

At 7:15 p.m. Supervisor Lester called to order a public hearing located at the Town Hall, 18 State Street, Brockport, New York on November 14, 2006. The purpose of the public hearing was to hear all persons interested in the application of Erwin L. Duryea and Marilyn L. Duryea Revocable Trust located at 4026 Lake Road in the Town of Sweden, the owners of the property approximately ¼ mile south of the intersection of Fourth Section Road (NYS Route 31A) and Lake Road (NYS Route 19) on the west side to re-zone said parcel, Tax Account No. 083.04-1-18, from Residential (R1-2) to Commercial (B-1).

Town Board Members present were Supervisor Buddy Lester, Councilperson Rob Carges, Councilperson Patricia Connors, Councilperson Tom Ferris, and Councilperson Danielle Windus-Cook. Also present were Finance Director Leisa Strabel, Highway Superintendent Fred Perrine, Town Attorney Jim Bell, Receiver of Taxes Kathy Roberts, and Town Clerk Karen Sweeting.

Visitors present were Jim and Joan Hamlin, Roberta Heseck, Don Roberts, and Robert Connors. Others were present but did not sign in.

Supervisor Lester asked Town Clerk Karen Sweeting to read the legal notice published in the Town newspapers. Notice was read.

Supervisor Lester introduced Attorney Jeffrey R. Martin from Heath & Martin. Mr. Martin announced that he was appearing on behalf of the Duryeas'. Mr. Martin provided the board with a map of the parcel and described in detail the location, boundaries and adjacent zones. The property adjoins the Aldi property to the south and the properties to the north are currently zoned Commercial (B-1). Property owned by the Town of Sweden borders the parcel on the south and Commercial (B-1) zoning is currently on the other side of Lake Road (NYS Route 19). Mr. Martin stated that Lot 2 north of the Aldi property recently sold for commercial development. There is currently no proposed plan for development of this parcel.

Supervisor Lester added that both water and sewer are available for this parcel.

Councilperson Connors stated that this parcel was address in the Comprehensive Plan Update of 2002.

Supervisor Lester asked if anyone had any comments.

Resident Roberta Heseck stated that rezoning without having a proposed plan of development was a concern. She questions the validity to rezone without a plan. Ms. Heseck was also concerned about the values of surrounding residential properties and asked why the board would continue to "spot" rezone.

Councilperson Connors stated that this rezoning application was not a case of "spot" rezoning. The proposed parcel is adjacent to current Commercial (B-1) zones. The Comprehensive Plan suggests extending Commercial (B-1) zoning south to Royal Gardens.

Councilperson Windus-Cook asked if there was a current plan to resell the parcel. Mr. Martin answered that there is always the possibility of selling the parcel and adding the proposed 11+/- acres will increase the size of land available for potential commercial development.

Councilperson Ferris addressed the rezoning application of Ledge Dale Airpark. Two sections of the proposed three were declined recently. Mr. Ferris doesn't feel that this rezoning application is comparable to the Ledge Dale rezoning application and wanted to stress that distinction. The Duryea property is adjacent to Commercial (B-1) zoning.

Supervisor Lester asked if anyone had any further comments. No one spoke. The public hearing was closed at 7:25 p.m.

Respectfully Submitted,

Karen M. Sweeting, Town Clerk