

**TOWN OF SWEDEN
Planning Board Minutes
September 8, 2014**

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

Absent: Arnold Monno.

Also present: Adam Freeman, Land Tech, Robert Fitzgerald, Fitzgerald Engineering, Brian and Mary Ann McCullough.

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

Correspondence was passed to members for review.

Moved by Mr. Rickman, seconded by Mr. Minor, that the minutes of August 11, 2014, be approved.

Ayes – 4
Abstain – R. Dollard
Abstain – D. Hale

Moved by Mr. Minor, seconded by Mr. Dollard, that the regular meeting be adjourned to the public hearing.

Ayes – 6

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

Golden View Ranch Resubdivision and Amended Site Plan. 7487 Fourth Section Road. 082.02-1-32.

Mr. Adam Freeman presented updated plans. The applicant recently purchased additional property for the installation of the septic system for the horse arena. Also, the applicant decided to leave the approved site plan as a separate lot, which meets all the code requirements.

Mr. Strabel asked if the 10 ft. distance between the lots for the septic system pipe is wide enough for maintenance. Mr. Freeman stated it is just wide enough.

Planning Board Counsel asked what the acreage of Lot 1 is and how the 10 ft. strip was decided. Mr. Freeman stated 9.9 acres, and 10 ft. is just wide enough to get equipment through; however, there is room to make it wider, if necessary, and still meet code requirements.

Brian McCullough, 135 West Sweden Road – Mr. McCullough questioned the six different notations, ‘rebar to be set’ indicated on the plan. Mr. Freeman stated those are just markers for surveying purposes.

Chairman McAllister indicated that the reason for this application is so the riding arena can be used for commercial activities and the septic system approved for installation of restrooms.

Mary Ann McCullough, 135 West Sweden Road – Mrs. McCullough asked if there are plans to build on the nine acre-lot. Mr. Freeman stated there are no plans to pull a permit at this time.

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Mr. McCullough asked if there will be a pumping station at the barn to pump the sewage up. Mr. Freeman stated yes.

Mr. Dollard stated the 10 ft. separation between lots for the pipe seems tight and suggests changing it to 20 ft., which makes more sense, especially for maintenance vehicles to get through and in passing.

Mr. Minor suggested providing an easement for that area as another option.

Mr. Hale noted a correction in the street name to West Sweden Road.

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

Ayes – 6

4675 Lake Road Amended Site Plan. 083.02-1-22.

Mr. Kip Finley, Indus Development, addressed the Board. He introduced Robert Fitzgerald, Fitzgerald Engineering. He explained that since the last time he was before the Board, he now works with Jett Mehta at Indus Development and no longer with Rob Fitzgerald.

Mr. Finley explained that Indus Development owns 20 Dunkin Donuts including the one located in the Hess Gas Station on Transit Way, and feels the market can handle another one at the old Burger King location.

The plans are to repurpose the existing building, keeping the building, parking and most of the infrastructure the same. The building will be split in half with a Dunkin Donuts on the drive-thru side, and a retail business in the other side, not necessarily Verizon, but that was printed on the cover sheet. The building is decent block and steel, bar joist roof and steel deck, and actually, the site isn't in terrible shape except for right around the building and in front.

Mr. Rob Fitzgerald will handle all the engineering questions. Mr. Fitzgerald stated while the infrastructure is good; a new water service and new sewer service to the right of way will be required, as well as a new back flow prevention device. The parking lot is still structurally in good shape and will be cleaned up, concrete pulled, and sensors added for queuing. A new ordering pad and board will be added in the back. Mechanicals and utilities will be replaced.

Mr. Strabel asked how many cars can stack for the drive-thru. Mr. Fitzgerald stated typically there is room for six. Mr. Strabel stated this site will be better than Hess for stacking. Mr. Fitzgerald stated the applicant is looking to add a horseshoe in the parking lot for ease of getting off Lake Road and parking to the side, for drive-thru customers who may want to park and eat or for the tenants of the other business to loop around for a parking space. Mr. Finley stated tables and umbrellas will be added to the front for outdoor seating.

Mr. Finley added, for the record, the drive-thru at this location can hold about 12 cars before reaching the R.O.W.

Chairman McAllister asked with that kind of stacking, will the other tenant's customers have trouble getting in and out of the parking spaces? Mr. Finley stated the only time there may be a problem is between 7 a.m. and 8 a.m.; the rest of day, if there is one car in the drive-thru that would be a lot. Business peaks in the morning.

