

**TOWN OF SWEDEN**  
**Planning Board Minutes**  
**November 28, 2005**

A regular meeting of the Town of Sweden Planning Board was held on Monday, November 28, 2005, 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, Town Engineer, David Matt, Michael O'Neill, Mary Jane Dreher, Kelly Pronti, Esq., Thomas Lucey, Harry and Deanna Shifton, Ralph Sisson

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

Correspondence passed to members for review.

Moved by Mr. Hertweck, seconded by Mr. Monno, 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.

**Sheehan Subdivision & Site Plan. Monroe-Orleans County Line Road. 082.02-1-6.11 (part of)**

Mr. David Matt addressed the Board. The applicants propose to subdivide approximately 5 acres from a 70+ acre parcel to construct a single family home with a leach field, well water and electric, no gas. The setback will be similar to the neighbor to the north, 100 ft. from the northerly property line. The house is approximately 160 ft. off the road. The existing farm access on the north property line is undersized and is proposed to be widened as well as the culvert replaced. At the previous Planning Board meeting, the driveway was located right next to the farm access, but now it has been shifted over creating two separate accesses so that the heavy farm equipment won't damage the driveway.

There were no comments from the public.

Moved by Mr. Hale, seconded by Mr. Williams, to adjourn the public hearing to the regular meeting.

Ayes - 7

**Sheehan Subdivision & Site Plan. Monroe-Orleans County Line Road. 082.02-1-6.11 (part of)**

The Board continued with this application and asked Mr. Matt to go over the comments received to date.

**MRB Comments:**

1. Short EAF was completed in its entirety and Number 6 was corrected to read 71.3 acres instead of 70.3.
2. The highway reservation area was added to the plans.
3. The driveway to the house will have a minimum 1 ft. of cover, but because of where the culvert pipe is and where the road sets, the farm access won't have 1 ft. of cover.
4. The width of the farm access has been adjusted. Mr. Oberst commented that the erosion control was on the previous plan but not on this revised plan. Mr. Matt stated he would take care of that.

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ECB Comments:

1. The ECB regrets the loss of 5 acres of in-use agricultural land and notes the farm access will remain on the site plan, which shows continued farming of the remaining agricultural acres. Mr. Matt acknowledged these comments.
2. Mr. Matt stated the three large trees on the eastern border of the site plan would be protected during development and farming processes, and so noted on the site plan.
3. Trees and shrubs should be planted. Mr. Matt stated with any residential development, the applicant naturally plants trees and/or shrubs.

DRC Comments:

1. The MCDOH has reviewed the application and made minor revisions.
2. Monumentation will be checked prior to filing of the map with the County.
3. MC Environmental Mgmt. Council didn't have any comments and the application didn't meet the review criteria of NYSDOT and NYSDEC.

Planning & Development Comments:

1. Wetlands and floodplain were discussed in regards to any future development of the remaining 66.3 acres.
2. This site contains woodland, and as much as possible should be retained when developing this site. Mr. Monno stated there's a problem with the contour at 607 in front of the house and in front of the garage. Mr. Matt stated he would adjust it.

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

Ayes – 7

Moved by Mr. Hale, seconded by Mr. Minor, that the Sheehan Subdivision and Site Plan be given preliminary approval.

Ayes – 7

**Daniels Subdivision & Site Plan. White Road. 097.02-1-4.11 (part of)**

Mr. Dave Matt addressed the Board. The property is located on the south side of White Road and is part of the McCracken Farm where winter wheat is currently planted. The proposed house is set near the top of one of the hills with hedgerows along the back of the property and a smaller hedgerow along the east side of the property. The property will be serviced by public water, electric and a septic system. The parcel is just less than 6 acres out of an approximate 45 acres.

Moved by Mr. Hale, seconded by Mr. Williams, that the Daniels Subdivision and Site Plan be accepted for review.

*Mr. Hale commented that the size of this lot varies from the previous "bowling alley" lots subdivided and wondered why. Mr. Matt stated the natural features of the hedgerow are being used to divide this parcel. Mr. Hale added that at some point, there would be some serious back land to the south.*

Ayes – 7

The Public Hearing will be January 9, 2006.

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**Banegas Subdivision and Site Plan. Sweden Walker Road. 069.02-2-11, 069.02-2-12 (part of)**

Mr. David Matt addressed the Board. The applicant works for Mr. Sodoma and would like to subdivide a small piece of land next to the existing barn and driveway. There is no public water and the existing inground septic system would have to be changed to a modified system requiring 150,000 sq. ft. of land. The lot is on the west side of Sweden Walker Road, just north of Rte. 31, north of the canal. A small home with well water is proposed.

