

**TOWN OF SWEDEN
Planning Board Minutes
October 24, 2016**

A regular meeting of the Town of Sweden Planning Board was held on Monday, October 24, 2016, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members present: Richard Dollard, Craig McAllister, Matthew Minor, Wayne Rickman, David Strabel.

Absent: David Hale, Arnold Monno.

Also present: James Oberst, MRB, Town Engineer, Nat O. Lester, III, Planning Board Counsel; Kris Schultz, Schultz Associates; A.J. Barea, PLS; Richard Maier, Maier Land Surveying, Michael Montfort, John and Jean McCurn, William Bonter, Kathy Beaumont.

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. Dollard, that the minutes of September 26, 2016, be approved.

Ayes – 5

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

Ayes – 5

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

Senior's Choice Amended Site Plan. 100 Isla Way. 068.03-1-18.112

Mr. Kris Schultz addressed the Board. He explained during construction there were changes made that resulted in the need for an amended site plan. The changes include the addition of a maintenance building, two dumpster enclosures, relocation of parking spaces due to valet parking and a new retaining wall from rock found onsite during excavation. The plans have been reviewed by the Town Engineer and Fire Marshal, and all issues have been met.

Michael Montfort, 8055 West Canal Road – Mr. Montfort explained that he lives right behind the development and the pole lights are lighting up his whole backyard. He was opposed to the variance request that was granted for a four-story building for this reason. Mr. Montfort brought pictures to show the Board that the parking lot pole lights are similar to 18 floodlights shining into his backyard. Mr. Schultz commented that the lights should be shielded so there is no light projecting offsite and dark sky compliant. This lighting issue will need to be addressed.

Bonter Subdivision and Site Plan. 4198 Sweden Walker Road. 069.04-1-28.11

Mr. A.J. Barea addressed the Board. Updated plans were distributed per the Town Engineer's comments. He explained the property is owned by Mr. Bonter, and has an existing driveway. The lot is the remaining portion of the McBride and Beaumont properties, but never before the Planning Board for approval.

Kathy Beaumont, 4200 Sweden Walker Road – Ms. Beaumont asked what is the process for getting the lot formally approved or brought to Town code. Mr. Strabel stated the proper way is to come before the Planning Board for subdivision approval.

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John McCurn, 4190 Sweden Walker Road – Mr. McCurn asked where the proposed structure is being located on the lot. Mr. Barea stated the shed is 24 ft. x 24 ft., and will be located one hundred feet from Mr. McCurn's south property line.

Ms. Beaumont added if the farm equipment on site will be stored in the shed as well. Mr. Bonter plans to build bee boxes in the shed rather than using it for strictly storage. Recently, Ms. Beaumont has installed fencing around her property to hide most of Mr. Bonter's farm equipment. In addition, there are several tractor trailers and u-hauls being used for storage for the bee boxes.

Jean McCurn 4190 Sweden Walker Road – Mrs. McCurn asked if the zoning was residential or agriculture. The Clerk stated the zoning is Residential; agriculture is not a zoning, but is a use. The production of bee honey is an agricultural use. Agricultural exemptions may be granted when the required criteria is met.

Anna Bettilyon Acres Subdivision – 2 Lots, Ladue Road. 112.04-1-1.111

Mr. A.J. Barea addressed the Board. He distributed updated plans per the Town Engineer's comments. Mr. Barea explained that previously a 15 ft. farm lane was shown as access to Lot 2. Now it is shown as a 15 ft. permanent easement in order to have access to Lot 2, which is not buildable due to the wetlands. Chairman McAllister explained that the State requires a 60 ft. access. The Town has accepted a permanent easement as an access, but not less than 60 ft. The goal is to not separate Lot 1 any further, and by putting a 60 ft. access easement through the middle of Lot 1, it would do so. The farmer would have to farm on either side of the easement.

Chairman McAllister asked if there were any other 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 – 5

Anna Bettilyon Acres Subdivision – 2 Lots, Ladue Road. 112.04-1-1.111

The Board continued review of this application.

The Board discussed options for the location of the access. It was determined the best location would be to keep the 60 ft. access to the side rather than the center of the lot, and for the owner of Lot 2 to provide an easement to the owner of Lot 1.

Chairman McAllister confirmed with the Town Engineer that the two concerns regarding the access and the wetlands have been addressed. Mr. Oberst agreed.

Mr. Barea will return to the November 14 meeting for final approval showing a 60 ft. access to Lot 2.

Bader Subdivision – 2 Lots

Mr. Richard Maier addressed the Board. He explained that the Westcotts are the applicants, who own property on Campbell Road and Mr. Bader, who owns property on Brockport-Spencerport Road, which abuts the Westcotts' back property line. Mr. Bader is selling approximately one-half acre to the Westcotts. No development is proposed. Mr. Maier asked the Town Engineer if the ditch that runs through the property needs to be shown on the plan. Mr. Oberst stated yes, and that all wetlands should be shown on the plan, as well.

