

**TOWN OF SWEDEN
Planning Board Minutes**

November 24, 2003

A regular meeting of the Town of Sweden Planning Board was held on Monday, November 24, 2003, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7:00 p.m.

Members present: Ellen Bahr, David Hale, William Hertweck, Craig McAllister, Matthew Minor, Arnold Monno, Edward Williams

Also present: Whitney Autin-Environmental Conservation Board, Jim Oberst-Town Engineer, Alan Bader-Building Inspector, Charles Sanford-Fire Marshal, Kris Schultz, James Northrup, Vickie Sweet, John Bennett, Kelly Pronti-Wal-Mart Attorney, Arnold Carmichael (please see attached list of attendees)

The meeting was called to order at 7:00 p.m. by Chairman McAllister.

Correspondence passed to members for review.

Moved by Mr. Williams, seconded by Mr. Minor, that the minutes of November 10, 2003 be approved.

Ayes – 5
Abstain - W. Hertweck
A. Monno

Moved by Mr. Monno, seconded by Ms. Bahr, that the regular meeting be adjourned to the public hearing.

Ayes – 7

The Chairman read the notice of Public Hearing and Affidavit of Publication. The Chairman asked if there were any questions or comments from anyone present at the Public Hearing.

Breslawski (Lot 2) Site Plan. South side of Whittier Road. 114.02-1-3.22

Engineer Kris Schultz commented that this is a single family home on a residential lot on the south side of Whittier Road and is just under 10 acres. The home is 435/440 feet off the road, had a reasonable perc hole test and is serviced by a well.

Yantz Subdivision. 738 Ladue Road. 113.01-1-21.1

Ms. Vickie Sweet spoke on behalf of Lucile Yantz. A total of 41.8 acres is being subdivided with 15 acres being sold with existing home, 15.9 acres being used as recreation land and the remaining back acreage being added to daughter's parcel.

Chairman McAllister asked for a map to be passed to the public in attendance at the meeting. A town resident wanted to know if there would be any building on the parcels and if the parcels contained wetlands. Ms. Sweet replied there are no plans to build at this time. Chairman McAllister commented we don't know at this time if the parcels contain wetlands, but that would be addressed if and when there was a site plan application before this Board.

Ms. Sweet commented that she knew the land at the far left corner of the parcel to be very wet. Resident stated his concern was because every time someone builds, the water table changes.

Moved by Mr. Monno, seconded by Mrs. Bahr, to adjourn the public hearing to the regular meeting.

Ayes – 7

Breslawski (Lot 2) Site Plan. South side of Whittier Road. 114.02-1-3.22

Mr. Schultz began discussion by going over comments made by DRC:

- woodland – mature woodland shown along south side of property line
- agriculture land – Notice of Project Near Farm Operations added to plan
- NYSDOT – did not participate because it isn't a state road; permit will be done through the Town of Sweden

Mr. Schultz then went over comments made by MRB:

- approval signature block added for the Town Highway Superintendent
- flattening the proposed driveway grade in the garage area was taken care of
- stopping sight distance at the exit point of proposed driveway added to plan
- erosion control details changed to silt fence
- note added requiring ditch cleaning and re-grading of front culvert

Mr. Schultz also commented, per Mr. Monno's request, the dimension of the sand bed was added to the plan.

Mr. Hale inquired as to when Lot 2 was approved. Mr. Schultz replied 1999 and the adjacent parcel is owned by a relative.

Chairman McAllister read the Environmental Conservation Board's comments which indicated there was a slight error on page 2 of PIF, #7c, 0.8 should be 0.9.

Moved by Mr. Hertweck, seconded by Mrs. Bahr, that having reviewed the Project Information Form, comments from the Town Engineer, County Planning, Environmental Conservation Board, Fire Marshal and Highway Superintendent, the Planning Board determines that the Breslawski (Lot 2) Site Plan is an unlisted action which will not have a significant impact on the environment.

Ayes – 7

Yantz Subdivision. 738 Ladue Road. 113.01-1-21.1

Ms. Sweet went over comments made by MRB.

- Zoning requirements added to plan
- House numbers, 710/738, added to detail on plan

Chairman McAllister stated that we had received comments back from the Fire Marshal, Environmental Conservation Board and Highway Superintendent with no comments/concerns.

Mr. Hale reviewed with Ms. Sweet a map of the current parcel.

Mr. Monno recommended showing the driveway to the road on Lot 2. Mr. Hale commented this is not necessary because we aren't doing a site plan review.

