

**TOWN OF SWEDEN
Planning Board Minutes
January 25, 2010**

A regular meeting of the Town of Sweden Planning Board was held on Monday, January 25, 2010, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members present: Richard Dollard, David Hale, William Hertweck, Craig McAllister, Matthew Minor, Arnold Monno, David Strabel.

Also present: Adam Cummings, P.E., MRB, James Butler, Building Inspector, Kris Schultz, P.E., L.S., Robert Keiffer, P.E, FRA, Louis Popovski, Harold Mundy, Trevor Steffen, Jordan Blandford

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 January 11, 2010, be approved.

Ayes – 7

INFORMAL

CVS Pharmacy Resubdivision and Site Plan. 6510/6524 Bkpt-Spen Road.083.08-8-22,1.2,1.111

Mr. Kris Schultz and Mr. Robert Keiffer addressed the Board. Mr. Keiffer is working with CVS and Mr. Schultz is working with Mr. George Hage, property owner. The two have collaborated and submitted the drawings before the Board tonight.

Mr. Schultz explained that this is like an urban renewal project since the land has already been developed. He was hired to do the topography for the project. The SK1 drawings were used initially to see if CVS was interested in the site. Also, there are three different tax parcels for this project. There is a fourth parcel shown way off to the east, which is mostly greenspace. Chairman McAllister believed that parcel isn't developable because it is Forever Wild.

Mr. Schultz explained that over the years, NYSDOT has taken property off the corner and there's pavement in the R.O.W., as well as undesirable roadways and curbcuts. There will be an access off Rte. 31, which is Bruegger's access, and there is a main access south of the plaza. Both buildings will be leveled and pavement will be removed within the R.O.W. to meet the Town code for buffers as much as possible.

Mr. Strabel asked if CVS would eventually own this property. Mr. Schultz stated yes.

Mr. Schultz explained that when CVS is built, something would need to be done so that both businesses can share the parking. He explained that a reciprocal parking agreement between two owners has been done in other municipalities so that a customer could park by the plaza and walk over to the CVS store and vice-versa.

Mr. Dollard asked if the aerial photo was done before the new McDonald's was built. Mr. Schultz stated yes. Mr. Schultz added that all the nice, mature trees would stay due to being in the State R.O.W.

Mr. Robert Keiffer stated he works for FRA Engineering and has had the opportunity to do several CVS stores, i.e., Batavia. The process for getting CVS to commit to a location is very time consuming and detailed. The negotiation process takes six months to a year. The SK1 drawings are what go to the site selection committee. As a result, the committee decided it was interested in the site and entered into a contract to proceed through the

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design and approval process. After the commitment was made by CVS, the site could be explored and surveyors obtained to do the topography for a more in-depth analysis.

The three concept plans show the evolution of this project, C1, C2, C3. C3 shows almost 4,000 sq. ft. of pavement being removed, which is currently in the R.O.W. Also, 8,000 sq. ft. of impervious area, which is in the buffer area, is being removed. However, a site plan has not been identified that meets the parking and flow requirements that doesn't have some encroachment into the buffer. After several adjustments, there still is 2,157 sq. ft. of pavement area encroaching in the buffer area along Rte. 19/Lake Road as it blends back into the plaza to the north. Chairman McAllister stated not to mention that the 30 percent open space requirement has not been met.

Mr. Strabel asked what the total parking requirement is for CVS Pharmacy alone? Mr. Schultz stated 66 parking spaces are required per code. He added CVS has proposed 86 parking spaces. Mr. Strabel asked how many spaces were taken from the plaza. Mr. Keiffer stated CVS is proposing a cross access agreement between CVS and the plaza owner for ingress/egress and for the sharing of 20 parking spaces on the CVS site.

Chairman McAllister asked for a summarization of the variances needed. Mr. Schultz stated variances would be needed for open space, shared parking, and the 25 ft. buffer along the R.O.W. on Rte. 19. Chairman McAllister asked how many variances would be needed for the plaza, i.e., side setback.

