

**TOWN OF SWEDEN
Planning Board Minutes
May 9, 2005**

A regular meeting of the Town of Sweden Planning Board was held on Monday, May 9, 2005, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7:00 p.m.

Members present: Ellen Bahr, David Hale, William Hertweck, Craig McAllister, Matthew Minor, Edward Williams

Absent: Arnold Monno

Also present: James Oberst, Town Engineer, William Weber, Building Inspector, James Glogowski, Kathryn Hargis, Jerry Goldman, Esq., Tom Lucey and John Bennett, APD, Kelly Pronti, Esq., and please see attached sign-in sheet.

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

Correspondence passed to members for review.

Moved by Mr. Hale, seconded by Mr. Hertweck, that the minutes of April 25, 2005 be approved.

Ayes – 6

Clare Subdivision. 2785 Colby Street. 099.01-1-17.2

Mrs. Kathryn Hargis addressed the Board. Mrs. Hargis is representing her sister, Deborah Clare, who completed/signed the application. Mrs. Hargis owned the original parcel in 1979 and later subdivided approximately two acres off for her sister to build a house. Part of the two acres included Mrs. Hargis' already established horse pasture, invisible fence, and pet cemetery. Ms. Clare has remarried and is now selling her parcel. Mrs. Hargis would like to officially regain the approximate .75 acres she has been using for the horses' pasture, invisible fence, etc. to prevent any problems occurring with the new owners of the property.

Moved by Mr. Hale, seconded by Mr. Williams, that the Clare Subdivision be accepted for review.

Ayes – 6

Public Hearing will be June 13, 2005

Merrill Estates Site Plan. Beadle Road – 3 Lots. 098.04-1-29.1, 29.2, 29.3

Mr. Glogowski addressed the Board. Since the last Planning Board meeting, the Department of Health and Town Engineer have signed the plans. The "bubble" has been dimensioned and the driveways have been labeled as 15 ft. wide.

Note 27 regarding well installation and testing was put on the plans per the Department of Health's request. Mr. Hale commented that hopefully prospective homeowners will read the notes.

Moved by Mr. Hale, seconded by Mr. Hertweck, that the Merrill Estates Site Plan be granted approval and the Chairman be authorized to sign the mylar.

Ayes – 6

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Wal-Mart Supercenter. Brockport-Spencerport Road.

Mr. Lucey reported on the status of the project. At the end of January, the FEIS had been resubmitted and comments were being addressed from the Board. At that time, the NYSDEC reviewed the DEIS and had concerns regarding the wetland as well as did the ACOE. After meeting with the two agencies, the NYSDEC still questioned whether there was any other way to avoid disturbing the wetland. Wal-Mart was proposing to buy a 15 ft. strip of land from Vic Daniel's Auto Sales and determined that if the entire property was purchased it would alleviate many concerns of the NYSDEC as well as include the following changes:

- Ø Reduce wetland disturbance and provide connector road
- Ø Expand parking area; make it a more controlled area
- Ø Detention pond – now wetland detention
- Ø Two stop signs at entrance

Chairman McAllister stated that it is the consensus of this Board that the truck entrance be removed and there be only one curb cut off Route 31.

Mr. Bennett stated that the truck only entrance would be made as inconvenient as possible for use by regular traffic. Chairman McAllister stated it has been proven that if a road exists, people will use it. The truck only entrance should be eliminated.

Mr. Lucey reiterated that the truck traffic will be minimal and that the goal was to keep the truck traffic separate from the regular traffic.

Mr. Weber, Building Inspector/Fire Marshal, stated if the truck only entrance is eliminated, then the road from Transit Way all the way to the rear of the Wal-Mart building should be designed to accommodate large fire trucks.

Chairman McAllister asked if Wal-Mart had reached an agreement with Buckman's Car Wash and Ms. Pronti stated a firm verbal agreement to acquire 13 ft. of property was reached while still meeting the code for setbacks.

Attorney Goldman stated as a result of all the new information, the following steps should be taken to progress forward with this project:

- Ø Resubmit plans for review and exhibits of the FEIS with changes highlighted
- Ø List pros/cons of the eastern curb cut
- Ø Resubmit updated drainage reports

Information should be submitted by Friday, June 3 in order to discuss at the June 13 scheduled meeting.

First Presbyterian Church. State Street.

Board Member Hale stated that the First Presbyterian Church is again applying to the New York State Office of Parks and Recreation Historic Preservation for \$100,000 to repair and restore the exterior masonry and the windows. The plan is to submit with this year's application letters of support from representatives of the village, town and county legislature.

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Mr. Hale stated it is appropriate to request a resolution of support from the Planning Board because the First Presbyterian Church is located across the street from the Town building, and the project is consistent with one of the objectives in the Town's Comprehensive Plan.

Moved by Mrs. Bahr, seconded by Mr. Hertweck, to adopt the following resolution.

RESOLVED

That the Town of Sweden Planning Board supports the application of the First Presbyterian Church for a grant from the New York Environmental Protection Fund for the repair and restoration of the exterior masonry and windows of this historic building (1852-53). This project is consistent with Objective 11 of the Town of Sweden-Village of Brockport Comprehensive Plan (1995, updated 2002): "Maintenance and improvement of the built environment, including protection of historic structures...." The Greek Revival church contributes significantly to the Victorian aura of downtown Brockport and, for more than a century and a half, has hosted a wide range of community events.

Ayes – 6

Moved by Mr. Hale, seconded by Mr. Minor, that the meeting be adjourned at 8 p.m.

Planning Board Secretary