

A regular meeting of the Town of Sweden Planning Board was held on Monday, February 24, 2003, at the Town Offices, 18 State Street, Brockport, N.Y., commencing at 7:00 p.m.

Members present: David Hale, William Hertweck, Edward Williams, Terrin Hover, Ellen Bahr and Craig McAllister.

Absent: Arnold Monno.

Also present: Jim Oberst – MRB, Whitney Autin and Jerry Foster – Environmental Conservation Board, Charles Sanford – Fire Marshal, Jerry Goldman, Alan Bader – Building Inspector, Kris Schultz, Al Arlotta, Frank Spiotta, Lou Terragnoli, Nick and Roseanne Mascari, John White, Steve Mesiti, Edward White and others.

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

Correspondence passed to members for review.

Moved by Mr. Hover, seconded by Mr. Hale, that the minutes of February 10, 2003 be approved.

Ayes – 5

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

The Chairman read the notice of public hearing and the affidavit of publication. The Chairman asked if there were any questions or comments from anyone present at the public hearing.

**Merrill Estates Lot 9 Resubdivision.** Beadle Road. 098.04-1-29

There were no comments.

**Holiday Inn Express Amended Site Plan.** 4908 Lake Road. 084.01-1-2.4

There were no comments.

**Profeta Lot 9 Amended Site Plan.** 820 Shumway Road. 084.03-1-33

There were no comments.

**John B. White Subdivision and Site Plan.** Salmon Creek Road. 099.04-2-13.

There were no comments.

**Edward White Subdivision Lot 2 Resubdivision.** Colby Street. 099.02-1-7.2

There were no comments.

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

Ayes – 5

**Holiday Inn Express Amended Site Plan.** 4908 Lake Road. 084.01-1-2.4  
Engineer Kris Schultz presented updated plans.

Mr. Williams arrived.

Mr. Schultz addressed comments from the Town Engineer:

- residual flows have been listed on sheet two; the county will use those figures during its approval process
- details about the water service have been added to sheet two; no external extension will be added
- drainage pond calculations will be submitted to the Town Engineer
- sanitary sewer lateral elevations have been added
- erosion control measures have been added to sheet three
- building elevations have been submitted
- two additional handicapped parking spots have been added to the site. All handicapped parking spots are located near the central entrance.

Mr. Hover questioned whether that was the best way to serve people who don't have handicapped parking permits, but do have mobility problems.

Mr. Schultz addressed the Environmental Conservation Board comments:

- a note to preserve trees to the greatest extent possible will be added
- the applicant will try to use natural species plantings around the pond
- the project will not disturb the steep slope area

Mr. Schultz addressed the fire marshal comments:

- an air space of 20 feet along the fire lane has been maintained

Mr. Schultz said the existing dumpster enclosure will be taken down. A new dumpster enclosure will be constructed of split face block in a color to match the hotel.

The review will continue at the March 10, 2003 meeting.

**Profeta Lot 9 Amended Site Plan.** 820 Shumway Road. 084.03-1-33

Engineer Frank Spiotta presented updated plans and addressed the Town Engineer comments:

- SEQR short form has been submitted
- house set backs have been added
- erosion control measure details have been added
- mail box standard has been added
- tax account numbers have been shown

remaining:

- tax account number of property to the rear to be added
- straw bale note to be removed

Mr. Spiotta addressed County DOT comments. The Town has not received those comments. Mr. Spiotta will provide the Town with a copy.

Mr. Spiotta said he has added site distances to the plan. Some of the county transportation notes need to be modified.

Mr. Spiotta addressed the Environmental Conservation Board comment:

- the deep hole test was conducted on December 13, 2002; that note is on sheet 2.

Moved by Mr. Hale, seconded by Mr. Hertweck, that having reviewed the Project Information Form, comments from the Town Engineer and the Environmental Conservation Board, the Planning Board determines that the Profeta Lot 9 Amended Site Plan is an unlisted action which will not have a significant impact on the environment.

