

**TOWN OF SWEDEN
Planning Board Minutes
August 14, 2017**

A regular meeting of the Town of Sweden Planning Board was held on Monday, August 14, 2017, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

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

Absent: Matthew Minor.

Also present: Nat O. Lester, III, Counsel, James Oberst, MRB, Kris Schultz, Schultz Associates; Andy Gabbert, Burns and McDonnell, Richard Tiede, Marathon engineering, Frank and John Sacheli, Libby Caruso, Mike and JoAnn Palermo, Gretchen Pennington, David Nichols, Michele Johnson.

Chairman McAllister called the meeting to order at 7 p.m., and asked everyone present to say the Pledge of Allegiance.

Correspondence was passed to members for review.

Moved by Mr. Dollard, seconded by Mr. Monno, that the minutes of July 10, 2017, be approved.

Ayes – 6

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

Ayes – 6

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

4969 Sweden Walker Road Subdivision – 2 Lots. 084.04-1-24.

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

Jo Jo's Bake Shop Site Plan. 2422 Colby Street. 084.04-1-39.

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

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

Ayes – 6

4665 Lake Road Amended Site Plan. 083.02-1-23

Mr. Andy Gabbert, Burns & McDonnell, addressed the Board. He is representing Plaza Suite Partners from Kansas City, Missouri. Mr. Brandon Kyle is the property owner. The property, just north of Wegmans, was previously an Arby's site, which is vacant and in quite a state of disrepair. A new building and drive-thru, just under 2,000 sq. ft., is proposed as a KFC.

Currently, the plan shows open space just under what is required at 21 percent. KFC likes to have a minimum of 20 parking spaces to conduct business, which is over what is required per code. If the Board requests additional greenspace, parking spaces could be eliminated.

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Mr. Hale commented it was great to see a new business proposed for this property.

Moved by Mr. Strabel, seconded by Mr. Rickman, that the 4665 Lake Road Amended Site Plan be accepted for review.

Ayes – 6

The public hearing will be September 11, 2017.

Fogg Subdivision and Site Plan.1681 Reed Road.128.02-1-3.13.

Mr. Kris Schultz addressed the Board. The applicant is proposing a single family home on an existing lot. The lot is unique in that the house is proposed behind an area of woods for privacy. It will be served by a sand bed septic system and a well. MCDOT will review. Sight distances are being checked. There is an existing barn on the property.

It was determined that a subdivision plat would be required as the property was deeded in the 1980s without Planning Board approval. Mr. Schultz agreed.

Moved by Mr. Strabel, seconded by Mr. Dollard, that the Fogg Subdivision and Site Plan be accepted for review.

Mr. Monno asked that the location map be updated as Redman Road is not a road anymore at Reed Road. Mr. Schultz agreed.

Ayes – 6

The public hearing will be September 11, 2017.

4969 Sweden Walker Road Subdivision – 2 Lots. 084.04-1-24.

Chairman McAllister continued review of this application.

MRB Comments

1. A note has been added to Lot B, not approved for building at this time.
2. A signature line has been added for the Town Engineer.
3. Septic system has been noted on the plan, but not public water.
4. The front setback of the existing house is ± 55 ft., and is pre-existing, nonconforming. Any new structures will have to meet the front setback requirement of 75 ft.
5. Surveyor's signature and seal are required on the mylar.

County Comments – standard comments have been addressed.

The Town Engineer is satisfied with the plan and is ready to sign.

Mr. Hale confirmed with Mr. Tiede that the small triangle of land at Sweden Walker Road and Eisenhower Drive as shown on the plan is not part of this project, but part of the R.O.W. of Eisenhower Drive.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Johnson Subdivision – 2 lots, located at 4969 Sweden Walker Road, which was accepted for review on July 10, 2017, and

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WHEREAS, the Town of Sweden Planning Board held a public hearing on August 14, 2017, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Subdivision Application, Short Environmental Assessment Form, comments of the Town Engineer and Monroe County Planning and Development,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself Lead Agency for the environmental review of this application, and determines that the Johnson Subdivision – 2 Lots is an unlisted action which will not have a significant impact on the environment, and grants the subdivision preliminary approval,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final public hearing be waived, the Johnson Subdivision – 2 Lots be granted final approval contingent upon receiving all required signatures, and the Chairman be authorized to sign the mylar.