Mr. Hale asked whose signature was on the mylar. It was noted that a signature block was left off the mylar, and therefore, should be added before final approvals can be made.

Moved by Mr. Hale, seconded by Mr. Williams, that having reviewed the Project Information Form, comments from the Town Engineer, Environmental Conservation Board, Highway Superintendent and the Fire Marshal, the Planning Board determines that the Yantz Subdivision is an unlisted action which will not have a significant impact on the environment.

Ayes – 7

Moved by Mr. Hale, seconded by Mr. Hertweck, that the Yantz Subdivision be given preliminary approval.

Ayes – 7

Moved by Mr. Hale, seconded by Mr. Minor, that the final public hearing be waived, the Yantz Subdivision be granted final approval contingent on the mylar being signed by the Town Engineer, Fire Marshal, Highway Superintendent, and the Chairman be authorized to sign the mylar.

Ayes – 7

Mascari Resubdivision. 2025 Colby Street. 099.02-1-9.

The Planning Board Members reviewed the plan. Chairman McAllister noted that a signature block was needed on the plan for final approvals.

Mr. Hale stated it's clear that the owner is adding one acre to the back of the property which is not creating any problems behind the parcel.

Moved by Mr. Hale, seconded by Mrs. Bahr, that the Mascari Resubdivision be accepted for review.

Ayes – 7

The Public Hearing will be held on Monday, December 22, 2003.

Wal-Mart Supercenter DEIS. Bkpt-Spen Road. 084.01-1-14.112, 084.01-1-14.2, 084.01-1-14.12
Chairman McAllister asked James Oberst, Town Engineer, to comment on traffic data in the DEIS. Mr. Oberst stated there is enough detailed data in DEIS to evaluate the 30th highest hour. There are disagreements with some of the comments, but these concerns will be addressed during the review.

Mr. Oberst is requesting full size plans showing improvements on Route 31 to be done in the R.O.W. and full size plans showing drainage detail.

John Bennett, APD, will submit prior to the Accept for Review meeting on December 8, 2003, the full size plans as requested above to MRB as well as a copy to Town Offices for public review. Also, to be included are utility plans showing storm water invert.

Mr. Hale commented that at the Planning Board Workshop, the traffic detail was studied in June when college wasn't in session. Mr. Bennett explained that the traffic data was studied at two different points in time; when college was in session and when it wasn't. The numbers were then joined and adjustments made.

Chairman McAllister commented we will look forward to completing the Accept For Review on the December 8th meeting.

Northview Subdivision & Site Plan – Section I. Fourth Section Road. 083.01-1-27

Chairman McAllister started discussion with a revote on the motion to rescind the resolution for the Sweden Planning Board as Lead Agency for the Northview Project as follows:

WHEREAS, James Northrup having previously proposed to build a 220 lot subdivision to be known as the Northview Estates Subdivision, and

WHEREAS, the Sweden Town Planning Board on June 9, 2003 having indicated its intention to act as SEQRA Lead Agency for SEQRA review purposes, and

WHEREAS, the Sweden Town Planning Board having determined that Northview Subdivision is a Type I Action and having on August 11, 2003 passed a resolution establishing itself as SEQRA Lead Agency, determining that the proposed subdivision may have some significant adverse environmental impact, directing the applicant to prepare a DEIS for review and further determining its scoping would be conducted, and

WHEREAS, the Sweden Town Planning Board thereafter having been made aware that a resolution had been previously passed by the Sweden Town Board prior to any resolution of the Sweden Town Planning Board, said Sweden Town Board resolution having declared the Sweden Town Board as Lead Agency and also having issued a negative declaration for SEQRA purposes, and

WHEREAS, the Sweden Town Planning Board at a regularly scheduled session on November 10, 2003 having had further deliberation and discussion on this matter and having also received legal advice from the Sweden Town Attorney concerning this matter.

Now, therefore, be it resolved that the Sweden Town Planning Board hereby rescinds and revokes its previous August 11, 2003 resolution and positive declaration in relationship to this matter in all respects.

Moved by Mr. Williams, seconded by Mr. Hertweck.

Ayes – 5
Nay – E. Bahr
Abstain – D. Hale

Mr. Hale stated in the future when there is insufficient majority to carry a motion made, it should be noted in the minutes. Also, Mr. Hale added that the best course of action would have been for the Sweden Town Board to notify the Sweden Planning Board in June that the SEQR process was completed for the Northview Project.