Ayes – 6

**John B. White Subdivision and Site Plan.** Salmon Creek Road. 099.04-2-13

Mr. Schultz presented updated plans and addressed the Town Engineer comments:

- the highway reservation has been revised to 15.25 feet
- site distance has been clarified
- driveway width has been changed to 14 feet and bubble added

Mr. Schultz addressed the Fire Marshal comments:

- driveway width has been changed to 14 feet and bubble added

Mr. Schultz addressed the Environmental Conservation Board comments:

- wetlands will be called out
- a note to protect existing vegetation will be added

Mr. Hover asked if the SEQR resolution can be done without county planning comments.

Jerry Goldman said yes, it can be. If necessary, the resolution could be rescinded and then amended.

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

Ayes – 6

Moved by Mr. Hale, seconded by Mr. Hertweck, that the John B. White Subdivision be given preliminary approval.

No vote.

Moved by Mr. Hover, seconded by Mrs. Bahr to table the previous motion.

Ayes – 5

Opposed – Mr. Williams

**Edward White Subdivision Lot 2 Resubdivision.** Colby Street. 099.02-1-7.2

Mr. White said that the lot sizes have been adjusted per the Town Engineer's comments.

Moved by Mr. Hale, seconded by Mr. Williams, that having reviewed the Project Information Form, comments from the Town Engineer, County Planning, and the Environmental Conservation Board, the Planning Board determines that the Edward White Subdivision Lot 2 Resubdivision is an unlisted action which will not have a significant impact on the environment.

Ayes – 6

Moved by Mr. Hover, seconded by Mrs. Bahr, that the Edward White Subdivision Lot 2 Resubdivision be given preliminary approval.

Ayes – 6

Mr. White said he has contracts for two of the parcels. He is not sure what the potential buyers intentions are.

Moved by Mr. Hale, seconded by Mrs. Bahr, that the final public hearing be waived, the Edward White Subdivision Lot 2 Resubdivision be granted final approval contingent upon the Town Engineer's signature, and the Chairman authorized to sign the mylar.

Ayes – 6

**Tim Horton's Restaurant.** Fourth Section Road.

Lou Terragnoli, director of real estate for Tim Horton's, addressed the board informally about plans to construct a store on Fourth Section Road. Mr. Terragnoli said his company plans to purchase a piece of the Econolodge site and share access to Route 31 with the motel. The building would be brick. The proposed Tim Horton's lot would be 130 feet wide by about 200 feet deep. The building would be 2,800 square feet with seats for 52 customers. There would be 34 parking spots and a drive through lane. Econolodge would relocate its pool.

The proposal would be for a 24-hour operation. The business is largely drive-through. Menu is breakfast and lunch – baked goods and soups. Mr. Terragnoli said the company tailors its signs to local ordinances.

The Planning Board pointed out that the both the motel site and the Tim Horton's site would have to meet green space and set back requirements. The location of the rear lot line for Tim Horton's is not clear at this time.

No action taken.

**Crystal Ridge PUD**

Mr. Schultz had delivered new concept plans earlier in the meeting.

The Planning Board discussed the letter sent by Crystal Ridge Attorney Adam Walters asking the board not to adopt the FEIS and to table any discussion until it has time to review the new concept plan.

Mr. Goldman told the board it had three options: go forward with its plan to adopt the FEIS; look at the plan and accept it as a modification to the current application; consider it a new application and start over again.

Mr. Oberst asked how far back in the process the Planning Board would have to go if it accepted the new submission as a modification.

Mr. Goldman said the Planning Board might have to go back for enough to do a supplemental EIS.

The Planning Board discussed the fact that the map dropped off at the meeting doesn't address the many issues brought out in the DGEIS.

Mr. Goldman said that dropping 100 units from the overall plan of 800 plus units may not be a significant change as far as the SEQR review that the Planning Board is doing.

Moved by Mr. Hale, seconded by Mr. Hover, to accept the Crystal Ridge Final EIS as complete pursuant to 6 NYCRR § 617.9 (a) (6) and that a notice of completion of the Final EIS be filed and published pursuant to 6 NYCRR § 617.12. Pursuant to 6 NYCRR § 617.11, it is the intention of the Planning Board to consider a Draft Findings Statement on March 10, 2003 and to allow a period of review of the Draft Findings Statement, with adoption of a Final Findings Statement contemplated on March 24, 2003.

Ayes - 6

The meeting was adjourned by motion at 9:40 p.m.

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Planning Board Secretary