

**TOWN OF SWEDEN
Planning Board Minutes
November 8, 2010**

A regular meeting of the Town of Sweden Planning Board was held on Monday, November 8, 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, Kris Schultz, P.E., John Clarke, P.E., Adam Freeman, P.E., Claude and Carla Corson, Kevin Breiner, Joanne Bocach, Jill Benham, Judy Davis

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. Strabel, that the minutes of October 25, 2010, be approved.

Ayes – 6
Abstain – Mr. Hale

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.

Swinton Subdivision and Site Plan. Salmon Creek Road.099.04-1-16

Mr. Adam Freeman, LandTech, addressed the Board. Revised plans were presented.

Chairman asked if there was anyone present with questions, concerns, comments. There were none.

Fisher Resubdivision. 80 Beadle Road. 099.04-2-5.1

Mr. John Clarke, DDS Engineers, addressed the Board.

Chairman asked if there was anyone present with questions, concerns, comments. There were none.

Merrill Estates Resubdivision. 1255 Beadle Road. 098.04-1-27, 28

Mr. Kris Schultz, Schultz Associates, addressed the Board. He explained that the applicant is proposing to merge two properties located on Beadle Road. One lot has an existing house. No improvements proposed.

Chairman asked if there was anyone present with questions, concerns, comments. There were none.

6076 Brockport-Spencerport Road Amended Site Plan. 084.01-1-28

Mr. Kris Schultz, Schultz Associates, addressed the Board. The application proposes modifications to the existing parking and improvements to the entrance off Owens Road. Currently, there is parking on both sides of the entrance immediately south of the building. There will be parking just along Brockport-Spencerport Road and four additional parking spaces immediately east of the building, as well as reconfiguring the entrance off Owens Road so that it is easier to enter and exit. The entrance off Brockport-Spencerport Road will be removed to eliminate traffic from using that entrance.

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Chairman asked if there was anyone present with questions, concerns, comments. There were none.

Moved by Mr. Monno, Mr. Strabel, to adjourn the public hearing to the regular meeting.

Ayes – 7

Swinton Subdivision and Site Plan. Salmon Creek Road.099.04-1-16

Chairman continued review of this application. Mr. Freeman addressed the Board.

The plans have been revised per comments from the Town Engineer, DOH, and DRC.

MRB Comments:

1. Preparation of a SWPPP and submittal of an NOI. Will discuss with client to see if the amount of disturbance can be reduced or will submit the required forms/documentation.
2. The DEC flagged the wetland last week. It hasn't been surveyed yet, however, it doesn't appear to have an impact on the development. The house is definitely outside the 100 ft. buffer.
3. Well note has been added to the plan.
4. No driveway culvert required; not much drainage through that area.
5. DOH approval is required.
6. Silt fence will be added to the plan.
7. Town's Agricultural Data Statement has been added to the plan.
8. The Fire Marshal and Highway Superintendent signature block has been added to the plan.
9. Mailbox detail will be added.
10. Stabilized construction detail has been added.

County Comments:

- Wetland concerns addressed
1. Deep hole location has been added.
 2. Monumentation will be checked before final plans are circulated.
 3. There are no survey monuments in the work area.
 4. Standard County drainage note has been added to the plan.
 5. Maintain positive drainage away from the highway – note added. There is a swale, which goes towards the road.
 6. A sag vertical curve (surface swaling across driveway) is required in the driveway or access road. It appears that a culvert should be required. Discussion took place as to why install a culvert for the temporary driveway and not the permanent driveway. It was noted that the County does not require a culvert due to the sag vertical curve shown as an alternate.
 7. Per MCDOT, all utilities must be bored across the County highway.
 8. Electric access has been shown.
 9. Standard County highway permit note added to the plan.
 10. Standard County materials note added to the plan.
 11. MCDOT detail added to the plan for the sag vertical curve.
 12. Review fee required for MCDOT.
 13. Detail added regarding sag vertical curve in the driveway with no culvert pipe.
 14. MCDOT did not review.
 15. DEC didn't submit comments in time.

It was confirmed that with a sag vertical curve, the surface water would run over the top of the paved driveway.

