

**TOWN OF SWEDEN
Planning Board Minutes
December 12, 2016**

A regular meeting of the Town of Sweden Planning Board was held on Monday, December 12, 2016, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members present: Richard Dollard, David Hale, Craig McAllister, Matthew Minor, Arnie Monno, Wayne Rickman, David Strabel.

Also present: Nat O. Lester, III, Planning Board Counsel; Kris Schultz, Schultz Associates; Michael Montalto, Costich Engineering; Jeff Smith, Howard Briggs, Lou Giardino, Mary Ann Thorpe, Fred Perrine.

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

Correspondence was passed to members for review.

Moved by Mr. Monno, seconded by Mr. Dollard, that the minutes of November 28, 2016, be approved.

Ayes – 7

Moved by Mr. Rickman, seconded by Mr. Minor, that the regular meeting be adjourned to the public hearing.

Ayes – 7

Chairman McAllister read the notice of public hearing and affidavit of publication.

4828 Lake Road Subdivision and Site Plan. 084.01-1-2.21

Mr. Michael Montalto addressed the Board. He explained the project was accepted for review over a month ago and nothing has changed from a subdivision standpoint. The overall 19-acre parcel is being subdivided into lots; a 12-acre parcel with the plaza owner retaining 7 acres. The plaza owner is entering into a contract with a store, Runnings, to purchase the 12-acre lot, leaving the remaining plaza stores on the 7-acre lot. With this subdivision, there are no physical changes to the property. Any modifications to Lot 1 would be subject to Runnings making an application to the Board. The site plan coinciding with this subdivision is forthcoming and will show no physical changes, but zoning statistics, easements, and proposed variances.

Chairman McAllister asked if anyone present had any questions, comments or concerns. There were none.

Ranson Subdivision and Site Plan – 2 Lots. 316 Root Road. 114.02-1-7.321 and 114.02-1-6

Mr. Kris Schultz addressed the Board. The applicant is proposing a single family home with a lot of acreage. A perc test has been done with good results. The applicant is selling some of the land to the neighbor with a pre-existing, nonconforming lot. The neighboring parcel is scheduled to go to the Zoning Board of Appeals on Monday, December 19, at 6 p.m. for two variances; lot frontage and lot area.

Chairman McAllister asked if anyone present had any questions, comments or concerns. There were none.

Hedman Subdivision and Site Plan. 593 Root Road. 114.03-1-14

Mr. Kris Schultz addressed the Board. The applicants are proposing to build a single family home, private riding arena and horse barn on approximately five acres. There will be no commercial activity. Perc test was completed with very good results. The house will be located at the top of a hill approximately 1,000 ft. from the road.

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Chairman McAllister asked if anyone present had any questions, comments or concerns. There were none.

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

Ayes – 7

Perrine Resubdivision – 3 Lots. 628 and 603 Ladue Road. 113.01-1-18, 113.03-1-19.

Mr. A.J. Barea was not present. The Board reviewed the application. The Clerk explained the original Perrine Subdivision, Lot R-1, is being slightly enlarged, Lot 2 includes the existing farm house and accessory structures, and Lot 3 includes the remaining lands, which will continue to be farmed.

Mr. Monno stated, for the record, this is the only farm between Rte. 19 and West Sweden Road that still has its farmland intact, approximately 115 acres.

Mr. Barea still needs to submit the Agricultural Data Statement as part of the application for the Board to review.

Moved by Mr. Strabel, seconded by Mr. Monno, that the Perrine Resubdivision be accepted for review.

Ayes – 7

The Public Hearing will be January 9, 2016.

Homa Resubdivision - Lot R-2A Amended Site Plan. 111 Campbell Road. 085.01-2-19.102.

Mr. Kris Schultz addressed the Board. This project was approved over 13 years ago, but the home was never built. The new owners would like to modify the site by proposing a pole barn, and relocating the house and leach field.

Moved by Mr. Strabel, seconded by Mr. Monno, that the Homa Resubdivision – Lot R-2A Amended Site Plan be accepted for review.

Ayes – 7

The Public Hearing will be January 9, 2016.

4828 Lake Road Subdivision and Site Plan. 084.01-1-2.21

Chairman McAllister continued review of this application. All comments have been addressed; see points of interest and discussion below.

