

**TOWN OF SWEDEN
Planning Board Minutes
October 22, 2012**

APPROVED

A regular meeting of the Town of Sweden Planning Board was held on Monday, October 22, 2012, 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: Jim Oberst, MRB, Kris Schultz, Schultz Associates, John Clarke, DDS Engineers, Charles Smith, Design Works Architecture, Ed Hamilton, Dr. Hany Nissiem, Angelo and Maria Rota, Paula Rixinger, Louis Popovski.

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. Hertweck, that the minutes of September 10, 2012, be approved.

Ayes – 5
Abstain – Mr. Hale
Abstain – Mr. Minor

Moved by Mr. Hale, seconded by Mr. Monno, that the minutes of September 24, 2012, be approved.

Ayes – 4
Abstain – Mr. Dollard
Abstain – Mr. Minor
Abstain – Mr. Strabel

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

Ayes – 7

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

White Road Subdivision – White Road. 098.01-1-14.11.

Mr. John Clarke, DDS Engineers, addressed the Board. The applicant proposes to subdivide a 104-acre parcel located on the southwest corner of White Road into two lots: Lot 1, 23 acres and Lot 2, 81 acres. There are no proposed site improvements.

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

Rota Subdivision and Site Plan. Shumway Road. 084.03-1-16.22.

Mr. John Clarke, DDS Engineers, addressed the Board. He explained he is representing Mr. and Mrs. Rota who own property on the south side of Shumway Road. The applicant proposes to subdivide the 13-acre parcel into two lots, Lot 1, 2.5 acres and Lot 2, 10.5 acres. Lot 1 will include a single-family home with a modified septic system and serviced by public water. The drainage in this area moves from south to north and will be maintained by installing swales along the lot lines.

**TOWN OF SWEDEN
Planning Board Minutes
October 22, 2012**

APPROVED

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

Moved by Mr. Hertweck, seconded by Mr. Dollard, to adjourn the public hearing to the regular meeting.

Ayes – 7

Colby Street Garage Site Plan and Special Use Permit E. 2400 Colby St. 084.04-1-25.001/A

Mr. Edward Hamilton addressed the Board. He stated he is the owner of the garage, which is on the south side of Colby Street across the street from Iroquois Rock with Ledge Dale Airpark behind the property. Mr. Hamilton is requesting approval to operate an auto dealership and public automotive repair garage.

Chairman McAllister confirmed that this project was before the Planning Board within the past couple years. Mr. Hamilton stated that is correct, and that he has occupied the building for the past five years. The Clerk explained that subdivision approval was granted through the Ledge Dale Airpark application. Mr. Hamilton has been in the process of submitting a site plan application.

Chairman McAllister asked if there was enough information to accept the project for review. The Board reviewed the plan. It was determined that more information was needed regarding grading and drainage. Also, the drawing needs to be more specific regarding what exists and what is proposed. Mr. Monno confirmed that there is a septic system and leach field, however, the exact location and size needs to be shown. There are two bathrooms, but only one is used.

It was suggested to conditionally accept the project for review. The Town Engineer will review the plan in order to determine all missing information. Upon receipt of an updated plan, a public hearing can be scheduled.

Mr. Dollard asked if there is an existing dumpster on the leased property. Mr. Hamilton stated he uses the dumpster located on the airport property.

Moved by Mr. Monno, seconded by Mr. Hertweck, that the Colby Street Garage Site Plan and Special Use Permit E be accepted for review.

This approval is conditional based on the Town Engineer's review and the updating of the plan prior to a public hearing being scheduled.

Ayes – 6
Nay – Mr. Hale

White Road Subdivision – White Road. 098.01-1-14.11.

Chairman McAllister continued review of this application. Mr. John Clarke addressed the Board. He explained that at the last meeting, it was requested that the tributary branch of the Black Creek be shown on the plans, which was completed.

Fire Marshal Comments – none.
ECB Comments – none.

MRB Comments – completed per the Town Engineer.

**TOWN OF SWEDEN
Planning Board Minutes
October 22, 2012**

APPROVED

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the White Road Subdivision located on White Road, and

WHEREAS, the Planning Board held a public hearing on October 22, 2012, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Project Information Form, Short Environmental Assessment Form, comments of the Town Engineer, Fire Marshal, and Environmental Conservation Board;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board determines that the White Road Subdivision is and unlisted action which will not have a significant impact on the environment, and

BE IT FURTHER RESOLVED, that the White Road Subdivision be granted Preliminary approval.

