LandTech, addressed the Board. He introduced the developer, Alan Adams. Updated plans were distributed to the Board as a result of the review comments received. Mr. Winans stated the application has pretty much stayed the same as when it was accepted for review. There are still five storage buildings proposed. The farthest building is 450 ft. off Owens Road.

Tracy Clark, 112 Woodlands Way – Mr. Clark asked again how far off Owens Road is the development and would there be greenspace in front. Mr. Winans confirmed it was 450 ft., and that wetlands occupy all but 3 of the 29 acres. Access to the site will be along the edge of the property line and the 100 ft. buffer.

Sam Guarino, 112 Woodlands Way – Mr. Guarino asked where are the approved Frances Apartments located in relation to this project. The apartments are directly south of the proposed storage buildings. Mr. Winans showed the entrance off Owens Road and its location relative to the businesses across the road. The driveway will be 26 ft. wide.

Mr. Winans added that there will be 24-hour access to the units with adequate fencing and security lighting. A gate will be installed, accessible by a card key only.

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Lisa Lamphron, 42 Woodlands Way – Ms. Lamphron stated she missed the first part and wanted to clarify where this project would be located. She thought by Lowes, but it is actually more north, along the railroad tracks. What type of lighting will be used, solar and will it be noisy? Mr. Winans indicated it will be the standard wall pack lighting with shields that direct the lighting to shine down. Ms. Lamphron stated she hears the humming noise from Allied Frozen Food's solar lights and generator, and wouldn't appreciate any additional noise from this project. Will there be landscaping? Mr. Winans has not addressed that issue to date, but feels there may be landscaping proposed at the front of the entrance. Ms. Lamphron explained she feels like Owens Road is becoming a business district. Currently, she deals with the delivery trucks for Allied, Lowes, and all the school bus traffic. Chairman McAllister asked if she realized that area was zoned Industrial/Commercial when she moved there. Ms. Lamphron stated not at all and that's why she is so upset and not happy with this proposed application. Who is being marketed? Are the units humid controlled? Mr. Winans responded that the units are unheated and will be marketed towards the average person wanting a regular storage unit.

Mr. Hale noted at the informal meeting, it was discussed that the residents of the Woodlands and the proposed Frances Apartments are the intended market. Ms. Lamphron is concerned that there will be a constant flow of traffic with 24-hour access. Mr. Adams explained the units are not climate controlled and will have limited hours to access. The fenced gate will provide security.

Is there a Phase 2 for this project? No, because there is no additional land to build on. Mr. Minor asked that the wetlands be shown to the public to clarify there isn't a lot of developable land. Is there going to be any exterior storage of boats? Not at this time.

Ms. Lamphron asked how many storage units are proposed. Mr. Winans stated 206 units. What type of lease? Mr. Winans stated renter's choice. How will the garage doors be positioned, will they be facing the road? Mr. Winans explained there will be smaller compartment doors on the end facing the road, about five or six units. On the longer side, the units will have garage doors, which can't be seen from the road. Why was this location chosen? Mr. Winans stated the developer thought this was the best use for the heavy industrial zoned property. A professional company will manage the units. There will be boxes and packing material for sale. Mr. Adams added many Class A projects were reviewed in Victor and East Rochester, which is what the proposed units are modeled after. We will be accommodating local residents based on demand.

Mr. Tracy Clark asked if there will be any other shops associated with this application. Mr. Adams stated it will be strictly self-storage.

Mr. Minor asked Mr. Winans to reference the two driveways across the street from this application as Ms. Lamphron arrived late. Mr. Winans pointed to the Allied Moving & Storage access right across the street. This project is farther north than the Woodlands. Ms. Lamphron added that while this may be a good business plan for the developer, it makes the residents' living space on Owens Road busier, if you will. What is the timeframe for construction to begin? Mr. Winans replied approvals for this project are a couple months out, but the plan is to start construction as soon as possible. To date, there has been an informal meeting, formal acceptance and tonight's public hearing.

Chairman McAllister explained before a review is done for any project, the Board holds a public hearing to get the public's input.

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There was a comment from the public that the targeted market will be to those people living in low-subsidized housing.

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

Tumia Site Plan. 741 Shumway Road. 084.03-1-35.1

Mr. Jamie Pentland addressed the Board. He is representing Brandon Tumia who is seeking approval to build a single family home on Shumway Road.