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ECB Comments:

1. Lawn space addressed. It was recommended to add to the plan a couple more contours with numbers or point elevations so it is clear when the driveway is put in.
2. Greater path of development discussed. There are a couple of cleanouts.
3. Still need to add notes to site plan.

Note to Fire Marshal – aware of sag vertical curve. MCDOH comments were addressed, copy submitted for file.

Moved by Mr. Hale, seconded by Mr. Hertweck,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Swinton Subdivision and Site Plan located on Salmon Creek Road; and

WHEREAS, the Planning Board held a public hearing on November 8, 2010, and all persons wishing to be heard were heard; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board determines that the Swinton Subdivision and Site Plan is an unlisted action which will not have a significant impact on the environment and grants preliminary approval.

Ayes – 7

6076 Brockport-Spencerport Road Amended Site Plan. 084.01-1-28

Chairman continued review of this application. He stated that comments were received from the Eagle Condominiums with concerns regarding the roof drainage on the northwest corner of the property. Mr. Kris Schultz addressed the Board.

MRB Comments: (Letter dated 11/8/10)

1. Note added per MCDRC review comments for any work proposed within the NYS DOT, a permit is required.
2. Site statistics have been updated to include setbacks, lot size and site is preexisting, non-conforming.
3. Dimension of parking spaces have been labeled on the plans as 10 ft. by 20 ft.
4. The new pavement to be installed will match the grade of the existing apron and tack coat detail added.
5. Signature and note added to the plan for the Highway Superintendent.
6. Erosion control inlet protection has been provided.
7. As-built plans note added to the plan, must be submitted to Town prior to issuance of C of O.

County Comments:

- No significant issues.
- DOT related, any work within the State R.O.W., requires a permit. Permit also required to remove existing sign. Noted on the plans.
- Other agencies had no comments.

It was agreed that everyone would be happier with one less curb cut on Rte.31. Mr. Schultz confirmed that there is enough swing distance for someone leaving in the morning to head south.

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ECB and Fire Marshal Comments:

- No Comments

The Chairman confirmed with Ms. Jill Benham, owner, that the drainage issue on the northwest corner was addressed previously by using a corrugated tube on the gutter to catch the drainage. Chairman asked if Mr. Schultz could please do something simple at a low cost to redirect the drainage. Mr. Schultz agreed to take care of that issue prior to the certificate of occupancy being issued.

Moved by Mr. Hale, seconded by Mr. Minor,

WHEREAS, the Town of Sweden Planning Board has received an application for amended site plan approval, located at 6076 Brockport-Spencerport Road; and

WHEREAS, the Planning Board held a public hearing on November 8, 2010, 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, Environmental Conservation Board, Fire Marshal and Monroe County Planning and Development;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board determines that the 6076 Brockport-Spencerport Road Amended Site Pan is an unlisted action which will not have a significant impact on the environment;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Board determines the 6076 Brockport-Spencerport Road Amended Site Pan be approved contingent upon receiving the Highway Superintendent's signature and completing the roof leader drainage, and the Chairman authorized to sign the mylar.

Ayes – 7

Merrill Estates Resubdivision. 1255 Beadle Road. 098.04-1-27, 28

Chairman continued review of this application. Mr. Kris Schultz addressed the Board and distributed updated maps.

- Mr. Schultz stated the DEC wetland to the west has been addressed/mapped per comments from the County DRC.
- Federal wetland is okay, but doesn't have a buffer.
- Standard comments have been addressed.

MRB, Fire Marshal and ECB Comments:

- None.

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

WHEREAS, the Town of Sweden Planning Board has received an application for resubdivision of the Merrill Estates Subdivision, merging lots R-7 and 8, located at 1255 Beadle Road; and

WHEREAS, the Planning Board held a public hearing on November 8, 2010, 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, Environmental Conservation Board, Fire Marshal and Monroe County Planning and Development;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board determines that the Merrill Estates Resubdivision is an unlisted action which will not have a significant impact on the environment and grants preliminary approval,

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NOW, THEREFORE, BE IT FURTHER RESOLVED that the final public hearing be waived, the Merrill Estates Resubdivision be granted final approval contingent upon receiving the required signatures and the Chairman authorized to sign the mylar.

