

**TOWN OF SWEDEN
Planning Board Minutes
September 25, 2017**

A regular meeting of the Town of Sweden Planning Board was held on Monday, September 25, 2017, 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, David Strabel.

Also present: Nat O. Lester, III, Counsel, James Oberst, MRB, Kris Schultz, Schultz Associates; Dustin Burton, Burns and McDonnell, Richard Maier, Maier Land Surveying; James Donohue; Chris Pape.

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. Hale, that the minutes of September 11, 2017, be approved.

Ayes – 5
Abstain – Mr. Minor
Abstain – Mr. Monno

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.

Jo Jo's Bake Shop Subdivision. 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. Dollard, to adjourn the public hearing to the regular meeting.

Ayes – 7

Donohue Subdivision – Section 2. West Sweden Road. 128.01-1-1.11.

Mr. James Donohue addressed the Board. He explained he owns over 33 acres and is proposing to subdivide 9 acres in order to sell to the County. The County is proposing a mutual aid tower in the future. Chairman McAllister asked how tall the proposed tower is. Mr. Donohue thought 150 ft. high. Mr. Donohue has a potential buyer for Lot 2, remaining lands.

Chairman McAllister confirmed with Mr. Donohue that the total acreage is 33 acres and it is a 3-lot subdivision. There is an existing barn on lot 3, and an existing house on the exception property owned by the Spragins. Chairman McAllister asked if the Spragins' property had received subdivision approval from the Planning Board. Mr. Donohue stated he bought the property in the late 70s and sold it to Mr. Spragins without obtaining approval from the Planning Board. In summary, this application is now for a 4-lot subdivision, and should be revised as such.

Moved by Mr. Hale, seconded by Mr. Rickman, that the Donohue Subdivision – Section 2 be accepted for review.

Ayes – 7

The Public Hearing will be October 23, 2017.

**TOWN OF SWEDEN
Planning Board Minutes
September 25, 2017**

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

Chairman McAllister continued review of this application. The Clerk explained that the subdivision application is a result of the site plan application review where additional land was required to increase the depth of the property in order to include the septic system on the property. Final site plan approval was contingent upon a few minor changes and acquiring additional land.

Mr. Oberst will need to review the changes before signing the site plan mylar. The site plan mylar presented at tonight's meeting is not the correct size, and should be resubmitted as 22 inches by 34 inches. He is ready to sign the subdivision mylar.

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

WHEREAS, the Town of Sweden Planning Board has received applications for site plan approval and subdivision approval of the JoJo's Bake Shop, located at 2422 Colby Road, which was accepted for review on July 10, 2017, and September 11, 2017, respectively, and

WHEREAS, the Town of Sweden Planning Board held public hearings on August 14, 2017, and September 25, 2017, respectively, and all persons wishing to be heard were heard, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself Lead Agency for the environmental review of these applications, and determines that the JoJo's Bake Shop Site Plan and Subdivision are unlisted actions 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 JoJo's Bake Shop Subdivision be granted final approval and the Chairman be authorized to sign the mylar.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the JoJo's Bake Shop Site Plan be approved contingent upon receiving the Town Engineer's signature, and the Chairman be authorized to sign.

Mr. Dollard asked the Town Engineer what type of confirmation from the FAA is needed. Mr. Maier stated documentation from the FAA agreeing to the sale of the additional land by the owner of the airport property. Mr. Pape asked, specifically, what type of documentation so it can be completed. Mr. Maier is working on it with Gretchen Pennington from the airport. Mr. Oberst agreed.

Ayes – 7

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

Mr. Kris Schultz addressed the Board. He distributed updated subdivision and site plans signed by the Town Engineer and DOH.

Mr. Dollard asked if the turnaround dimensions were indicated on the plan as requested. Mr. Schultz stated no they were not, and he will correct the mylar. There were no further comments, questions or concerns.

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

WHEREAS, the Town of Sweden Planning Board has received an application for subdivision and site plan approval of the Fogg Subdivision, located at 1681 Reed Road, which were accepted for review on August 14, 2017, and

WHEREAS, the Town of Sweden Planning Board held a public hearing on September 11, 2017, and all persons wishing to be heard were heard, and

**TOWN OF SWEDEN
Planning Board Minutes
September 25, 2017**

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form, comments of the Town Engineer, Fire Marshal, Building Inspector/Stormwater Manager, Environmental Conservation Board, 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 Fogg Subdivision and Site Plan are unlisted actions 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 Fogg Subdivision be granted final approval and the Site Plan be approved contingent upon receiving the Town Engineer's signature, and the Chairman be authorized to sign.

Ayes – 7

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

The Town Engineer stated he is good with the plans. Review comments were addressed and modifications made.

Mr. Hale confirmed with Mr. Barton that the public hearing for the two area variances, open space and 7½ ft. buffer, will be held tomorrow at 6 p.m. Chairman McAllister added this Board could do an approval contingent upon the outcome of the ZBA hearing.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the 4665 Lake Road Amended Site Plan, located at 4665 Lake Road, which was accepted for review on August 14, 2017, and

WHEREAS, the Town of Sweden Planning Board held a public hearing on September 11, 2017, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form, comments of the Town Engineer, Fire Marshal, Building Inspector/Stormwater Manager, Environmental Conservation Board, Highway Superintendent, 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 4665 Lake Road Amended Site Plan is an unlisted action which will not have a significant impact on the environment.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the 4665 Lake Road Amended Site Plan be approved contingent upon obtaining the required signatures and approval of the requested variances, and the Chairman be authorized to sign the mylar.

Ayes – 7

OTHER

Lot 4 of the Leonard T. Lavell Subdivision

Mr. Kris Schultz explained that the applicant received amended site plan approval from this Board earlier this year to relocate the house on the property while retaining the existing septic system location. The applicant decided to relocate the septic system closer to the house to avoid the use of a pump. The DOH has approved the new location and nothing else has changed from the last approval. The Clerk asked that the septic system change be brought before the Board to determine if an updated amended site plan is required.

TOWN OF SWEDEN
Planning Board Minutes
September 25, 2017

Mr. Shultz asked how the Board would like to handle the septic system change. The DOH is responsible solely for the approval of the relocation. The Town Engineer asked if there were any significant grading changes. Mr. Schultz stated no, just the leach system will be relocated upfront.

After considering the above, Counsel Lester still recommended an expedited approval for an amended site plan in order to maintain accurate records. The Board agreed.

Hedman Subdivision and Site Plan

Mr. Schultz updated the Board as to the status of this application. The Hedmans purchased a house elsewhere, but still want to obtain final approval for their proposed home on Root Road. The project still requires a driveway easement be completed and filed. Once done, Mr. Schultz will request the project be put back on the agenda.

Yaeger Property – Sweden Walker Road

Mr. Schultz explained that Mr. Yaeger would still like to pursue obtaining approval to develop his property. He understands the Board does not want to change the Town code requirements. The Zoning Board application is still pending. Mr. Schultz would like to hold the hearing and explain the difficulties Mr. Yaeger has experienced in developing the land, but without any positive feedback from this Board, it will, most likely, be denied.

The Board reiterated its decision was based on the Comprehensive Plan's intent to reduce the amount of development in the Town. Mr. Schultz will explain the Board's decision at the zoning public hearing for this project.

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

Respectfully submitted,
Phyllis Brudz
Planning Board Clerk