Chairman McAllister asked if there were any questions, comments or concerns from the public.

Robert and Maria Foshier, 746 Shumway Road – Mr. Foshier has some site plan questions. He has concerns about the drainage, driveway location, and to request the contractor maintains a clean area and roadway as done with the previous proposed home. Mr. Pentland assured Mr. Foshier that the intent is to stay away from the natural drainage swale. Mr. Marshall King stated the County driveway permit has been approved and it is going to be 75 ft. away from Mr. Foshier's property. A Fill permit has been approved as well. Construction won't begin until next Spring. Mr. Marshall assured Mr. Foshier that again his driveway won't be used for a turnaround. Mr. Foshier stated thank you and that Mr. King did a good job with the last home.

Mr. Foshier asked if there is a drainage issue in the future, who will take care of it. Mr. King responded the engineers reviewing and approving the plans should make sure that drainage is designed correctly to avoid any problems in the future. Mr. Foshier asked if it is going to be another tall house like the previous one built. Mr. King stated the house will not be as tall.

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

Swanger Subdivision – 4 Lots. Redman Road. 0698.03-1-3.1m 098.04-1-19

Mr. Scott Smith addressed the Board. The purpose for this subdivision was to sell off the old farm house, which included splitting two existing lots that went across the road into four new lots. Lot 1, 15 acres, has the old farm house on it. Lots 2, 3, and 4 are the remaining lots with no proposed development.

Chairman McAllister asked if there were any questions, comments or concerns from the public. There were none.

Moved by Mr. Dollard, seconded by Mr. Hale, to adjourn the public hearing to the regular meeting.

Ayes – 6

DC & TC Enterprises Amended Site Plan. Sweden Walker Road. 099.02-1-7.21.

Mr. Kris Schultz addressed the Board. He explained this application should be familiar as a site plan was approved in 2010, but construction never got started. Mr. Colaprete has modified the plans with a smaller building than what was originally approved. Since 2010, a R.O.W. permit has been approved. Nothing else has changed. Chairman McAllister noticed the curb cut changed. Mr. Schultz agreed.

Mr. Shultz asked since the site plan changes are minor and that the DOT has seen the modified curb cut, would the Board consider an expedited approval.

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The Town Engineer asked if DOT has reviewed the modified curb cut. Mr. Schultz stated he spoke with Tom Cessario today and that DOT is fine with the change, verbally indicating that it's at a better spot.

Mr. Schultz will submit the revised plan to all the various agencies, i.e., MCWA, DOH, and DOT for reapproval and signatures.

Chairman McAllister summarized that the applicant had difficulty obtaining drawings for the building he purchased online, holding up the issuance of a permit. Mr. Colaprete decided to modify the building size to avoid installing a sprinkler system. The applicant needs to obtain amended site plan approval.

The Board would like the Town Engineer to review the changes to the drainage, and to hold a public hearing.

Moved by Mr. Minor, seconded by Mr. Monno, that the DC & TC Enterprises Amended Site Plan be accepted for review.

Mr. Dollard asked what the address is. Mr. Schultz stated 5100 Sweden Walker Road and is under site statistics. Mr. Dollard requested the address be added to the title block on the plan.

Ayes – 6

The Public Hearing will be September 12, 2016.

Mr. Oberst asked what is the status of the SWPPP. Mr. Schultz stated it is still open. Mr. Schultz hopes to hear back from DOT, DOH, and MCWA by the public hearing.

Other

Mr. Schultz asked if he could ask for the Board's recommendation regarding a two-lot subdivision approved over twenty years ago on Lake Road, south of Swamp Road. Lot 1 was approved for a single family home and constructed. Lot 2 was never granted site plan approval and the code is different now, leaving Lot 2 without adequate frontage. After some discussion, it was determined that Lot 2 would require a variance from the ZBA, but asked the Clerk to research the code in existence at the time of the approval to determine if Lot 2 met subdivision requirements then.

Owens Road Storage Buildings Site Plan. 084.01-1-19.141.

The Board continued review of this application. Drawings of what the proposed buildings will look like have been included in the submission.

