

**TOWN OF SWEDEN  
Planning Board Minutes  
March 10, 2008**

A regular meeting of the Town of Sweden Planning Board was held on Monday, March 10, 2008, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7:00 p.m.

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

Also present: James Oberst, MRB, Kris Schultz, Jeffrey Smetana, Robert Stark, Randy Spurr, Harold Mundy, Joseph and Mary Daniels, Maria and Angelo Rota, Douglas Park, Bill Zayas, Norma Breiner, Joan and David Harradine

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

Correspondence passed to members for review.

Moved by Mr. Monno, seconded by Mr. Minor, that the minutes of February 25, 2008 be approved.

Ayes – 5  
Abstain – Chairman McAllister  
Abstain – William Hertweck

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.

**Daniels Subdivision – 7 Lots. 754 Beadle Road. 099.03-1-29.1**

Mr. Kris Schultz addressed the Board. The proposed project encompasses the entire farm, which has been subdivided into 7 lots. Each lot meets the size and setback requirements for future building; however, this project is only creating parcels, and not proposing any development at this time. The existing house will be part of a 14.5-acre parcel with 2 lots west of the house, and 4 lots east of the house. A unique part of this subdivision is that Niagara Mohawk owns property, which divides this site. Lot 7 is north of the Niagara Mohawk property with its access, 60 ft., south of it. This property will be sold only for hunting, logging and/or recreation use. Mr. Schultz stated he would be happy to answer any questions at this time.

David Harradine, 639 Beadle Road – Mr. Harradine asked what is the plan for water supply and waste disposal? Mr. Schultz stated waste disposal will be handled by a leach system due to no sanitary sewer, and water will come from drilled wells. Mr. Harradine asked if any test wells have been drilled/flow rates determined? He added he has lived there for 30 years, and his concern is the aquifer. Mr. Schultz stated often times when there is an indication of low flow/poor water, part of the approval should be to have a well spotted initially to indicate there is good water before proceeding. Mr. Schultz added that we know from the Daniels living at this site, the water supply is sufficient. Mr. Harradine stated sufficient for one family; this application calls for six additional building lots. Mr. Schultz stated from his previous work on a subdivision west of this site, and checking with County Health, there are no documented issues/records regarding wells. He suggested if anyone has issues with wells running dry to make it known to County Health for future developers to check.

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Angelo and Maria Rota, 5726 Lake Road – M/M Rota stated their water quality changed after 17 years from good to very salty, muddy and dry. Mr. Schultz explained the process of how to get public water to an area. Also, a stipulation is often made before someone can build, to do a test well to make sure there's enough water.

Mr. Harradine stated that water hydrology is an inexact science since there isn't a whole map of the aquifer, but drilling one test well versus the load of six residences on that aquifer are two totally different calculations.

Norma Briener, 626 Beadle Road– Mrs. Briener stated that 754 Beadle Road, applicant's home, was her previous home, and while she lived there a cistern had to be filled all the time.

Bill Zayas, 638 Beadle Road – Mr. Zayas stated he just about had no water this past summer. A draw down calculation was done at 24 gallons a minute with no recharge rate. He has a 300-gallon storage tank in the basement, which was taking 24 hours to recoup to a point where there was enough water to flush the toilet again. Water was being hauled in because it was a dry summer. He's considering drilling more wells, but that can be very expensive with little results. Mr. Schultz asked how deep was his well? Mr. Zayas stated 46 ft. into sulfur, possibly salt.

Mary Daniels, 1065 White Road – Mrs. Daniels is the applicant. She stated that since Mrs. Briener lived at the house, she has made improvements to the well. The house has been on the market for over a year, but no one has been interested in buying the house and all the acreage, and that is why she decided to subdivide the land. The Daniels now have a buyer for the house and 14.5 acres.

Maria Rota, 5726 Lake Road – Mrs. Rota stated that was good for the Daniels, however, bad for her because her house still has no water. She feels she'd have to give away her house because nobody would want it with a well that's muddy and salty.

Chairman McAllister asked if perc tests were done on Lots 1 and 2? Mr. Schultz stated no, but perc tests have been done across the street, and he can almost guarantee the septic system will be modified raised. The amount of acreage required for a septic system and/or to build was discussed.

