

**TOWN OF SWEDEN  
Planning Board Minutes  
February 25, 2013**

A regular meeting of the Town of Sweden Planning Board was held on Monday, February 25, 2013, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

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

Absent: William Hertweck

Also present: James Oberst, MRB, Nicola Montanaro, L.S., Richard Klein, Frances Ann Reese, Theresa and Willard Pengelly, Laurie 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. Strabel, that the minutes of February 11, 2013, be approved as amended.

*Page 3, 1<sup>st</sup> sentence... Change to... Mr. Monno asked if this property extends into Orleans County. Mr. Schultz stated it did not.*

Ayes – 6

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

Mr. Nick Montanaro addressed the Board. He explained he has received comments from the Town Engineer and Fire Marshal and has satisfactorily addressed them. Mr. Oberst stated he received an updated map and is satisfied with the responses.

Mr. Montanaro stated Frances Reese, Reese Environmental Consulting, was hired to address the wetland issues. She performed site testing, which determined there were no federal wetlands on the eight acres of the Klein Subdivision. The wetland inventory map shows a small wetland on the southeast corner, but after testing the soil in that corner and it was determined the soil is not conducive to wetlands.

Mr. Strabel asked if the wetlands have been mapped out. Mr. Montanaro stated no because there are no wetlands to map. The test results are shown on the revised map.

Mrs. Bowers, property owner to the south, stated wetlands are determined by the vegetation, not the type of soil. Ms. Reese addressed this comment by explaining the difference between the regulatory agencies of federal wetlands. New York State regulates wetlands that are 12.4 acres or more in size. Federal wetlands are regulated under Section 404 of the Clean Water Act. The Federal Wetland Inventory map, which shows the small .67 acre wetland on the southeast corner is an area that was mapped by the National Wetlands Inventory in the late 70s, early 80s by the U.S. Fish and Wildlife Service, which Ms. Reese helped form the methodology for creating that map. The maps were done for wildlife habitat purposes, not regulatory purposes.

Discussion followed. A full report has been submitted to the Town Engineer and a copy is on file at the Town office. The Board would like to review the report to confirm there are no federal wetlands.

Chairman McAllister continued review of this application.

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MRB Comments

1. The proposed lot, Klein Subdivision, has been labeled on the plat.
2. Acreage and owner information of original parcel has been noted.
3. Acreage has been noted for the proposed Lot R-1a-B parcel.
4. Name and address of applicant has been added to the plan.
5. A SWPPP has been submitted to the Town Engineer. Mr. Oberst stated he is satisfied with the report.
6. Plans have been submitted to the MCDOH last week.
7. Application has been made to Monroe County on February 15, 2013.
8. A certificate of occupancy note has been added to the plans requiring record drawings.
9. The dimensions of the driveway bump outs have been modified to the proper size with a maximum distance of 500 ft. between each one.
10. Storm drainage notes 1 and 2 have been corrected to reference Monroe County, not the Town.

Fire Marshal Comments – have been addressed above with the engineering comments.

Mr. Monno requested the record drawings include telephone and power lines. Mr. Montanaro will address.

Perc results were discussed. Mr. Montanaro explained the cellar will be above the bedrock. Mr. Monno asked for a note regarding that this lot may require fill.

Mr. Dollard asked what the dimensions of the proposed barn are. Mr. Klein stated approximately 20 ft. x 30 ft., and he hasn't decided if it will have electric.

Chairman McAllister stated for the record that a 13-page comment has been received from Mrs. Bowers that will be made part of the project and kept on file.

Mr. Minor stated the Environmental Conservation Board would like to see a note added to the plan stating, "Native and existing vegetation will be retained to the greatest extent possible, incorporated into the landscape plan, and protected from harm during development."

It was noted that the water quantity and quality statement and the notice of farm operations should be added to the plan. Check with the Clerk for verbiage.

Mr. Hale asked if the adequacy of the notice of public hearing has been addressed. Mr. Strabel stated that legal counsel is addressing that matter.

Moved by Mr. Strabel, seconded by Mr. Hale, to table the Klein Subdivision and Site Plan to the next meeting or future meeting, and to accept as part of the record, the revised drawings, wetland information, and 13-page comment received from Mrs. Bowers, and pending determination of the adequacy of the notice of public hearing from our legal counsel.

The project will still be in the 62 days from the public hearing time frame in order to continue the approval process.

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**Immediate Care Facility**

Chairman McAllister distributed copies of a draft memo of recommendation to the Zoning Board of Appeals supporting an area variance application for approval of less than the required parking spaces for the original site plan and proposed addition.

Mr. Dollard recommended adding the approval date of the original site plan to the text. Mr. Minor suggested the date of the memo be left blank, too. Mr. Strabel suggested that the draft memo be reviewed by legal counsel before an official application is made to the Zoning Board of Appeals.

**Rezone Vacant Land on Sweden Walker Road**

Chairman McAllister requested the comments reflect that a site plan be provided to the Town Board for a complete review of environmental impacts prior to any rezoning approval.

**Proposed Wal-Mart Exterior Paint/Signage Modifications**

Moved by Mr. Hale, seconded by Mr. Dollard, to approve the proposed changes per drawing submitted to the Planning Board by pb2 architecture+engineering, dated February 21, 2013.

Ayes – 6

The meeting was adjourned on motion at 8:15 p.m.

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**Planning Board Clerk**