MRB Comments – August 2, 2016

1. Sight distance note added to the plan. Mr. Monno questioned if the sight distance was adequate to the north if you are driving a low vehicle. Mr. Winans will look into that as there would be an issue if the hump is over three to four feet. He doesn't believe it is an issue though.
2. The Legend has been corrected to remove items not shown on the Plan.
3. Snow storage areas have been identified on the east, far north and in between the ponds.
4. Evaluation of vehicle turning movements for a bus and fire truck have been shown for adequate maneuverability onsite. A smaller copy was given to the Town Engineer for review.
5. Lighting details and photometrics have been included on the plan. Wall pacs will be on the end of the buildings with three pacs along the long side so there is no light spillage off the site. A dark sky compliant note has been added to the plans.

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6. Limits of disturbance are shown on the plan. There will be approximately 2,000 yards of topsoil that may have to be taken offsite if can't be used at the front of the lot. A concrete washout structure will be used.
7. All units have been sketched in on the site plan, but not all the doors have been shown. The floor plan includes the door styles and sizes.
8. A SWPPP/NOT/NOI/MS4 will be provided.
9. As part of completing a SWPPP, green infrastructure requirements will be included.
10. Small temporary sediment traps have been shown on the plan and will be removed once site is stabilized.
11. The Construction Sequence & SWPPP Specifications are complete and shown on Sheet 2.
12. The area of disturbance, 2.88 acres, is now shown on the plan.
13. Disturbance of the 100 ft. buffer area is regulated by the NYSDEC. A pre-application meeting was held with DEC and submitted plans a few weeks ago. Preliminary approval has been given to submit an application. The DEC has indicated approval should be granted based on minimal disturbance being done in the buffer, which is only for the driveway.
14. Calculations for the driveway culvert will be provided.
15. A watermain will be extended into the site with two hydrants, 400 ft. apart, providing adequate fire protection for the site. Mr. Winans discussed the option of sharing fire hydrants with the engineer for Frances Apartments. The general consensus was that it's not a reasonable request due to inadequate distance and that an easement would need to be obtained.
16. The MRB Group logo was removed from the Trench Detail, Sheet 3.
17. There are no dumpsters proposed for this site.

Fire Marshal Comments

1. Two fire hydrants will be in place, every 400 ft., along the access road.
2. Access road changed to 26 ft. wide. Mr. Dollard stated 25 ft. is still on the plan. Mr. Winans will change it. Mr. Rickman asked how many feet in front of the buildings. Mr. Winans stated 26 ft. Discussion followed as to why the code is 26 ft. when the main roads are less.
3. Driveway between buildings will qualify for an acceptable turnaround.
4. Two or three, "No Parking Fire Lane" signs have been added to the plan along the access road. If the Fire Marshal would like additional signs, they can be added.
5. The Lockbox will be installed at the gate entrance. Five inch letters for the address will be installed on a post near the entrance.

Building Inspector/Stormwater Comments

1. All drainage will be directed to the stormwater ponds.
2. SWPPP and SPDES Permits will be obtained and qualified inspections done during construction.
3. Access and maintenance agreements will be completed for stormwater management areas.

Highway Superintendent Comments

1. Calculations for the 15 inch driveway culvert pipe will be submitted to the Town Engineer for review and acceptance.
2. Stabilized construction entrance will be installed before construction begins. This is now on the plan. A note will be added that the entrance must have a paved apron to protect the edge of road from deterioration.

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ECB Comments

- Comments were favorable, only disturbing a small amount of land. Stormwater management area could prove as an asset if it incorporates native species. Mr. Winans will look into this.

Mr. Monno expressed his concern that there is not enough room shown on the plan for snow storage, especially if there is a major storm. Mr. Winans will also label the 10 ft. area on the south side for snow storage. Mr. Monno also suggested moving the fire hydrant located at the southeast corner slightly and modifying the square turn similar to the turning corner to the north. Mr. Winans agreed.

Mr. Alan Adams commented that the site will be landscaped very nicely. Mr. Minor requested an elevation be shown if a landscape berm is installed at the front of the property.

The project is scheduled to return to the September 12 meeting.

Tumia Site Plan. 741 Shumway Road. 084.03-1-35.1

The Board continued review of this application. Mr. Jamie Pentland distributed updated plans.