Chairman McAllister asked if there were any other questions or concerns. There were none.

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

Ayes – 7

**Daniels Subdivision – 7 Lots. 754 Beadle Road. 099.03-1-29.1**

Chairman McAllister continued the review of this application. Mr. Kris Schultz reviewed the Town Engineer's comments:

1. The location of the well and existing septic system for Lot 3 is shown on the plan.
2. Notations for wetlands and floodplains have been shown on the plan. Floodplains are in the extreme northwest corner where A denotes a floodplain and C is high and dry. This corresponds to the wetlands on the property as well. Both the Federal and State wetland mapping are shown. The State more than encompasses everything that the Federal had shown. The DEC boundary was duplicated showing the 100 ft. buffer, which encompasses a good portion of Lot 7. This is another reason why Lot 7 would be marketed as a lot used only for recreational purposes.

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3. A copy of the Daniels' deed was submitted which includes a perpetual easement to cross the Niagara Mohawk property at any point by the owner of the land. The intent with Lot 7 is to show an obvious point of connection so the owner is directed to come into a dry area and not the wetlands. The plan shows a minimum 60 ft. access so that if someone had a quad, there would be a legitimate way to get back to Lot 7.

Chairman McAllister confirmed that the access is just a way for potential owners to get back to Lot 7, but not to construct anything in the easement. Mr. Monno commented that there would be no buildings on Lot 7. Mr. Schultz stated that is correct and it's not being marketed that way. If Lot 7 were purchased, it would be used for hunting, recreation, and/or logging. Mr. Schultz would be happy to note this on the plan. Mr. Hale stated one of the comments at the last meeting is what means to use to inform potential buyers of this. Mr. Schultz stated that any development of these lots would need to get approval from the Planning Board.

Regarding the access, Mr. Dollard questioned whether or not there were any poles or towers in the Niagara Mohawk crossover area. Mr. Schultz stated there were not. Mr. Schultz explained that the little triangles on the map were towers, and not located in the crossover area.

4. A signed letter of consent was submitted by the owners agreeing to the subdivision, and that they would follow through with recording the map at the County Clerk's office.

Mr. Schultz stated the Fire Marshal had no comments. The Environmental Conservation Board has not responded to date. Mr. Schultz will submit the plan to MC Planning and Development for review.

Mr. Hertweck asked that the PIF be changed on page 3 to state no to public water, and yes to wells. Mr. Schultz showed the PIF with revisions; a copy will be provided to the Board.

Mr. Monno asked why was the lot line slanted on Lot 3? Mr. Schultz stated that was done to match the purchase and sale contract of 14.5 acres. Originally, it was a little less than that, and instead of changing the purchase and sale contract, the line was slanted to show 14.5 acres.

For the record, Chairman McAllister read the following telephone message received from Nancy Hendrixx on March 4, 2008:

Mrs. Hendrix stated she was not in favor of the Daniels subdivision because of the poor well water quantity on Beadle Road. She understands that the Daniels want to sell their land, but they are also aware of the poor water situation.

**Spurr Dealerships Amended Site Plan. 6325 Bkpt-Spen Road. 084.01-1-7**

Mr. Randy Spurr addressed the Board. He distributed an updated plan showing the same two entrances as proposed previously except that the bright blue color has been changed to grey along with a grey stripe that will go around the entire building.

Mr. Minor asked if the dumpster enclosure has to be the same color as the building? Yes, but there is no dumpster.

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Mr. Minor asked how would the proposed signage look? Mr. Spurr stated the smaller sign in front of the Pontiac building will be taken down, but the panels from that sign will be put in the large pylon sign in front of the Spurr building. A new sign will be installed for the Subaru building.

Mr. Strabel asked if the building was going to be repainted? Mr. Spurr stated yes, an off white or light grey color. He also asked what the new materials on the façade are made of? Mr. Spurr stated the material is referred to as a drivet.

Mr. Strabel reviewed the Subaru plan. He asked if the building is still going to have the stone front on it? Mr. Spurr stated yes, it would be constructed of tile.

Mr. Oberst asked if a new sidewalk would be put in as shown on the plans? It was determined that the new sidewalk is for around the building. It will be flush with the pavement and there will be two curbs that have handicap accessible slopes.

