

TOWN OF SWEDEN
Planning Board Minutes

December 8, 2003

A regular meeting of the Town of Sweden Planning Board was held on Monday, December 8, 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

Absent: Edward Williams

Also present: Whitney Autin and Jerry Foster-Environmental Conservation Board, Jim Oberst-Town Engineer, Charles Sanford-Fire Marshal, John Bennett and Tom Lucey-APD, Kelly Pronti-Wal-Mart Attorney, Kris Schultz, Harry and Deanna Shifton, Frank Hillman

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

Correspondence passed to members for review.

Moved by Mrs. Bahr, seconded by Mr. Monno that the minutes of November 24, 2003 be approved.

Mr. Hertweck referred to the section of the November 24 minutes in which the Breslawski Site Plan was given preliminary approval. Discussion followed and as a result the following motion was made:

Moved by Mr. Hale, seconded by Mr. Hertweck, to rescind the motion of preliminary approval for the Breslawski Subdivision and to amend the minutes to reflect this.

Ayes – 6

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 if everyone had a copy of the December 8 letter from James Oberst, Town Engineer. Chairman McAllister commented the basis of this letter is conversations that have taken place regarding the Board's readiness to accept the DEIS and begin a review. The Board has gotten feedback from external sources who may be prepared to do their own review on certain points. As far as drainage and traffic, the Board could probably gather different documents from different projects in support of the DEIS findings, but the Board would like to review the data that was used by APD to make its determination. If the Planning Board doesn't request this additional information and accepts the DEIS, other traffic engineers/public who review the DEIS will not have the data to study.

Chairman McAllister commented this isn't an attempt to delay the process, but rather to make sure that when the Board goes public, there isn't any question whether the information is there for a third party review.

Tom Lucey, APD, agreed with Chairman McAllister that while APD has a responsibility to its client to make sure progress is made, it is understood that APD's responsibility to the Planning Board is to provide all information necessary to complete a review.

Mr. Lucey asked for the Board to expand on a reference made to missing reports. Chairman McAllister commented all the reports are there, but the traffic analysis details and how the thirtieth hour was derived is missing. Mr. Lucey asked Mr. Oberst that instead of a grading plan as indicated in item #1, would Mr. Oberst accept a profile and cross sections at critical locations which APD currently has available. Mr. Oberst stated that would be fine as long as the R.O.W. is shown on the cross sections. Mr. Lucey also asked Mr. Oberst if it would be acceptable to not show all the locations of drainage improvements, but show how it works and show proposed grading at the cross sections. Mr. Oberst stated the main point is that culvert extensions be addressed. Mr. Lucey would make sure that was completed.

Chairman McAllister stated after speaking with Attorney Goldman, the following motion was recommended for tonight's meeting:

RESOLVED, that the Planning Board, as Lead Agency for review of this action under the provisions of the State Environmental Quality Review Act, hereby determines that the proposed draft EIS submitted by the project sponsor is not adequate with respect to scope and content for purposes of public review pursuant to 6 NYCRR Section 617.9 (a)(2) for the following reasons:

1. Traffic – Route 31 highway improvement plan should be submitted showing limits of new paving and locations of proposed drainage structure improvements so as to substantiate that all improvements can be performed within the existing road right-of-way. Road profile, critical cross sections and drainage system details to be provided.
2. Site Utility Plan – Should provide pipe sizes, invert elevations for the storm sewer system and pond outlet structures.
3. Site Grading Plans – Should note water surface elevations for various storm events. The detention pond grading should indicate areas where Phase 2 stormwater regulation requirements will be addressed (with respect to safety benches, aquatic benches and sediment forebays). Landscaping berms should be shown on this grading plan to determine how they may affect stormwater patterns.
4. Site lighting (pg. 113) – A lighting contour plan needs to be provided to substantiate the proposed ground level illumination levels.
5. Green Space – No map is provided that clearly defines the areas used in the calculation of the proposed green space for this site.
6. Traffic Operating Conditions – Provide documentation from NYSDOT (Region 8) concurring with the use of the thirtieth highest hour for the design hourly volume on this project.

RESOLVED, that a copy of this resolution be provided by the project sponsor pursuant to 6 NYCRR Section 617.9(a)(2)(i).

Chairman McAllister commented the Board will only need three copies of additional information. Once the additional information is received, one updated copy of the DEIS will be delivered to the Seymour Library for public review and the other updated copy will stay at the Town Offices. Mr. Oberst will receive the third set of additional information for his review.

The Planning Board will need to receive the additional information the Wednesday before the next scheduled meeting on December 22, 2003.

Swartout Subdivision and Site Plan Update. West Sweden Road. 098.03-1-18

Engineer Kris Schultz passed out revised plans in order to bring the Board up to date on this project.

A public hearing for this project was held in January 2003. Mr. Schultz stated at that time, wetland issues needed to be addressed and the maps were revised into eight lots with an exception lot that includes the existing farmhouse. All wetlands were accurately mapped as NYSDEC Regulated Wetlands. Next, the lot dimensions were adjusted to meet the Town's criteria for lot size excluding wetlands, buffer areas and flag portions. Mr. Schultz was very careful to make sure that all required areas and setbacks were done for houses and leach fields. Each lot was labeled with a separate note of total square footage excluding wetlands, buffers and flags. Since the last meeting, a pond has been designed along Capen Road due to drainage concerns from neighbors. This pond will serve as a "big sink." This project will be a big improvement for people on the south side.

Monroe County Development previously reviewed the project plans. The plans before the Board tonight address the comments made by the Town Engineer in a letter dated December 30, 2002. Mr. Schultz would like to resubmit the plans to the Town Engineer and other personnel/Boards for review.

Mr. Hale inquired where the Board had left off with motions for this project. It was stated this project was given an accept for review and a public hearing was held in January 2003. The public hearing was closed with no action taken thereafter. Discussion took place regarding if the time clock had stopped or was this project given preliminary approval by default. Chairman McAllister will find out the status of this project as far as preliminary approval and/or environmental due to the lapse of time.

Mr. Minor had some questions regarding the four homes sharing the private drive with the emergency turnaround. Would there be a homeowner's association for maintenance? Mr. Schultz said there would be documentation in the deed so the homeowner would be well aware of any responsibilities.

Chairman McAllister invited all Board Members to attend a meeting with him on Wednesday, December 10 at the Town Offices to discuss new plans for Crystal Ridge. Sear Brown, Mr. Spaziano, Attorney Mercury, Town Attorney Bell will attend as well.

The 2004 Planning Board Schedule was addressed. We will approve it at the Organizational Meeting in January, but for website purposes we will still meet the second and fourth Monday of each month and make changes as the year progresses, if needed.

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

Ayes – 6

Planning Board Secretary