Mr. Hale asked for a larger location map to see what this parcel is being subdivided from. Mr. Matt stated there was an existing house that was demolished, but the existing inground septic system still needs to be removed. Mr. Hale added this parcel has a complicated history.

Moved by Mr. Hale, seconded by Mrs. Bahr, that the Banegas Subdivision and Site Plan be accepted for review.

Ayes – 6  
Abstain – Mr. Minor

The Public Hearing will be January 9, 2006.

**R. Spurr/Owens Industrial Park Resubdivision. 50/58 & other vacant lands on the east side of Owens Road, 069.03-1-3, 069.03-1-5, 069.03-1-2.1**

Mr. Michael O'Neill addressed the Board and distributed updated maps. There were no concerns from the Environmental Conservation Board and Fire Marshal.

**DRC Comments:**

1. A 100-year floodplain boundary note has been added to the plans.
2. The woodland map was reviewed.
3. A portion of a stream is located on the property.
4. Monumentation will be checked prior to filing of the map with the County.

Comments two and three will be applicable when there is proposed development to the site. A note should be added to the plans to ensure these items are checked.

Mr. O'Neill commented that additional title documents have been received with respect to the land that is going to be conveyed from the County to Mrs. Dreher. In that land, there are two easements in place to bring sewer onto the property.

**MRB Comments:**

1. Tax account parcel 069.03-1-3 has been added to the plans.
2. A Signature Block has been added to the plans.

Moved by Mr. Hale, seconded by Mr. Hertweck, that having reviewed the Short Environmental Assessment Form, Agricultural Data Statement, comments from the Town Engineer, County Planning, Environmental Conservation Board, and the Fire Marshal, the Planning Board determines that the R. Spurr/Owens Industrial Park Resubdivision is an unlisted action which will not have a significant impact on the environment.

Ayes – 7

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Moved by Mr. Hale, seconded by Mr. Minor, that the R. Spurr/Owens Industrial Park Resubdivision be given preliminary approval.

Ayes – 7

Moved by Mr. Hale, seconded by Mr. Hertweck, that the final public hearing be waived, the R. Spurr/Owens Industrial Park Resubdivision be granted final approval contingent upon the successful deed transfer from Monroe County to Dolomite and Dolomite to Monroe County, all signatures received, and the Chairman authorized to sign the mylar.

Ayes - 7

**Wal-Mart Supercenter. Brockport-Spencerport Road.**

Ms. Kelly Pronti addressed the Board and asked if there were any comments regarding the public hearing held on November 14. Mr. Lucey added that the goal is to resubmit a site plan based on comments from MRB, the Board, and the public.

- Ø Chairman McAllister asked Mr. Lucey to check into the number of parking spaces required vs. proposed parking spaces to see if additional buffering can be obtained by eliminating parking spaces. Also, what type of additional buffering can be done for the HVAC units?
- Ø Mr. Hale asked what are the decibel levels at the property line for the HVAC units. Mr. Lucey will take readings. Mr. Hale added that the Geneseo Wal-Mart store might help with this issue because it is similar in size, layout, etc. Chairman McAllister added he would also like readings for the “alarm” noise made when trucks back up to the docks.
- Ø Mr. Williams asked if the approximate 25 ft. of existing vegetation/buffering at the Talamora Trail property line could remain and the proposed buffering begin at that point. Mr. Lucey will take a look at that. Mr. Minor added if at all possible eliminating 20 ft. of parking spaces to save the existing vegetation would help a great deal.
- Ø Mr. Hale stated that the dedication of the road at the intersection of Transit Way should be completed as soon as possible so that the Goodwill project to the south may come before the Board again.
- Ø Mr. Williams asked if there would be a PA/speaker system, i.e., speakers on docks. Mr. Lucey will check into this. Mr. Hale added that a short time ago, Mr. Hertweck and himself visited the Geneseo Wal-Mart store and saw the barrier wall for the docks and it was quite substantial. Mr. Hertweck stated there would be two docks, one for grocery and one for retail. The applicant stated that the truck delivery times could be controlled.
- Ø Mrs. Bahr asked where the trash compactors are located. Mr. Lucey showed the Board the location on the plans and stated they both have screen walls.
- Ø Mr. Monno asked why the edge of the stormwater ponds has to be so close to the pavement. Mr. Lucey stated the actual distance is 10 to 12 ft. from the pavement. The ponds are made as large as possible to help with the regional facility.