Moved by Mr. Hale, seconded by Mr. Monno, that having reviewed the Short Environmental Review Form, comments from the Town Engineer, Fire Marshal, and the Environmental Conservation Board, the Planning Board determines that the Spurr Dealerships Amended Site Plan is an unlisted action which will not have a significant impact on the environment.

Ayes – 7

Moved by Mr. Minor, seconded by Mr. Strabel, that the Spurr Dealerships Amended Site Plan be approved contingent upon receiving the signatures of the Town Engineer and the Fire Marshal, and the Chairman be authorized to sign the mylar.

Ayes – 7

**Heritage Square – Brockport College Suites. Redman Road.**

Mr. Kris Schultz and Mr. Jeff Smetana, United Group, addressed the Board. Mr. Schultz stated the plans have come together very nicely. Mr. Bob Stark, architect, is here tonight. The suites are in the northeast corner of Heritage Square. Mr. Stark designed the townhouse project recently built on campus.

Mr. Smetana addressed the Board. A summary of the project was presented since the last informal meeting held May 14, 2007. A typical layout of the four bedroom apartment, ground floor and second floor, was shown to the Board. The whole theme is to create a sense of community with a central point of entrance.

Mr. Schultz presented the overall plan which shows a Main Street entrance across from New Campus Drive. Main Street goes right to the hotel and then swings around to the college suites. The project is broken down into two phases.

Mr. Smetana explained it is a nice mix of intergenerational people. The hotel is a great addition. There will be out parcels for restaurants, etc., which will add to the development. As Mr. Schultz pointed out, the project will be done in two phases with each building having 100 apartments separated by a bus station with a courtyard area in between. The parking is pulled to the outside. Phase 2 will be based on the success of Phase 1. The plan is to potentially get construction started this year, late summer, and finish by July 2009 just in time for

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classes beginning in August. United Group will become part of the community, and be here for a long time. United Group is based in Troy, but there will be a regional manager supervising the project. United Group has presented an offer to the McLeans to do the senior housing, as well as the hotel, but nothing has been finalized to date.

Mr. Hertweck asked where else has United Group completed similar projects? Mr. Smetana stated United Group did 1,200 beds for the University at Albany, 429 beds in downtown Albany for a consortium of colleges, pharmacy and law school. A project at Finger Lakes College, which has done very well. United Group has also completed work at Niagara Community College, and at RIT in Henrietta, corner of Jefferson St. and John St.

Mr. Smetana also presented elevation drawings. Mr. Dollard asked if the first level would be underground? Mr. Smetana stated no, it would be on a slab.

Mr. Minor asked for clarification of the location of the pond, park, new ball field, and existing woods. Mr. Schultz explained where everything was.

Chairman McAllister stated the area across from the sport fields would be high volume. Has there been any thought given to an overhead walkthrough? Mr. Schultz stated no due to grading differences and the train.

Mr. Minor asked about the required parking spaces for the suites? Mr. Smetana stated a formula is used which ends up being three unassigned spaces per apartment. Mr. Schultz added that he is working on shared parking for the businesses.

Mr. Minor asked how the sanitary sewer would run? Mr. Schultz stated gravity sewer will run from the Northview subdivision to the crest of the hill (hotel), and then a new lift station will service everything north of the crest.

Mr. Minor asked if there would be a traffic light at the entrance? Mr. Schultz stated yes, and that there would also be turning lanes and improvements to Rte. 31. The project also includes water from Redman through the Northview Subdivision, and then loops around. There will be two detention ponds. All of McLean's improvements will be done parallel to the design of the college suites.

Mr. Schultz stated to be as efficient as possible, there would be two site plans presented before the Board. One plan for the Brockport College Suites, and one from the McLeans, a SWPPP plan for the entire earthwork.

Mr. Schultz stated he would need 45 days before coming back for an official review. Chairman McAllister stated that should also provide the Town Board adequate time to amend the code to permit four bedroom apartments.

Mr. Minor asked what type of lighting is proposed? Mr. Schultz stated there will be enough lighting to have some degree of security in the parking lot, but not too much to disturb the residents.

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

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**Planning Board Secretary**