

A Public Hearing of the Town of Sweden Planning Board was held on Monday, April 21, 2003, at the Brockport High School Auditorium, 40 Allen Street, Brockport, N.Y., commencing at about 7:10 p.m.

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

Also present: Mike Simon – MRB, James Bell – Town Attorney, Nat O. Lester III – Sweden Supervisor, Fred Perrine – Sweden Highway Superintendent, Charles Sanford – Fire Marshal, Pauline Johnson & Frank Fisher – Zoning Board of Appeals, Neal Madden – Harter Secrest & Emery, John Bennett & Tom Lucey – APD Engineering and please see attendance list.

The meeting was called to order at about 7:10 p.m. by Chairman McAllister.

The Chairman read the notice of Public Hearing and affidavit of publication for:

**Wal-Mart Super Center.** Brockport Spencerport Road. 084.01-1-14.112, 084.01-1-14.2, 084.01-1-14.12.

The Chairman explained that the Planning Board was seeking comments about environmental issues to be included in the Draft Scoping Document.

Mr. Hale further explained that residents should offer questions about environmental issues for Wal-Mart to address.

John Shields, 14 Talamora Trail, had already submitted a letter regarding the areas of inadequacy in the Draft Scoping Document. He proceeded to review his written statement.

Regarding economic impacts, Mr. Shields stated that even though Wal-Mart says it won't address that topic, economic impacts are environmental issues. Changing or seriously modifying community character is an environmental issue. This competition is so large in scope that it will completely destroy the downtown business community. Historic buildings will become vacant, building use will be changed, tax abatements sought, buildings will fall into disrepair. There will still be a downtown but it will be significantly different. The character of the community is a reasonable issue to be discussed under these circumstances and Wal-Mart has an obligation to examine the impact.

Mr. Shields questioned whether the employees brought in for this project will be union workers with benefits.

Mr. Shields said the applicant must address public safety concerns for the residents of Talamora Trail and residents of Sweden Village and Fieldstone Acres.

Mr. Shields believes that potential police calls need to be examined. What will the burden on the taxpayers be for additional police service?

Mr. Shields believes that Wal-Mart should address the socio-economic impacts on the entire community. The community shouldn't have to change because Wal-Mart wants to make more money.

Regarding traffic, Mr. Shields said that all the intersections on Route 31 from the entrance to 531 to Orleans County should be studied. Traffic at intersections along Route 19 from Bergen to Hamlin should also be studied.

Mr. Shields asked what Route 31 will look like a year after the Wal-Mart Supercenter is built. What will happen when more businesses want to locate next to Wal-Mart?

Mr. Shields agrees with the comments from the Environmental Conservation Board regarding drainage and wetlands.

Mr. Shields said the physical impacts to the neighborhood, like lighting, shouldn't be limited to just the residents of Talamora Trail, but also to residents across Route 31. Lighting and visual impact studies should be conducted in the worst case scenario – late fall/winter – when there are no leaves on the trees.

Mr. Shields said that debris is an issue. He has visited other Wal-Mart sites and there is a great deal of debris on site and on neighboring sites.

Mr. Shields believes that a reasonable alternative for the proposal is for Wal-Mart to expand at its current site. It doesn't have to be the full 203,000 square feet as proposed. There are also other areas in town where there is general business zoning in place and where this project would fit in with the Comprehensive Plan.

Mr. Shields believes the traffic problems have to be studied very specifically for this site, not from "standard replies out of a cookbook."

Mr. Shields said that Wal-Mart has not addressed the Comprehensive Plan at all and it must.

Mr. Shields said his group (STAND) is requesting a moratorium on development from the Town Board.

Mr. Shields asked the Planning Board to adopt a resolution requesting the Town Board to place a moratorium on all development not consistent with the Comprehensive Plan.

Mr. Shields submitted an article by Michael B. Gerrard regarding environmental law printed in a law journal and dated March 24, 2000. Mr. Shields said that courts have held that they will not overcome decisions of administrative agencies unless there is evidence of gross incompetence.