Mr. Schultz began discussion on the comments received from MRB, dated November 24, 2003, on the Overall and Section I plans. Section I as follows:

1. site bench mark will be added to the plans as required by the Town of Sweden
2. driveway detail for house #7268 has been added (see grading plan); showing elimination of their driveway and the use of new road
3. a underdrain or a French drain wrapped in mirafi will be located between the field inlets proposed behind lots #101 - #108 as requested by MRB
4. monument detail locations will be added to the plans
5. correction to the curve table on sheet C-1 will be made
6. status of approval of sanitary sewer main -- plans and easements have been processed by SUNY Brockport and sent to Albany for approval; once approval is received we will start construction as soon as weather allows
7. status of approval from Monroe County Pure Waters, Monroe County Water Authority, Monroe County Department of Health and NYS Department of Environmental Conservation is subject to the plan receiving preliminary approval by this Board
8. status of submission and approval of plans from NYSDOT for Fourth Section Road improvements – plans have been completed and submitted with improvements made and resubmitted. These plans will be forwarded to MRB. The improvements will be kept in the R.O.W and include a reinforced shoulder on the N/W sides; no turning lane warranted.

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Mrs. Bahr asked if the improvements mentioned in #8 were for Overall or Section I and Mr. Schultz replied for the overall project.

Mr. Schultz stated that Mr. Oberst had also made comments on the Easement Map/Description Review for which changes and/or corrections could be made easily.

Chairman McAllister referred to #7 and asked Mr. Schultz to contact the Monroe County Dept. of Health to let them know that the SEQR process had been completed for the project allowing the Health Department to go ahead and give approval.

Mr. Schultz stated that the roads are named after national parks and have been approved through 911. Mr. Sanford, Fire Marshal, suggested the list of road names should be forwarded to the 24 hour dispatching office for informational purposes.

Moved by Mr. Hale, seconded by Mr. Monno that the Northview Subdivision be given preliminary approval.

Ayes – 7

Mr. Monno inquired as to why Lot 101 was so much bigger. Mr. Schultz stated while it was left that way because there was no way to change it, it will make the lot more desirable.

Mr. Monno began a discussion on sewer hook up for existing homes currently on leach fields. Mr. Schultz commented it would be up to the neighbors in the community to form a district and approach the Town. A study would follow showing the most logical place to bring a sewer in, and once established, payment would be added to resident's tax bill.

Mr. Schultz commented it is not the developer's responsibility to set up a sewer district for existing homes.

Mr. Minor asked what would be the contingency to set up a sewer district; 6 or 12 homes. Discussion followed regarding sewer hook up.

Mr. Hertweck suggested starting Section I at the pump station, but the cost involved is too high.

Mr. Schultz added the entire build out was submitted to the Monroe County Water Authority. In five to ten years, the plan is to loop the water main through the development and run it into the Town Park or Swartout property off of Redman Road. As sections are added, Monroe County Water Authority will check pressure.

Mrs. Bahr would like to see the sidewalk extend to Fourth Section Road. Mr. Schultz commented a sidewalk wasn't added because of grading on the east side and crowding a house on the other side at the corner (discussion followed). Mrs. Bahr stated Town Ordinance requires a sidewalk must be put in or money set aside for one in case of future development.

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Mr. Hale commented on the side setback of 30 feet for Lot 120 which would require a variance. Discussion followed and the Board agreed that a 278 procedure should be completed.

Mrs. Bahr brought up lighting and asked if there was just one light at the Fourth Section entrance and would there be a welcome sign. Mr. Schultz commented there would be lighting throughout the development at the intersections. Mr. Schultz added that the neighbors did not want to see excessive lighting.

Mr. Minor asked where would the development draw its electricity from. Mr. Schultz stated NYMO will give a report indicating where, but it will probably come off Fourth Section Road. Mr. Bader asked if RG&E will provide service for gas to the development and the answer was yes.

Mr. Schultz will make updates to the plan and then forward it to the Town Engineer and Monroe County Health Department and back to the Planning Board.

Homa Resubdivision. South side of Campbell Road. 085.01-2-19.111 and 085.01-2-19.12
Engineer Carmichael began discussion by stating the Monroe County Department of Health, Monroe County Water Authority and the Town Engineer have signed the plan.

Moved by Mr. Hale, seconded by Mr. Williams, that the final public hearing be waived, the Homa Resubdivision/Site Plan be granted final approval, and the Chairman be authorized to sign the mylar.

Ayes - 7

Moved by Mr. Minor, seconded by Mr. Hale, that the meeting be adjourned.

Ayes – 7

The next scheduled meeting is December 8, 2003.

Planning Board Secretary