BE IT FURTHER RESOLVED, that the final public hearing be waived, the White Road Subdivision be granted final approval, and the Chairman be authorized to sign the mylar.

Ayes – 7

Rota Subdivision and Site Plan. Shumway Road. 084.03-1-16.22.

Chairman McAllister continued review of this application. Mr. John Clarke stated since the last meeting, the width of the lot has changed from 150 ft. to 190 ft. for more room to show drainage swales back to Shumway Road. The acreage has changed from 1.8 acres to 2.3 acres. Mr. Clarke stated in the future, the applicants propose to create two additional lots, one being a flag lot with 70 ft. at the R.O.W. The applicants understand further approvals would be required.

MRB Comments

1. MCDOT has requested the proposed driveway culvert pipe be removed to eliminate drainage running into the road.
2. MCDOT approval is required.
3. The proposed grading has been changed by widening the property, constructing a traditional basement instead of a walkout basement, and to get the swales to grade as much as possible.
4. The site is very flat. The drainage swales will be gradual and no wider than 25 ft. so that drainage flows to the road. The increase in depth at the depression area will be looked at when submitting the SWPPP and NOI.
5. The site disturbance has been labeled on the plan as approximately 1.5 acres.
6. MCDOH approval is required.
7. Discharge of the roof leaders (splash block) and sump pump are shown on the plan.
8. Water sizing calcs and details has been submitted, waiting for review comments.

DRC Comments

- MCDOT's request to remove culvert pipe is done.
- Adjacent property addresses have been labeled.
- Positive drainage from the road has been maintained.
- All utilities are coming across the road and will be bored. A review fee will be paid.

Fire Marshal Comments – none.

ECB Comments – none.

**TOWN OF SWEDEN
Planning Board Minutes
October 22, 2012**

APPROVED

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Rota Subdivision and Site Plan located on Shumway Road, and

WHEREAS, the Planning Board held a public hearing on October 22, 2012, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Project Information Form, comments of the Town Engineer, Fire Marshal, Environmental Conservation Board, and Monroe County Planning and Development;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board determines that the Rota Subdivision and Site Plan are unlisted actions which will not have a significant impact on the environment, and

BE IT FURTHER RESOLVED, that the Rota Subdivision be granted Preliminary approval.

Mr. Monno requested the cleanout be shown on the plan.

Ayes – 7

Villas at Brandon Woods Resubdivision – Lot 117. 1635 Nathaniel Poole Trail. 084.01-1-82

Villas at Brandon Woods Resubdivision – Lot 118. 1637 Nathaniel Poole Trail. 084.01-1-83

Mr. Kris Schultz addressed the Board. There are no changes to the plan from the last meeting. The Town Engineer confirmed the required setback at 20 ft.; there were no other comments. MCDOH will sign acknowledging no approval is required.

Per Mr. Monno's request, Mr. Schultz stated that this lot is a little smaller than the original footprint approved.

Moved by Mr. Strabel, seconded by Mr. Hertweck,

WHEREAS, the Town of Sweden Planning Board has received an application for resubdivision approval of the Villas at Brandon Woods - Lot 118 and Lot 119, located at 1635 Nathaniel Poole Trail and 1637 Nathaniel Poole Trail respectively, and

WHEREAS, the Planning Board has reviewed the comments of the Town Engineer;

NOW, THEREFORE, BE IT RESOLVED, that the final hearing be waived and the Villas at Brandon Woods – Lot 118 and Lot 119 Resubdivisions be granted final approval contingent upon receiving the signature of the Town Engineer, and the Chairman be authorized to sign the mylar.

Ayes – 6

Abstain – Mr. Hale

Riexinger Subdivision and Amended Site Plan. 129 Root Road. 114.01-1-52

Mr. Kris Schultz addressed the Board. He stated the project has received MCDOH approval. The Town Engineer has signed the mylar.

It was noted that the labels for Lot 1 and Lot 2 should be reversed. Mr. Schultz will make that correction.