The Chairman asked residents to limit their comments to two minutes and to avoid redundancy.

Caurie Putnam, 13 Talamora Trail, said her group (STAND) has collected an additional 500 signatures on a petition against the Wal-Mart project. The group previously submitted a petition with 135 signatures. The new signatures come from residents across the town, she said.

Mrs. Putnam said she found the Draft Scoping Document to be inadequate and condescending. Only a few of the potential impacts are listed. She would like to add more:

- traffic in and out of Talamora Trail
- water pressure
- flooding in yards
- hazardous waste
- windblown garbage
- safety
- vermin
- odors from garbage & exhaust
- police calls (expansion of village police necessary?)
- impact to ambulance service
- emergency time response
- trespassing and other criminal activities at adjacent properties
- handling of bomb threat calls

Charilla Connor, 4226 Sweden Walker Road, already has difficulty pulling in and out of her driveway. This project will increase traffic on Sweden Walker Road. There are tractors on the road because there is farming in her neighborhood. She wants Sweden Walker Road included in the traffic study.

Monica Anderson, 8 Hickory Way, is concerned about air pollution. Allergies increase significantly in heavily developed areas. Air pollution is detrimental to the rural environment.

George Mann, 176 Gary Drive, asked what the process for approval is.

The Chairman explained the SEQR process and the Planning Board's duties. He also explained the Zoning Board of Appeals' role.

R. Johnson, 12 Talamora Trail, expressed concern that the snow in Ames Plaza was piled too high creating a danger – snow removal and storage for this project should be addressed.

Harry Sentiff, 38 Brookdale Road, stated that Woodstock, Vermont has stopped all this type of development so that they have a beautiful downtown. He said this community doesn't need any more places to shop. This community needs to maintain its downtown and keep out super markets.

Jim Moore, 4 Talamora Trail, said that he can hear snow removal trucks in the Ames Plaza at 4 am. Wal-Mart will be even closer to his home – this noise issue needs to be addressed.

Mr. Moore said that Wal-Mart's traffic study contains dated material. A better traffic study needs to be done.

Mr. Moore said jurisdiction over the wetlands should be determined before any decisions are made.

Sarah Hart, 94 State Street, said that Wal-Mart only builds square buildings of block containing no architectural features. On the other hand, the architecture of downtown Brockport is beautiful, something that people can contemplate. She believes that a person's mental state is negatively affected when they have to look at something so ugly. Could Wal-Mart build something architecturally significant – something beautiful to look at?

Vicky Decker, 74 Talamora Trail, said the pedestrian element has been left out of this project. Where are the sidewalks, crosswalks, pedestrian access points? What about lighting for people who might walk there?

Paul North, 37 Talamora Trail, said the traffic study is insufficient because it looked at two days for a total of six hours. Mr. North asked at what point will the traffic system fail.

Mr. North said from his research he has concluded that traffic generated is always underestimated. Winter traffic, when roads are slippery, needs to be addressed. Traffic during the Thanksgiving – Christmas shopping period needs to be addressed.

Mr. North asked if the total retail space takes into account using parking lot space for displays.

Wilford Bordeau, 103 Talamora Trail, asked if the DOT's decision about the extension of Route 531 will be made before this project is approved. He also wondered why the DOT didn't have any input into this application.

The Chairman explained that the DOT has been notified and has had the traffic study for several months.

Mr. Bordeau asked if DOT's comments will be considered before a decision is made. He asked if the DOT can make Wal-Mart put in a six lane highway.

The Chairman replied that the DOT is a decision maker.

Walter Uhrman, 52 Centennial Avenue, said that the Planning Board should contact other communities and asked them how they've dealt with these issues.

Mr. Hale explained that the Planning Board has contacted several municipalities in New York State.

Kathy Harris, 4350 Sweden Walker Road, used to walk to the bus stop on Route 31 every day. She was almost hit several times. A man was killed on Sweden Walker Road this winter. Unless Route 31 is widened to four lanes, traffic won't move through efficiently and safely.