Ayes – 7

Fisher Resubdivision. 80 Beadle Road. 099.04-2-5.1

Chairman continued review of this application. Mr. John Clarke addressed the Board on behalf of Mr. Richard Maier.

Mr. Clarke distributed copies of the original approved plan from 2006, the subdivision map, and a colored drawing showing the location of where the original house was approved with an overlay of the actual house location.

Mr. Clarke indicated that the original approved septic system stayed in the same location. The Board reviewed the plans. Discussion of setback requirements followed. It was determined that this application is for resubdivision approval and if setbacks aren't met, then a certificate of occupancy won't be issued.

Moved by Mr. Hale, seconded by Mr. Minor,

WHEREAS, the Town of Sweden Planning Board has received an application to resubdivide Lot 1 of the Fisher Subdivision, located at 80 Beadle Road, into two lots, (R1-A and R1-B); and

WHEREAS, the Planning Board held a public hearing on November 8, 2010, 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, Environmental Conservation Board, Fire Marshal and Monroe County Planning and Development;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board determines that the Fisher Resubdivision is an unlisted action which will not have a significant impact on the environment and grants preliminary approval with the understanding that the site plan approval for Lot 1, (11/07/06), carries over to Lot R1-B, and the proposed barn may have to be moved slightly to conform with the new setback of the property line,

NOW, THEREFORE, BE IT FURTHER RESOLVED that the final public hearing be waived, the Fisher Resubdivision be granted final approval contingent upon receiving the required signatures and the Chairman authorized to sign the mylar.

Mr. Monno would like to see on the as-built, updated contour changes between the relocated driveway and the end of the leach lines.

Ayes – 7

Breiner Subdivision and Site Plan – 2 Lots. West Sweden Road. 112.02-1-1.2

Member Minor excused himself.

Mr. John Clarke addressed the Board. He stated the application received preliminary approval in September 2010. MCDOH concerns have been addressed and ready to sign. The one remaining issue is with MCDOT and the access to the property.

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Chairman explained the Board does not require a curb cut permit from MCDOT prior to approving subdivision and site plan. He added from his site visit with the MCDOT, it was determined that the safest location would be at the top of the hill. The Highway Superintendent was in agreement with this proposed location. Discussion followed regarding the safety of this location.

It was confirmed that the MCDOT has to approve the access permit if the Planning Board approves the subdivision and site plan. There is a chance the access location could be changed per MCDOT, which is a concern of the applicants.

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

WHEREAS, the Planning Board has received an application for subdivision and site plan approval for the Breiner Subdivision – 2 Lots on West Sweden Road, and

WHEREAS, the Planning Board held a public hearing on September 13, 2010, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board on September 13, 2010, issued a negative declaration of significant environmental impact and granted preliminary approval,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board waives the final public hearing and grants final approval, and the Chairman authorized to sign the mylar.

Ayes – 6
Abstain – Mr. Minor

DC & TC Enterprises Site Plan. Sweden Walker Road. 099.02-1-7.21

Mr. Kris Schultz addressed the Board. He explained the MCDOH has not had an opportunity to review the application. Additional comments and suggestions were received from MRB regarding SWPPP. Mr. Schultz is asking for an environmental motion tonight.

Chairman opened discussion regarding comments received from the Quarry regarding the proposed residence for this site. Mr. Schultz will make sure that the applicant is aware of the Quarry's concern should blasting occur.

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

WHEREAS, the Planning Board has received an application for approval of the DC&TC Enterprises Site Plan, located at 5100 Sweden Walker Road, and

WHEREAS, the Planning Board held a public hearing on October 25, 2010, 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, Environmental Conservation Board, Fire Marshal, and Monroe County Planning and Development;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board determines that the DC&TC Enterprises Site Plan is an unlisted action which will not have a significant impact on the environment.

Ayes – 7

Landmarks Advisory Committee

The Board had no objection to the request for a letter of recommendation for 5137 S. Lake Road.

The meeting was adjourned on motion at 9:15 p.m.

Planning Board Secretary