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- Ø Mrs. Bahr asked how safe the ponds would be, i.e., cars going off the pavement into the pond. Mr. Lucey stated that guardrail would help to prevent that from happening. Discussion followed as to how many retention and detention ponds there are, and what type of buffering, if any, could be used for Mr. Kuster's property right next to a retention pond.
- Ø Mr. Minor stated at the northwest corner, there seems to be a drop off in the proposed vegetation. Also, the access onto Transit Way should be made into a "T" intersection. It was recommended that a meeting be held with the applicant's engineers, our town engineer and the highway superintendent to discuss this. Mr. Lucey stated the "T" intersection can be accomplished, but a small portion of the R.O.W. will have to be used.
- Ø The subject of having double doors on structures facing west due to the wind was discussed.
- Ø Mr. Minor asked if all was good with the truck turning radius. Mr. Lucey stated that he would look into that.
- Ø Mr. Monno asked if the TLE business was primarily from purchases made at the store or from people who call in for repair service. Mr. Lucey stated most is from purchases made at the store, i.e., tires, wiper blades, batteries. People usually will shop while getting an oil change. Mr. Monno wanted to know if there would be a more direct route for those customers just wanting an oil change. Mr. Lucey stated directional signs could be installed.
- Ø Mr. Hertweck asked where all the runoff collected from the parking lot basins would go. Mr. Lucey stated the water would drain into the retention ponds. Mr. Hertweck suggested filtering the water before it goes into the ponds. Mr. Lucey will look into ways of accomplishing this. The stormwater pollution plan was submitted to the NYSDEC and a letter of acknowledgement was received approving the plan.
- Ø Mr. Minor asked if the arrows for the traffic light/turn lanes have been decided. Mr. Lucey stated yes and that NYSDOT sent a letter approving the traffic light and that it would be a wire loop on demand. Mr. Minor confirmed that heading west there would be no left hand turn arrow at the Wal-Mart entrance.
- Ø Mr. Oberst stated regarding the landscaping plans, there is no irrigation system proposed, and questioned how well the plantings on the berm will survive. Mr. Lucey stated that between the species of plants selected and the natural amount of rain, the plants will survive. Mr. Minor suggested a note be added to the plans stating that if a plant dies/turns brown, it will be replaced.
- Ø Mr. Minor asked that cross sections be shown on the elevation plans for the store, parking lot, berm, and road service.
- Ø Mr. Williams asked what type of berm would be on the south side. Mr. Lucey stated a double row of evergreens. Chairman McAllister stated there would be a meeting with Supervisor Lester, Mr. Hassall and himself to discuss Mr. Hassall's contribution to completing road improvements to Rte. 31. The Board was pleased.

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- Ø Mr. Monno asked coming off the main road into the parking lot and crossing the other lane turning into the store, should there also be a stop sign at the front of the store due to the blind spot created. Mr. Lucey will look into this.

Mr. Lucey showed the Board the latest architectural elevations of how the building will look. Mrs. Bahr didn't think it looked like the one submitted before; she didn't like this one. Mr. Lucey felt strongly that these were the elevations the Board has seen before and the ones being worked on by the architect. Mrs. Bahr suggested a more Victorian style building with the appearance of a pitched roof. A pitched roof might help as a barrier for the HVAC unit.

Questions were asked regarding maintaining the vegetation. Mr. Lucey stated Wal-Mart hires a landscape person to maintain the greenery.

The seasonal display area is marked on the site plan so that the building inspector will know exactly where seasonal merchandise is approved to be displayed, if needed.

**Landmark Status Comments for 4988 Lake Road, Cemetery House/Barn**

Chairman McAllister stated he received a request from Leisa Strabel to ask for comments from the Board in regards to obtaining landmark status for the cemetery house/barn located at 4988 Lake Road. The Town owns the structures and is trying to obtain a grant.

Mr. Hale wanted to know how old the barn was. Chairman McAllister stated he didn't receive any historical information regarding the house/barn. Mr. Hale stated it would be difficult to get any funding without substantial documentation on the history of the building. Mr. Hale added the definition of historical is 50 years.

**Fall 2005 Regional Local Government Workshop – Mt. Morris, New York**

Mr. Hale and Mr. Hertweck attended a local government workshop. Mr. Hale summarized the workshop with the following comments:

- Ø Mr. Hale reported that the Board shouldn't of asked Wal-Mart to evaluate the Duryea site because the applicant had no interest in this site.
- Ø Community character definitions are also emerging; quality of life more defined.
- Ø Regarding Heritage Square, even though the Town Board is the Lead Agency, the Planning Board will have to complete its own findings statement.

The meeting was adjourned by motion at 9:50 p.m.

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**Planning Board Secretary**