MRB Comments – August 2, 2016

1. All easements have been shown on the plan with liber and page.
2. DOH is reviewing the plans. Comments will be sent to the Town once received.
3. Inlets and outlets have been shown on the plan and Schedule updated accordingly.
4. Water sizing calculations and installation details have been updated and provided.
5. MCDOT approval was received today.
6. Sight distances have been provided for proposed driveway.
7. Driveway width has been increased to 14 ft. wide and a note has been added to the plan. Mr. King asked if the 14 ft. was correct. Chairman McAllister stated if the driveway is 250 ft. or more, the width must be 14 ft.
8. The total acreage of disturbance is 2.3 acres. The SEQR Form has been updated to reflect this.
9. A SWPPP/NOI still needs to be completed.
10. The limit of disturbance, 2.3 acres, has been shown on the plan.
11. Location of roof leaders needs to be determined. Drainage is shown away from the septic system.
12. A detailed construction sequence is on Plan C-1.

Fire Marshal Comments

1. Driveway should be 14 ft. wide – done.
2. Plan C-2 - Address should be installed on a post near driveway entrance with 5 inch numbers.

Building Inspector/SW Manager Comments

1. A 14 ft. wide driveway and 20 ft. x 50 ft. turnaround is required. It was suggested to contact the Fire Marshal for details. The turnaround may fit in the Y section of the driveway to the barn.
2. Area of disturbance has been addressed.
3. SWPPP and SPDES Permit from NYDEC have been addressed.
4. Stabilized Construction Entrance has been shown on Plan C-2.
5. The driveway location has been modified on the plan per MCDOT comments.

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ECB Comments

- The Board recommended planting native species in the landscaping of the parcel.

Mr. Monno suggested, with the sewer line being 95 ft., there should be a clean out by the driveway and outside the house. The soil pipe underneath the driveway should be sleeved so that it can be cleaned out without digging up the driveway. Mr. Pentland agreed. It was also stated the code states there should be a clean out every 75 ft.

Mr. Monno believes there may be a problem when backing out from the garage on the driveway if cars are stacked. Discussion followed. It was determined that as long as the driveway width is 30 ft., and there is a turn around, there shouldn't be an issue.

In summary, the SWPPP needs to be submitted to the Town Engineer. Mr. Oberst stated that shouldn't hold up granting the SEQRA approval.

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

WHEREAS, the Town of Sweden Planning Board has received an application for site plan approval of the Tumia Site Plan located at 741 Shumway Road, which was accepted for review on July 11, 2016, and

WHEREAS, the Town of Sweden Planning Board held a public hearing on August 8, 2016, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form, Agricultural Data Statemnet, comments of the Town Engineer, Fire Marshal, Environmental Conservation Board, and the Building Inspector/Stormwater Manager,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself Lead Agency for the environmental review of this application, and determines that the Tumia Site Plan is an unlisted action which will not have a significant impact on the environment.

Ayes – 6

Swanger Subdivision – 4 Lots. Redman Road. 098.03-1-3.1, 098.04-1-19.

The Board continued review of this application. Mr. Scott Smith addressed the Board.

Mr. Monno recused himself from this application.

MRB Comments

1. Zoning Requirements and actual setback distances for the structure on Lot 1 will be added to the plan.
2. A note will be added to the plan stating no new development is proposed for Lots 2, 3, and 4, and that the lots are not approved for building.

Chairman McAllister added that it should be noted that the front setback of the house on Lot 1 is pre-existing, nonconforming at 45 ft.

ECB/Building Inspector/SW Manager – No comments.

Mr. Smith stated the Location Map is correct. He already changed Capen Road to Beadle Road on the plan.

The Town Engineer requested the last two signature lines in the signature block be removed as they are not required for this project.

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Moved by Mr. Hale, seconded by Mr. Rickman,

WHEREAS, the Town of Sweden Planning Board has received an application for subdivision approval of the Swanger Subdivision – 4 Lots located on Redman Road, which was accepted for review on July 11, 2016, and

WHEREAS, the Town of Sweden Planning Board held a public hearing on August 8, 2016, 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 of the Town Engineer, Environmental Conservation Board, and the Building Inspector/Stormwater Manager,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself Lead Agency for the environmental review of this application, and determines that the Swanger Subdivision – 4 Lots 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 grants the subdivision Preliminary approval.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final hearing be waived and the Swanger Subdivision – 4 Lots be granted final approval, contingent upon receiving all required signatures, and the Chairman be authorized to sign the mylar.

Mr. Dollard asked if the changes requested above should be listed as part of the resolution. The Town Engineer will not sign the mylar unless the changes have been made.

Ayes – 5
Abstain – Mr. Monno

The meeting was adjourned on motion at 8:50 p.m.

Respectfully submitted,
Phyllis Brudz
Planning Board Clerk