Moved by Mr. Hale, seconded by Mr. Monno,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Riexinger Subdivision and Amended Site Plan located at 129 Root Road, and

WHEREAS, the Planning Board held a public hearing on September 24, 2012, and all persons wishing to be heard were heard, and

**TOWN OF SWEDEN
Planning Board Minutes
October 22, 2012**

APPROVED

WHEREAS, the Planning Board determined on September 24, 2012, that the subdivision and site plan are unlisted actions which will not have a significant impact on the environment, and the subdivision was granted Preliminary approval,

NOW, THEREFORE, BE IT RESOLVED, that the final public hearing be waived, the Riexinger Subdivision be granted final approval and the Riexinger Amended Site Plan be approved, and the Chairman be authorized to sign the mylar.

Ayes – 7

Faro Resubdivision and Site Plan. 1091/1107 Whittier Road. 114.02-1-21, 114.02-1-22

Mr. Kris Schultz addressed the Board. He stated the plans have been approved by the MCDOH and signed by the Town Engineer.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Faro Resubdivision and Site Plan located at 1091 and 1107 Whittier Road, and

WHEREAS, the Planning Board held a public hearing on September 24, 2012, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board determined on September 24, 2012, that the resubdivision and site plan are unlisted actions which will not have a significant impact on the environment, and the resubdivision was granted Preliminary approval,

NOW, THEREFORE, BE IT RESOLVED, that the final public hearing be waived, the Faro Resubdivision be granted final approval and the Faro Site Plan be approved, and the Chairman be authorized to sign the mylar.

Ayes – 7

INFORMAL

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

Mr. Charles Smith, Design Works Architecture, addressed the Board. He introduced Dr. Hany Nissiem, who is the applicant and new owner of the Brockport Professional Building, located at 6565 Fourth Section Road.

Dr. Nissiem explained he bought the building last December after completing an extensive marketing research study, which showed a big need for an urgent care facility in this area. He met with both Lakeside Hospital and Unity Health to inform them and to explain how both facilities will be used as necessary so there would be no conflict. Both parties agreed all is good.

Mr. Strabel asked if a certificate of need was required from MCDOH to operate the urgent care facility. Dr. Nissiem stated no, just a medical license.

Mr. Smith explained he has submitted a permit application to the building department to renovate the north half of the first floor of the medical building, which was previously a hair salon and ACM office. A building permit can be approved, as long as there are no exterior changes to the building.

The reason for the informal tonight is because the applicant would like to add a vestibule to the front of the building for an airlock entry. Also, the vestibule will enhance the front façade and create more waiting space. Proposed signage was discussed; it would, however, need to be approved by the appropriate department.

**TOWN OF SWEDEN
Planning Board Minutes
October 22, 2012**

APPROVED

The two-story addition will be approximately 1,200 sq. ft. All required zoning regulations would be met. Parking requirements were discussed. With the building addition, six additional parking spaces would be required. There are 41 existing parking spaces, but in order to build the addition, six spaces would be removed leaving a total of 12 parking spaces required, which is not available on the property. There is an option of using the parking spaces on the east side of the building, which is Friendly's property.

Mr. Strabel believes that when the medical building was approved, along with the shared entry, parking for the medical building was permitted on Friendly's property. Mr. Oberst asked if there was a parking easement in place. Mr. Smith doesn't have a copy, but will look into it.

Mr. Dollard confirmed that the addition would extend 13 ft. Mr. Smith stated the sidewalks and shrubbery would be replaced, which would be shown on a landscaping plan. Mr. Dollard also asked about new lighting. Mr. Smith stated a lighting plan would be submitted, proposed lighting would be dark sky compliant.

Mr. Strabel discussed the process for planning board approval. Chairman McAllister asked for clarification of what defines an urgent care facility. It's a medical facility intended for use when your doctor's office is closed, but when the situation is not a life-threatening emergency.

Mr. Minor asked about the roof changes and green space. Mr. Smith stated it would be a false roof with a pitch and greenspace isn't an issue.

The Town Engineer asked if all square footage was office space. The answer was yes.

Heritage Square Site Improvements

A memo was sent to Chairman McAllister requesting the Town Engineer and Planning Board approve the guardrails being removed from the approved site plan because they are not needed.

Some of the Planning Board members visited the site where the guardrail is proposed. It was determined that the Planning Board would need to approve the change through an amended site plan. If the Town Board so desired, planning board fees could be waived.

Fall 2012 Regional Local Government Workshop

Registration forms were submitted to the Clerk. Chairman McAllister, Mr. Monno, Mr. Hertweck and Mr. Hale will be attending on Friday, November 16, 2012.

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

Planning Board Clerk