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The building will be split in two with approximately 1,400 sq. ft. for each tenant. Mr. Strabel asked what the seating capacity is. Mr. Finley stated for Dunkin Donuts it is 26 seats.

Mr. Dollard asked what is proposed for the hours of operation. Mr. Finley stated 5 a.m. to 10 p.m.

Moved by Mr. Hale, seconded by Mr. Minor, that the 4675 Lake Road Amended Site Plan be accepted for review.

Ayes – 6

The public hearing will be October 27, 2014.

Discussion followed that since the one tenant is not known; maximum build out design for commercial use for parking should be considered. Mr. Strabel added with two restaurants and seating over 15, individual bathrooms (men/women) will be required for each restaurant, thus losing a third of the building space to restrooms. Mr. Finley agreed.

The Clerk asked that a DRC form be submitted to the County for review. The Town Engineer agreed.

Golden View Ranch Resubdivision and Amended Site Plan. 7487 Fourth Section Road. 082.02-1-32.
Chairman McAllister continued review of this project.

MRB Comments

1. MCDOH has reviewed the plans and submitted comments to the applicant. The Town Engineer and Planning Department need to receive a copy of the comments. Mr. Freeman will send a copy of the letter out.
2. The septic tank is traffic rated; bollards may still be set up at the pump station. This is noted on the plans. If the pump fails, a bollard will be used for the alarm panel.
3. The existing building will be used for storage only; no facilities will be needed.
4. Sewage loading from the horse arena, combined 600 gal/day, which is on the high end for any peak day. Mr. Dollard asked how many horses will be boarded; there will be 14 stalls. Mr. Freeman stated the bedding will capture most of the sewage. Mr. Strabel stated the floor drain will handle the load of 14 horses even with the use of straw/bedding. The Town Engineer is satisfied with the calculation of 600 gal/day load, but the DOH will determine if it is acceptable.
5. Floor drains will be connected to the septic system.
6. SWPPP Requirements. There is no additional impervious area being added and it is a small area of disturbance being added. Mr. Freeman asked the Town Engineer for his advice. Mr. Oberst didn't think an amended SPEDES permit would be required; just showing the erosion control for the additional disturbance would suffice.

Chairman McAllister asked for the status of the request to the Town Board to amend the SWPPP requirement for area of disturbance. The Clerk stated the memo was sent to the Town Board, but there has been no feedback to date.

ECB Comments

- Mr. Freeman asked for clarification of the ECB's first comment listing the various addresses. The Planning Board wasn't sure either. More importantly, the ECB states that there would be no adverse impact with this application.

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FM Comments

- No concerns at this time.

Storm Water/Building Inspector Comments

- Amended SPEDES Permit needed; addressed above with Town Engineer's comments.

Mr. Freeman stated the 10 ft. distance for the septic pipe between the parcels will be changed to 20 ft. The Board agreed.

The Board discussed the alarm system on the pump, needed more information from Mr. Freeman.

Mr. Minor questioned if the utilities are still planned to Fourth Section Road. Mr. Freeman will add the existing proposed utility easement to Lot 1. Mr. Minor confirmed with Mr. Freeman that there are no drainage changes with this application.

Mr. Dollard asked if the entrance would be gated to protect the horses if they get out since no one is staying on the property to oversee it. It is chained now. The Fire Marshal has an Emergency Contact Form.

Planning Board Counsel asked the Board what kind of conditions should be outlined on the Special Use Permit for the arena. It was discussed that a permit would be required for any special events. The box lighting on the outside of the building doesn't impact the neighborhood. Any activities inside could be scheduled 24/7 without any impact to the area. The Special Use Permit should include wording, which describes the use of the arena for equestrian lessons, the number of horses, etc. The approved use will not adversely affect the area.

The Board asked that the Special Use Permit limit the number of horses, i.e., up to 20. The Clerk asked for clarification/notification as to when a Special Events Permit is issued, both Town and State requirements be adhered to.

Miscellaneous

The Board discussed the outstanding applications and that the applicants should be notified by the Clerk that the Board has closed them for the reason indicated in the file. Also, the Clerk should continue to update the spreadsheet submitted relevant to the status of applications to date.

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

Planning Board Clerk