

**TOWN OF SWEDEN
Planning Board Minutes
February 11, 2013**

A regular meeting of the Town of Sweden Planning Board was held on Monday, February 11, 2013, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members present: Richard Dollard, David Hale, William Hertweck, Matthew Minor, Craig McAllister, Arnold Monno, David Strabel.

Also present: Lance Brabant, MRB, James Missell, Kevin Bragg, Kris Schultz, Richard Klein, John Zima, Theresa and Willard Pengelly, Laurie and Keith Bowers, Robert Lewis

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 January 28, 2013, be approved.

Ayes – 6
Abstain – Mr. Hale

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

Ayes – 7

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

Alexander Resubdivision-Lot 1, Reed Road and Lake Road.129.01-1-1.11/129.01-1-1.2

Mr. Willard Pengelly addressed the Board. He explained that the existing lot is very small and Mrs. Alexander-Pengelly would like to give her daughter and son-in-law additional land to bring their property up to code. The additional land will still be included in the agricultural district.

Chairman McAllister asked if there were additional questions, comments or concerns regarding this application.

John Zima, 1360 Reed Road, asked if this was the same six-acre parcel that was before the Board six years ago. Mr. Lewis, son-in-law, stated it is a different application. Mr. Zima was shown the plan for clarification.

Laurie Bowers, 5903 N. Lake Road, submitted the attached letter, which was read at the meeting for both the Alexander Resubdivision and Klein Subdivision and Site Plan.

Klein Subdivision and Site Plan. Reed Road. 129.01-1-1.11.

Mr. Nick Montanaro was not present at the meeting. Mr. Klein addressed the Board

Chairman McAllister asked if there were any questions, comments or concerns regarding this application.

John Zima, 1360 Reed Road, stated there are major wetlands at the beginning of the access to this property.

Laurie Bowers, 5903 N. Lake Road, stated there are also major wetlands at the end of the property.

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Mr. Strabel questioned who will stake out the State and Federal wetlands. Neither surveyor was present, but Mr. Klein stated he would have Mr. Montanaro get that information.

Robert Lewis, 6662 Lake Road, asked the Bowers if there were any issues with the Alexander Subdivision since there would be no new development and it would remain in the agricultural district and stay the same. The Bowers stated if everything remains the same, except for the lot lines, they do not have any concerns with the Alexander Subdivision.

Chairman McAllister asked if there were any more questions, comments or concerns for the above applications.

John Zima had one additional question, which is how does a piece of property get subdivided out of an agricultural district. The Board replied that agriculture is not a zoning, it is a use. The property is zoned residential and can be subdivided. Exemptions are handled through the Town's Assessor's office.

Spurr Amended Site Plan. 6325 Brockport-Spencerport Road.084.01-1-7

Chairman McAllister asked if there were any more comments, questions or concerns. There were none.

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

Ayes – 7

Crosier Resubdivision and Site Plan. 4454/4446 Monroe Orleans County TL Road. 067.04-1-2.21/2.122

Mr. James Missell addressed the Board. He explained that currently the land is known as Lot 2 of the Crosier Subdivision, ± 35 acres. The existing residence is upfront and is proposed as Lot R2A and remaining lands to be Lot R2B, which will include a proposed site plan. Also, Lot 1 to the north of Lot R2A is being modified to add approximately 3 acres to the rear and the applicant is purchasing approximately 41 ft. from Lot 1 to add to LR2A, which is short on the minimum frontage requirement.

The site plan for R2B is proposing a 60 ft. long access, in-ground septic system with good drainage.

Moved by Mr. Minor, seconded by Mr. Strabel, that the Crosier Resubdivision and Site Plan be accepted for review.

Ayes – 7

The public hearing will be March 11, 2013.

DeBona Subdivision. 423 West Sweden Road. 082.04-1-6

Mr. Kris Schultz addressed the Board. He explained that this application involves settling an estate by separating the tree farm from the existing farmhouse, which will be Lot 1.

Mr. Monno asked if the location of the leach field was noted on the plan. Mr. Schultz referenced the location on the plan.

Mr. Strabel requested measurements (metes and bounds) be added to the larger parcel. Mr. Schultz stated he will discuss this with the applicant.

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Mr. Monno asked if this property extends into Orleans County. Mr. Schultz stated it did not.

Moved by Mr. Hale, seconded by Mr. Hertweck, that the Debona Subdivision be accepted for review.

Ayes – 7

The public hearing will be March 11, 2013.

Spurr Amended Site Plan. 6325 Brockport-Spencerport Road.084.01-1-7

Chairman McAllister continued review of this application.

Mr. Kevin Bragg addressed the Board.

MRB Comments

1. Handicap parking spaces have been noted on the plan. Mr. Strabel stated the building code does not permit diagonal handicap parking spaces and dictates an access aisle. Please show on the plan.
2. There are no new site lighting changes. Signage will be backlit.
3. The two new floor drains will be tied into the existing floor drains. Mr. Strabel asked if they were tied into the oil separator and is it large enough. Mr. Bragg stated yes and it was confirmed it is large enough by Mr. Spurr.
4. Confirmed that signage approval will be handled through the Building Department.

