

**TOWN OF SWEDEN
Planning Board Minutes
November 27, 2006**

A regular meeting of the Town of Sweden Planning Board was held on Monday, November 27, 2006, 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: James Oberst, MRB, James Butler, Building Inspector, Whitney Autin, ECB, A.J. Barea, Harold Mundy

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

Correspondence passed to members for review.

Moved by Mr. Minor, seconded by Mr. Monno, that the minutes of November 13, 2006 be approved.

Ayes – 5
Abstain – Mrs. Bahr
Abstain – Mr. Williams

Tyler-Allocco Subdivision Lots 1 and 2. 203 Swamp Road. 099.04-1-2.1/2.21

Mr. A.J. Barea addressed the Board. Ms. Joyce Tyler is the owner of 203 Swamp Road, and the vacant land to the west of it, 29.1 acres. She is proposing to increase the size of her homestead by 100 ft. along the roadside heading westerly and 224± ft. along the back property line. The remaining land will be sold to Mr. William Allocco, 25.5± acres.

Mr. Hale asked if any of these parcels have been before the Board for subdivision approval? Mr. Barea stated neither of them, except for a third lot known as the Brownhill-Arborecare Subdivision, which was before the Board in 2001 for site plan approval. Mr. Hale asked when was the existing house on Lot 1 built? Mr. Barea stated in the 1960's.

Mr. Hale stated the application is for a two-lot subdivision, and the new owner of Lot 2 will need to come before this Board for site plan approval. Mr. Barea agreed, and read comment #10 from the plan, which states, "The sole purpose of this map is for subdivision of land only. Any proposed construction and/or development, on the lots shown hereon, require a site plan be prepared, presented and approved by the Town of Sweden Planning Board prior to any construction."

Mr. Hale questioned that the change to Lot 1's property lines, might or might not make it pre-existing, nonconforming. Chairman McAllister agreed, but the chances are less when the size of the lot is increased.

Moved by Mr. Hale, seconded by Mr. Minor, that the Tyler-Allocco Subdivision Lots 1 and 2 be accepted for review.

Ayes - 7

The Public Hearing will be December 11, 2006

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OTHER

Rezoning of Highlands at Brandon Woods

Chairman McAllister stated that the Board has received a request from the Town Board for comments regarding the rezoning of the Highlands at Brandon Woods. While this Board spent a lot of time preparing an advisory opinion on this same application, is there anything else the Board would like to add.

Mr. Minor/Chairman McAllister suggested including the following comment, “please refer to our previously submitted Advisory Opinion, and the attached Planning Board minutes from the October 23, 2006 meeting.

Byrne Dairy/Gas Station Amended Site Plan and Special Use Permit E

Chairman McAllister stated that he recently spoke with Attorney Jim Bell regarding whether or not Grentzinger Plaza is, in fact, a plaza or not. Attorney Bell suggested that the Planning Board take a conservative approach, and consider it a plaza and refer the applicant to the ZBA for an area variance due to the fact that the Byrne Dairy/Gas Station is within a 1,000 ft. of a plaza.

Chairman McAllister’s thoughts on the subject are that the code as written was created in the 1970’s to discourage a “gasoline alley” like what was already in place on Rte. 19, and to keep an explosive product away from high-density people areas. That being the intent, Chairman McAllister doesn’t see that as being the situation in this case.

Mr. Hale commented that while the “gasoline alley” has gone away, still keeping the gas away from the two used car lots might be an issue. If the applicant chooses to go the ZBA for an area variance, Chairman McAllister would like to know what the Board’s opinion would be as far as sending a favorable message from this Board to the ZBA in terms of the original intent and how it fits this application. Mr. Hale added that the Grentzinger Plaza has off and on met the definition of what the Town defines as a plaza.

Planning Board Training Requirements

Mr. Hale commented that in the correspondence folder there was a resolution to waive the 4-hour annual training requirement for ZBA and Planning Board Members. He superficially agreed with it because it is just one more unfunded mandate from Albany, but would hope there would be more opportunities at convenient times for members with “9 to 5” jobs who have difficulty getting to workshops. The good news is that a letter from Supervisor Lester was sent to the Planning Board stating that continued funding would be in place for members attending training at Saratoga Springs (next October) or at the Monroe County Cooperative Extension.

Chairman McAllister suggested looking into getting a training consultant to come to Brockport to provide a workshop for members. Mr. Hale added that the State was looking into making teleconferencing or online training available, but details have not been worked out.

The meeting was adjourned by motion at 7:30 p.m.

Planning Board Secretary