MRB

- A variance application will be made for the 25 ft. side setback, 7.5 ft. perimeter buffer, and 25 ft. front greenspace. All variances should be noted under site statistics on the plan.
- The Reciprocal Easement Agreement (REA) for the whole site will need to be amended as far as parking, ingress/egress, stormwater, water, sanitary sewer, etc.
- Parking spaces will be labeled as 10 ft. by 20 ft. on the amended site plan, which is being prepared.

Building Inspector/Stormwater Manager

- To and from the plaza via Transit Way will remain as a viable ingress/egress.
- Mr. Minor asked if the general overall parking lighting will be updated. Mr. Montalto stated that issue will be handled by the new applicant/owner, Runnings.

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Fire Marshal

- Separating the sprinkler system is still being determined.

ECB

- Correcting the acreage was addressed previously with the Town Engineer's comments.

Counsel Lester requested the abstract of title be emailed to the Clerk for his review. Mr. Montalto agreed.

To summarize, the Planning Board cannot grant final approval for the subdivision until the variances are granted and all easements in place. It makes sense for the applicant to obtain approval from the ZBA, and then return to the January 23 Planning Board meeting.

The Planning Board has no objections to the three variances being applied for.

Hedman Subdivision and Site Plan. 593 Root Road. 114.03-1-14

Chairman McAllister continued review of this application. All comments have been addressed; see points of interest and discussion below.

MRB

- Indoor riding arena will be for private use only, no commercial activity. A note will be added to the plan. Electric and water utilities will service the barn.
- A SPDES Permit and SWPPP will not be required as the plan indicates .98 acres of disturbance. The proposed limits of disturbance will be shown on the plan.
- There is no conflict between the subdivision line and the Time Warner 5 ft.-wide easement.

Building Inspector/Stormwater Manager

- A pull off area is required for a driveway length exceeding 250 ft. This has been added to the plan.

Fire Marshal

Mr. Dollard questioned why there wasn't a driveway from the house to the barn/arena in the back. Mr. Schultz already discussed this with the applicants, who are choosing to utilize the grass as an access. Mr. Dollard recommends for fire protection and insurance purposes to install a driveway. Mr. Schultz will discuss this issue again with the applicants. The Clerk will ask for the Fire Marshal's input per the Fire Code.

ECB

- A massive clear cutting of a hedgerow occurred last winter prior to this application, which was extremely detrimental to the wildlife that this area was home to. Hedgerows are recommended to be retained per the Town of Sweden's Comprehensive Plan.

DRC

- MCDOT reviewed the site access location and determined there is poor sight visibility. A sign was recommended to be installed calling attention to the driveway up ahead. It was recommended the driveway be located across the road from the existing driveway.
- There is no stream being impacted by this development.

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Mr. Schultz indicated he would like to be on the January 9 meeting agenda for final approval.

Moved by Mr. Hale, seconded by Mr. Minor,

WHEREAS, the Town of Sweden Planning Board has received an application for subdivision and site plan approval of the Hedman Subdivision, located at 593 Root Road, which was accepted for review on November 14, 2016, and

WHEREAS, the Town of Sweden Planning Board held a public hearing on December 12, 2016, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form, comments of Town Engineer, Building Inspector/Stormwater Manager, Fire Marshal, Environmental Conservation Board, and Monroe County Planning and Development,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself Lead Agency for the environmental review of this application, and determines that the Hedman Subdivision and Site Plan are unlisted actions which will not have a significant impact on the environment, and grants the subdivision preliminary approval.

Ayes – 7

Ranson Subdivision and Site Plan – 2 Lots. 316 Root Road. 114.02-1-7.321 and 114.02-1-6

Chairman McAllister continued review of this application. Updated plans were distributed. All comments have been addressed; see points of interest and discussion below.

MRB

- For clarity, Lot 1 and Lot 2 have been labeled on the plan with corresponding site statistics noted for each lot.
- A SWPPP and SPDES Permit will be required with a total anticipated disturbance of 2.7 acres. The proposed limits of disturbance will be shown on the plan.
- There are two existing wells that are used to hydrate the crops. One of the wells is proposed for the house and the other one to continue to be used by the farmer.
- Mr. Schultz reiterated that an application for two variances will appear before the ZBA on Monday, December 19. If approved, Lot 2 will be a legal subdivision. If not, the applicants will seek subdivision and site plan approval for Lot 1 only, and the pre-existing, nonconforming lot will remain as is.