Mr. Strabel requested structural drawings as the building inspector for the approval of the building permit application.

Mr. Minor clarified the location of the new addition with two new entry doors and a man door closer to the existing door. Also, he confirmed there are no new lights above the doors, on the building, etc. Mr. Bragg stated that was correct.

Fire Marshal Comments – no site plan issues.

Mr. Minor questioned if there was enough emergency access room around the new addition with the proposed parking spaces as shown for fire emergency vehicles. Mr. Spurr stated that the required access will be taken care of and that there are no parking spaces as shown on the plan at this time.

Mr. Strabel requested bollards be put around the building for safety. Mr. Spurr agreed to take care of.

The Clerk will ask the Fire Marshal to comment/confirm the above.

ECB Comments

1. Correct the spelling of Brockport from Brackport on the plan. Done.
2. The green space is limited due to pre-existing requirements, not making the property any worse.
3. Recommended planting of native tree shrubs, etc., wherever possible.

MC Planning & Development – comments were reviewed and addressed as necessary.

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In summary, restripe the handicap spaces and show the required access aisle on the plan.

Moved by Mr. Hale, seconded by Mr. Dollard,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Spurr Amended Site Plan located at 6325 Brockport-Spencerport Road, and

WHEREAS, the Planning Board held a public hearing on February 11, 2013, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Project Information Form, Short Environmental Assessment Form, comments of the Town Engineer, Fire Marshal, Environmental Conservation Board, and Monroe County Planning and Development;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board determines that the Spurr Amended Site Plan is an unlisted action which will not have a significant impact on the environment, and

BE IT FURTHER RESOLVED, that the Spurr Amended Site Plan be approved contingent upon revising the plan to show the correct striping of handicap spaces, removal of parking spaces to show the required width for the access aisle, receiving all required signatures, and the Chairman be authorized to sign.

Ayes – 7

Alexander Resubdivision-Lot 1, Reed Road and Lake Road.129.01-1-1.11/129.01-1-1.2

Chairman McAllister continued review of this application.

MRB Comments

Mr. Lance Brabant stated the lot name, Lot R1-1A, and the tax account number should be added to the plan.

Moved by Mr. Hale, seconded by Mr. Hertweck,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Alexander Resubdivision, Lot 1, located on Reed Road and Lake Road, and

WHEREAS, the Planning Board held a public hearing on February 11, 2013, and all persons wishing to be heard were heard, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board determines that the Alexander Resubdivision, Lot 1, is an unlisted action which will not have a significant impact on the environment, and

BE IT FURTHER RESOLVED, that the final hearing be waived, and the Alexander Resubdivision, Lot 1, be approved contingent upon the addition of the lot name and tax account number on the plan, receiving all required signatures, and the Chairman be authorized to sign the mylar.

Ayes – 7

OTHER

Rezone vacant land on Sweden Walker Road from R-1 and I-1 to B-3, Recreation-Commercial.

The Board discussed the application and offered the following comments:

1. Delineate the Federal Wetland boundaries.
2. A site plan should be submitted for environmental impacts prior to rezoning.
3. Require site plan approval from the Planning Board to ensure safety and health concerns are addressed, sufficient parking, proper ingress/egress, etc.

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4. Confirm that this type of operation/zoning conform to the Town's Comprehensive Plan.
5. Measures should be considered to keep activities within approved lot lines.

Immediate Care Facility

The Board discussed the shortage of parking when the site plan was originally approved. They agreed it would be in the applicant's best interest to make application to the Zoning Board of Appeals (ZBA) for an area variance for the original shortage of parking spaces (16), not obtained through an easement, and the one additional parking space required for the proposed addition. The Board agreed to write a letter of recommendation to the ZBA.

The meeting was adjourned on motion at 9:10 p.m.

Planning Board Clerk

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Town of Sweden Public Hearing - February 11, 2013

Regarding subdivision plans for Charles Alexander property tax#129.01-1-1.11

For subdivision and site plan approval for an 8 acre flag lot bordering the northeast corner of our property and the unimproved 10 acre lot also bordering on our property:

1) How do you plan to mitigate or compensate us for the 500 foot "no discharge of firearms zone" that would be established in this proposal as a result of putting residential structures 200 feet from our property line? We would respectfully request that this application be denied unless the structures are located at least 500 feet from our property line. Without this change, we will no longer be able to use the adjacent property for its primary use and therefore it will significantly reduce the entire value of our property. This 500 foot zone currently serves as a buffer filter zone between the fields and a very valuable wetland.

2) Will you making a formal wetland permit application with the United States Army Corp of Engineers for the federal wetland on your proposed parcel, INew York State Dept. of Environmental Conservation and the Monroe County Development Review Committee and your neighbors to the south to delineate wetland areas on your parcel and preserve and protect the 500 foot buffer we now have that successfully protects our most unique and extremely valuable wetland in the northeast corner of our property, connecting to a Class II wetland and contributing substantial drainage to the Black Creek watershed? Without maintaining the existing 500 foot buffer, we believe our wetlands will be substantially harmed and will result in economic harm to the value of our land.

Keith and Lorie Bowers
5903 North Lake Shadow Wood Lane
Bergen, NY 14416