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Mr. Dollard indicated that the site plan has Brockport spelled incorrectly. Mr. Maier will correct the error.

Moved by Mr. Strabel, seconded by Mr. Rickman, that the Bader Subdivision – 2 Lots be accepted for review.

Ayes – 5

The Public Hearing will be held on November 28, 2016.

Senior's Choice Cottages at Heritage Square. Subdivision and Site Plan. Isla Way. 068.03-1-18.11(part of)

Mr. Kris Schultz addressed the Board. The applicant is proposing 24-units/townhomes, referred to as cottages, each one with a two-car garage on the north side. Some of the cottages in the center will have single garages. Some of the cottages will have a walkout basement with a total square footage of approximately 3,000 sq. ft. All will be serviced by sanitary sewer, public water and private roads, handled by an association. Sewers will be given to the Town. The project has been designed around the existing federal wetlands. The project will include many different easements.

Mr. Minor asked for clarification regarding the two phases. Mr. Schultz is seeking approval for both phases, so that the applicant has options when it comes to construction. The applicant has had a lot of interest in this project.

Mr. Dollard asked what the elevation drop is for the walkout basements. Mr. Schultz showed the Board the grading plan included showing how the elevations will work.

Mr. Minor asked if the intention for the townhomes is to be rentals. Mr. Schultz stated yes and not age restricted.

Chairman McAllister asked about the drainage for the proposed development. Mr. Schultz stated the drainage will go to a detention pond farther to the west. Mr. Montfort commented that the drainage from the Brockport College Suites development goes under the railroad tracks in between his house and the neighbor's house. He had his pond water tested after development and it showed there were pesticides.

There are sidewalks throughout the community.

Mr. Minor asked the Clerk if payment was received and the answer was no. It was supposed to have been delivered last week. Mr. Schultz will get ahold of Mr. Giardino as soon as possible to let him know the check wasn't delivered so that it can be taken care of right away.

Moved by Mr. Strabel, seconded by Mr. Rickman, that the Senior's Choice Cottages at Heritage Square Subdivision and Site Plan be accepted for review.

In order for review to continue, payment must be received!

Ayes – 4
Mr. Minor - Abstain

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Senior's Choice Amended Site Plan. 100 Isla Way. 068.03-1-18.11

The Board continued review of this application.

The Town Engineer's comments have been addressed.

ECB Comments – No open space/vegetation compromised with proposed changes.

Fire Marshal – Visited site, fire truck was able to maneuver in front of building by the stone walls, no issues.

Mr. Strabel doesn't believe the correct lights were installed in the parking lot. Will visit the site to compare what was approved on the plans to what has been installed.

Mr. Dollard asked if a decision had been made to his question regarding an awning being proposed over the entrance way. Mr. Schultz stated there wasn't going to be one. Mr. Strabel agreed due to the heated sidewalk in front, and there is a 10 ft. to 12 ft. overhang where the second floor projects out. The contractor has no plans for an awning.

Elevations of the proposed maintenance building and dumpster enclosures were reviewed. Mr. Strabel commented the proposed gazebo is now an outdoor fireplace. The putting green is now a fountain. Minor changes will be included on the "as-built" map, submitted for the certificate of occupancy.

Moved by Mr. Strabel, seconded by Mr. Dollard,

WHEREAS, the Town of Sweden Planning Board has received an application for amended site plan approval of the Senior's Choice at Heritage Square Site Plan located at 100 Isla Way, which was accepted for review on September 12, 2016, and

WHEREAS, the Town of Sweden Planning Board held a public hearing on October 24, 2016, and all persons wishing to be heard were heard, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself Lead Agency for the environmental review of this application, and determines that the Senior's Choice at Heritage Square 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 Senior's Choice at Heritage Square Amended Site Plan be approved contingent upon receiving all required signatures, and the Chairman be authorized to sign the mylar.

Ayes – 5

Bonter Subdivision and Site Plan. 4198 Sweden Walker Road. 069.04-1-28.11

The Board continued review of this application.

The Board questioned Mr. Bonter about his bee operation as to what's involved and how the structure(s) will be used. Mr. Bonter explained the process.

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Moved by Mr. Minor, seconded by Mr. Strabel,

WHEREAS, the Town of Sweden Planning Board has received an application for subdivision and site plan approval of the Bonter Subdivision located at 4198 Sweden Walker Road, which was accepted for review on September 12, 2016, and

WHEREAS, the Town of Sweden Planning Board held a public hearing on October 24, 2016, and all persons wishing to be heard were heard, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself Lead Agency for the environmental review of this application, and determines that the Bonter Subdivision and Site Plan is an unlisted action which will not have a significant impact on the environment,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Bonter Subdivision and Site Plan be approved contingent upon receiving all required signatures, and the Chairman be authorized to sign the mylar.

Ayes – 5

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

Respectfully submitted,
Phyllis Brudz
Planning Board Clerk