Mr. Strabel stated CVS probably wouldn't consider a smaller building? Mr. Keiffer stated that is correct. Mr. Schultz explained that the overall proposed parking, with the total square footage for both buildings, falls below what is required. Mr. Schultz stated if the green area behind the plaza was paved, there might be enough parking. Chairman McAllister stated that area is Forever Wild and would not be developable. Mr. Schultz will find out before the next meeting exactly where the green area begins. The plan was to show parking could be provided, if necessary.

Mr. Hale asked what was the future for the existing businesses being displaced. Mr. Keiffer stated that Enterprise will be relocated into the plaza and that Bruegger's will be going away.

Mr. Minor asked if there's been an inquiry to NYSDOT. Mr. Keiffer stated yes, and as a result, the entrance off Rte. 31 has been relocated slightly to the east closer to McDonalds. Mr. Minor stated that the NYSDOT has been investigating relocating the accesses on the south side of Rte. 31 and these efforts should be coordinated.

Mr. Minor stated the CVS site alone requires 66 parking spaces and 86 parking spaces are proposed. Mr. Keiffer added that the plaza with the CVS store would require 196 parking spaces per code, and currently there are 162 parking spaces with the opportunity to add additional spaces on the remainder of the plaza site. The suggestion is to land bank the spaces rather than pave them because there isn't going to be a shortage of spaces.

Mr. Hale asked how would the land-banked spaces help with the open space requirement. Mr. Schultz stated it wouldn't. Chairman McAllister stated that the existing parcel is pre-existing, nonconforming, but once the site is leveled, that condition goes away and code must be met for the new site plan.

Mr. Schultz stated he is comfortable knowing that if the Planning Board supports the plan, the Zoning Board of Appeals (ZBA) will work with the applicant on resolving the issues.

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Mr. Strabel asked what would be the agreement for parking on someone else's property. Mr. Keiffer stated there would be a cross access agreement the same as would be for entrance/egress, both of the businesses would have the right to traverse the other's property to get to the other entrance or exit. The agreement would state the plaza could use 20 spaces on the CVS property.

Mr. Dollard referenced the C3 drawing and questioned the flow of traffic by the drive-thru. Mr. Keiffer stated the drive-thru traffic would merge into the plaza traffic and exit onto the plaza property or out onto Rte. 19. The access straight across to the plaza is blocked.

Mr. Keiffer added that he understands that the proposed CVS site is not compliant with green space, but the existing site has negative green space with encroachment into the R.O.W.

Mr. Minor asked if CVS had all the room in the world without the other buildings coming into play, would parking be built just to code. Mr. Keiffer stated yes. The additional 20 parking spaces are to accommodate the plaza's loss. Also, which side of the CVS store is the front? Mr. Keiffer stated there would be two fronts with signage on both sides because it is a corner lot. Mr. Minor suggested contacting the building inspector for the correct signage code.

Mr. Harold Mundy asked when Enterprise moves into the plaza with an inventory of 12 to 20 cars, will there be enough parking spaces. The answer was yes; it will make the plaza look busier.

Mr. Dollard stated he feels there will be a lot of congestion exiting from the drive-thru. Mr. Keiffer stated that may be, but CVS doesn't build stores without drive-thru's.

Chairman McAllister commented from his own perspective, the addition of a CVS Pharmacy would make the corner a lot nicer than it is today, but there are issues to be resolved.

Mr. Strabel asked where does a semi pull in for delivery/loading purposes. Mr. Keiffer stated the semi would have to use the plaza parking lot.

Mr. Strabel suggested squaring off the building and moving the drive-thru so the traffic exits directly into the plaza. Traffic congestion would be eliminated. This may also increase parking spaces and will make it neater.

Mr. Keiffer stated he would refine the site plan and come in with more technical information so that the Board can make a better judgment on storm drainage, landscaping, etc. Chairman McAllister would like to see a complete analyses of all site issues before the application goes to the ZBA, which would include a formal application for accept for review.

The meeting was adjourned on motion at 8:15 p.m.

Planning Board Secretary