Fire Marshal

- Mr. Minor added that the number of passing areas be checked for a driveway over 250 ft. long and shown on the plan accordingly.

DRC

- Wetlands have been indicated on the plan.

Mr. Oberst asked if the farm lane was accepted by MCDOT as an access. Mr. Schultz stated final approval for the access is still being reviewed.

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Moved by Mr. Hale, seconded by Mr. Minor,

WHEREAS, the Town of Sweden Planning Board has received an application for subdivision and site plan approval of the Ranson Subdivision – 2 Lots, located on Root Road and 316 Root Road, which was accepted for review on November 14, 2016, and

WHEREAS, the Town of Sweden Planning Board held a public hearing on December 12, 2016, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form, comments of Town Engineer, Building Inspector/Stormwater Manager, Fire Marshal, Environmental Conservation Board, and Monroe County Planning and Development,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself Lead Agency for the environmental review of this application, and determines that the Ranson Subdivision – 2 Lots and Site Plan are unlisted actions which will not have a significant impact on the environment, and grants the subdivision preliminary approval.

Ayes – 7

Senior's Choice Cottages at Heritage Square. Subdivision and Site Plan. Isla Way. 068.03-1-18.11(part of)

Mr. Kris Schultz addressed the Board. He is requesting final approval for the subdivision so that the property can be transferred to Mr. Giardino and filed by the end of the year. The MCDOH and the Town Engineer have signed the subdivision plat.

Real Property requested that the remaining acreage be shown on the subdivision plat. Mr. Schultz created a larger subdivision plat including all properties and remaining lands. Before the plat can be filed, the permanent access easement has to be filed. Counsel Lester asked that a copy of the easement agreement be emailed to the Clerk as soon as possible so that it can be reviewed for final approval.

Moved by Mr. Hale, seconded by Mr. Rickman,

WHEREAS, the Town of Sweden Planning Board has received an application for subdivision approval of the Senior's Choice Cottages at Heritage Square Subdivision – Phase 1 and 2, located on Isla Way, which was accepted for review on October 24, 2016, and

WHEREAS, the Town of Sweden Planning Board held a public hearing on November 28, 2016, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form, comments of Town Engineer and the Environmental Conservation Board,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself Lead Agency for the environmental review of this application, and determines that the Senior's Choice Cottages at Heritage Square Subdivision – Phase 1 and 2 is an unlisted action which will not have a significant impact on the environment, and grants the subdivision preliminary approval,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final public hearing be waived, the Senior's Choice Cottages at Heritage Square – Phase 1 and 2 be granted final approval contingent upon approval of all easements by the Planning Board Counsel, all required signatures being obtained, and the Chairman be authorized to sign the mylar.

Ayes – 7

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Senior's Choice Cottages at Heritage Square Site Plan – Phase 1. Isla Way. 068.03-1-18.11(part of)

Mr. Kris Schultz addressed the Board. All comments have been addressed; see points of interest and discussion below.

MRB

- Variances will not be required for this project.
- The Board is requesting sidewalks be installed along the 18 units on the south side. Mr. Giardino agreed to add the sidewalks.
- Mr. Strabel asked that all signage, i.e., stop signs, be shown on the plan.
- The plans should indicate an aluminum fence around the pool.
- The water main will be dedicated to MCWA in an easement. There will be one meter per building.
- MRB requested a running total of all the previous phases for the sanitary sewer be added in a summary detail.
- A 100% dark sky compliant lighting fixture is shown on the plan.
- A landscaping plan is still being designed.
- MRB requested the engineer to check whether a spillway connection between the existing and proposed ponds is practical.

Mr. Minor suggested the remaining items, technical in nature, be resolved between Mr. Schultz and MRB. The Board agreed.

The meeting was adjourned on motion at 9:45 p.m.

Respectfully submitted,
Phyllis Brudz
Planning Board Clerk