Ms. Harris is also concerned about wildlife. Where will the deer population go if this area is developed?

Tom Lang, 21 Carolin Drive, congratulated everyone who had comments at the Public Hearing. He feels that Wal-Mart uses polished propaganda that isn't true. He feels that the community needs to take a stand against the Wal-Mart Supercenter. The Wal-Mart that is here already is more than enough.

Victor Senia, 14 Talamora Trail, asked if the 1991 Sear Brown Route 31 Corridor Traffic Study was being considered during this process? Is the 1999 Route 531 Major Investment Study by Bergman Associates being consulted? How will increased curb cuts affect traffic conflicts? What about dark skies laws? Is the drainage study performed at Ames Plaza being consulted?

Mr. Senia submitted a letter.

Barb Fisher, 97 Talamora Trail, asked how she will be able to make a left-hand turn onto a four or six lane highway when she can't make a turn out now.

Robert Brongo, 1663 Brockport Spencerport Road, asked what has been proposed for road improvements. There have been countless accidents at Transit Way. Are there traffic lights proposed?

The Chairman explained that the only new traffic lights proposed are at Wal-Mart's entrance.

An unidentified woman from Talamora Trail asked who will pay for the widening of Route 31? She said her 8 year old son is against the project because he wants to hear crickets outside his window, not tractor trailer trucks.

Jolene Bok, 18 Keystone Court, is concerned about traffic. She said it is impossible to get out of her neighborhood onto Route 31 starting at 7 am. She pointed out that traffic volumes change when college is in session.

Robert Westbrook, 330 Capen Road, said that if Sam Walton really said his company won't go anywhere it's not wanted, then Wal-Mart shouldn't come here. Mr. Westbrook feels the Draft Scoping Document looks at the environment narrowly, it needs to look at it more broadly. He suggested a referendum to find out if Wal-Mart is wanted here.

Gary Skoog, 6142 Lake Road, said that he attended all the Route 531 extension meetings during the study and that the widening of Brockport Spencerport Road was unacceptable. He said the intersections of Routes 260 & 31 and Routes 19 & 31 are already inadequate. There is no way the traffic system can handle any more.

Mrs. Mendez, Holley Street, said Wal-Mart has been proposed in Ithaca for years but the residents there keep fighting to keep it out. Ithaca wants its downtown to be frequented, to stay strong. Ithaca tries to keep large stores out. Residents need to make decisions through elected officials.

Paul North, 37 Talamora Trail, asked who will decide what the complete list of questions is?

The Chairman responded that all the questions and issues are being gathered from agencies and from the public. The Planning Board will come up with the final list of questions. The applicant has to address those issues. The Planning Board then reviews the applicants' responses.

Gary Skoog, 6142 Lake Road, asked how long this process will take?

The Chairman said it was hard to tell, maybe three months for the SEQR process.

Someone asked if the DOT study would be available for the public?

The Chairman said yes.

There was some discussion about the DOT review process.

Pat Kutz, 495 White Road, asked if the Planning Board could make a decision based upon anything other than environmental reasons.

The Chairman replied not at this stage. When the Environmental Impact Study is completed, and issues mitigated, then the Planning Board would move into site plan review.

Jon Delvecchio, 78 South Avenue, asked if the public's ideas would be included?

The Chairman answered yes.

Monica Anderson, 8 Hickory Way, said that residents can take their business somewhere besides Wal-Mart.

Mark Stone, 54 Talamora Trail, said many of tonight's comments fall into the project needs and benefits category. He asked if it is Wal-Mart's needs and benefits or the residents' needs and benefits. He believes it should be looked at both ways. He fails to see the benefits to residents. How can they say that there is a need here?

Walter Uhrman, 52 Centennial Avenue, asked if the board votes as a body? Can the vote be split, for example 5 – 2.

The Chairman said yes, that's possible.

The meeting was adjourned at 8:45 p.m.

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Planning Board Secretary