Ayes – 6

Jo Jo's Bake Shop Site Plan. 2422 Colby Street. 084.04-1-39.

Chairman McAllister continued review of this application.

MRB Comments – All comments addressed. See specific concerns below:

- Project data shown in Item 9 of letter, not on plan.
- Area variance required for depth of property.
- Fire Marshal satisfied with details shown on site plan.
- Dumpster enclosure is a 6 ft. high stockade fence. Applicant to paint red to match building, if Board approves.
- Proposed lighting is dark sky compliant, and noted on plan.
- Dotted line shows area of site disturbance on the plan.
- Silt fence proposed as erosion sediment control measures.
- Coordination between MCDOH and MCWA is taking place. RPZ is installed and accepted by MCDOH.
- MCDOH has reviewed septic system and sent approval letter.
- Detailed construction sequence not done as there isn't one. Moving forward, finish inside, repair sidewalk and stair, and install pad for freezer.
- Exterior elevation of building for freezer. The freezer will be aluminum.

Plans have been submitted to Planning and Development for review. No comments received to date.

The Board discussed the lot depth requirement. The applicants are proposing to acquire additional land from the airport to remove the need to obtain a variance. Also, with additional land, the septic system will be located on the applicant's property, which will be beneficial should a new septic system be required.

The next step is to make application for resubdivision approval at the September 11 meeting.

OTHER

Vacant Parcel on Fourth Section Road - Apartments

The Board agrees with the comments submitted separately by MRB-Town Engineer, Environmental Conservation Board, and Richard Dollard, Planning Board Member.

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Additional Comments:

Is there a need/demand for the proposed apartments?

- Approximately 150 proposed homes off Redman Road – Alleghany Square
- Approximately 148 proposed homes on Fourth Section Road – Stonebriar Townhomes
- The Village of Brockport has many vacancies.

Is the site developable?

- Very long and narrow parcel. Dimensions not submitted for further review.
- The current elevation is a result of over 20 years of fill being deposited to the site.

Traffic Issues – DOT to review

- A traffic analysis study should be updated, including the recent proposed developments on Fourth Section Road and Redman Road.
- What is the number of accidents at the intersection of Fourth Section Road and Redman Road?

Stream/Wetland Concerns

- Stream and Wetlands should be delineated.
-

Vacant Parcel on Sweden Walker Road – Mud Run Events

- Wetland disturbance – NYSDEC letter dated September 20, 2012. Have the original concerns been addressed?
- Safety and health concerns.
- Noise ordinance/concerns.
- Impact on traffic.
- The road needs to be kept free of mud.
- Emergency response in place – police, fire, ambulance.

Counsel Lester started discussion regarding modifying the Town code's septic system/acreage requirements per a request made at the last meeting. The Board discussed Mr. Schultz' proposed changes.

The Town's Comprehensive Plan supports maintaining a rural community or look. The five-acre requirement is specifically mentioned in the Plan. The Town of Sweden is stricter as far as acreage requirements than other towns, but that may be a positive in keeping a no sprawl look.

Mr. Strabel's opinion is when a property isn't large enough to develop, the applicant should be responsible to make application to the ZBA for the granting of any variances.

Chairman McAllister added he has no objections to the requirements of the MCDOH. The five-acre requirement was originally put in place by the DOH, and as materials and designs changed so did the requirements. The Town's code did not change. The Comprehensive Plan clearly states one of the measures to reduce the amount of curb cuts on the highway, with no sewer or water, is to maintain a five-acre requirement.

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Moved by Mr. Hale, seconded by Mr. Monno, that the Planning Board is not in favor of modifying the Town code to reduce the amount of lot acreage and frontage required to develop land serviced by septic and well.

Ayes – 6

In addition, the Board discussed land banked parking. It is the Board's intent to continue to use land banked parking when developing a commercial site to eliminate excessive pavement and/or to increase the amount of greenspace on a site.

At the last meeting, the Planning Board, by motion, requested the Town Board to authorize the Planning Board to approve Section 278 of Town Law for the Alleghany Square development. Counsel Lester will prepare a letter to the Town Board detailing this request.

The meeting was adjourned on motion at 9:15 p.m.

Respectfully submitted,
Phyllis Brudz
Planning Board Clerk