

**TOWN OF SWEDEN
Planning Board Minutes
January 28, 2013**

A regular meeting of the Town of Sweden Planning Board was held on Monday, January 28, 2013, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

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

Absent: David Hale

Also present: Lance Brabant, MRB, Nicola Montanaro, L.S., Hany Nissiem, M.D., Richard Klein

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

Correspondence was passed to members for review.

Moved by Mr. Monno, seconded by Mr. Dollard, that the minutes of January 14, 2013, be approved.

Ayes – 6

Klein Subdivision and Site Plan. Reed Road. 129.01-1-1.11.

Mr. Nick Montanaro addressed the Board. He explained that the applicant is purchasing 8 acres from the east end of the 133-acre parcel and is proposing to construct a single family home.

Mr. Montanaro stated that there is also an application before the Board to subdivide land from the same 133-acre parcel on the west end of the property, which has been shown on the this plan. Monroe County Real Property has suggested the proposed parcel names to avoid confusion in the future.

Mr. Montanaro asked if there were any questions.

Mr. Minor asked that the applicants' surveyors confirm that the lots are referred to as the same. Mr. Strabel asked the Town Engineer to request this be done in the review comments.

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

Ayes – 6

The public hearing will be February 11, 2013.

Immediate Care Facility. 6565 Fourth Section Road. 083.02-1-12.22.

Dr. Hany Nissiem addressed the Board. Charles Smith, R.A., was not able to attend. Dr. Nissiem explained he is present at tonight's meeting to update the Board on the new changes and to thank the Board for their comments regarding the easement agreement, which provided direction. Dr. Nissiem stated he spoke with the owner of Friendly's, and there is no problem with the current use of parking spaces; Friendly's lease expires in approximately six years. Dr. Nissiem also spoke with Ms. Duryea, owner of the land, who understands the parking issue, but is planning on selling the land once Friendly's lease expires and was reluctant to add any additional statements or easements, which might lower the property value.

TOWN OF SWEDEN
Planning Board Minutes
January 28, 2013

The update to the plan includes an addition of 234 sq. ft., which will expand the waiting area and allow for one additional examination room. The existing parking spaces will not be affected by the addition. Everything else will stay the same.

Mr. Dollard asked how far the overhang from the addition extends. Dr. Nissiem stated he is not sure.

Discussion took place regarding resolving the parking issue in order to protect Dr. Nissiem's interest and investment.

Mr. Minor suggested that the Board may not want to set a precedent for the one additional parking space and refer the applicant to the ZBA for an area variance; however, the existing site's parking requirement was 16 spaces short when approved in 1996. In order to bring the site into conformance, it was suggested that the applicant go for an area variance for the 17 spaces.

Chairman McAllister will contact the ZBA Chairperson in order to discuss this application. He asked the Town Engineer if he had any additional comments regarding this issue. Mr. Brabant asked what the current parking was like. Dr. Nissiem stated there is always parking available so it is not an issue.

The Board suggested Dr. Nissiem contact legal counsel to put in writing his request for parking. Dr. Nissiem feels that he could make this project work with a ZBA application for an area variance so as not to create any tension among the current property/business owners.

The Clerk will inform Dr. Nissiem as soon as there is more information.

OTHER

Hampton Inn

The Board discussed the addition of a smoker's shelter to be located in a parking space on the south side of the building. This shelter is a requirement from the corporate office. The original approved plan had three extra spaces so the elimination of one space is not an issue. The shelter is not a permanent structure, and therefore, the Board agreed to not require an amended site plan approval, but to have the structure reviewed by the Building Inspector and Fire Marshal for fire, life and safety concerns, i.e., bollards to protect the shelter from snowplows.

Rezoning 4574 Lake Road from R-1, Residential to B-1, Retail-Commercial

The Town Board has requested review comments regarding the above application. The Planning Board has reviewed the application and submits the following comments:

- There is a concern with the turning radius for larger vehicles and emergency vehicles, i.e., fire apparatus.
- Besides the required 7 ½ ft. perimeter buffer requirement for commercial development, would a buffer area between residential and commercial zonings be required to limit the impact of development, and would vegetation, i.e., trees, berm, be required.
- Coleman Creek is a Class C stream. The creek should be shown on the plan. Any disturbance to the Creek will require NYSDEC involvement. The setback from the creek should be delineated.

TOWN OF SWEDEN
Planning Board Minutes
January 28, 2013

- There should be availability for pedestrian traffic, i.e., sidewalks. What will the impact be on the neighboring properties?
- Is the site large enough to address storm water quality and quantity requirements?
- Additional noise from vehicles both automobiles and commercial plows with new development.
- Direct traffic impact on surrounding areas, i.e. exiting Sweden Lane.
- There is no road frontage proposed. Property is landlocked. Consider merging the two properties.
- Verify sewer and storm lines have enough capacity with proposed development.
- The eastern access off Sweden Lane shows an approximate 20 ft. wide sanitary sewer easement, which goes all the way through the residential property. This proposed access cannot be located over the top of the existing easement.

Mr. Minor asked if the Town Board would be looking at environmental concerns for both the rezoning and site plan. The Town Engineer confirmed that the SEQRA review is for both, which means all of the above site plan issues should be considered and reviewed. He added this includes drainage, traffic and other site related issues.

Mr. Brabant summarized the above by stating that the Town Board is holding a public hearing tomorrow night, January 29, with all comments due by February 5. Mr. Brabant stated there may be too many impacts identified to give a determination, which would necessitate a full EIS from the applicant, resulting in the applicant resubmitting a better set of plans addressing the concerns of both the Town Board and Planning Board.

The meeting was adjourned on motion at 8:45 p.m.

Planning Board Clerk