

**TOWN OF SWEDEN
Planning Board Minutes
May 14, 2012**

APPROVED

A regular meeting of the Town of Sweden Planning Board was held on Monday, May 14, 2012, 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, Kris Schultz, Schultz Associates, Mark Warren, Kasey Stettner, Randy Spurr

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

Correspondence was passed to members for review.

Moved by Mr. Dollard, seconded by Mr. Hale, that the minutes of April 23, 2012, be approved.

Ayes – 6

INFORMAL

Mark Warren – Subdivision and Amended Site Plan. 529 White Road

Mr. Mark Warren addressed the Board. He explained that he purchased 529 White Road a year and a half ago at an auction; the house was burned beyond repair. He demolished the house to remove it from the tax roll. A picture was distributed showing the number of structures that were on the property at one time, but are now gone. Mr. Warren would like to build a new house using the existing gravel driveway. Per MC Water Authority, there is water service on the property; a new meter has to be installed. The MC Department of Health was called to check the existing septic system, which was repaired in 1997, only to find no record of that repair. The tank is 500 gallons and on the west side of the driveway. Mr. Warren performed a perc test in the front of the house and obtained a repair permit for a new system.

Mr. Warren requested clarification whether subdivision and amended site plan approvals are needed. The Clerk explained that the parcel never received subdivision or site plan approval because the house was built before subdivision rules were created or the Planning Board had any authority for site plan approval. Chairman McAllister stated if a new house were built in the same footprint, Mr. Warren would just need a new building permit.

The Board agreed subdivision approval would not be required because the property has been in existence long before the present subdivision regulations were created in the late sixties; however, site plan approval would be needed. Mr. Warren stated there was an original survey map done by Mr. Lisowski, who has since retired. Mr. Warren will have the house plotted on the survey map. By doing this, the setbacks will be confirmed, as well as the house, driveway and septic location. Mr. Warren has a site visit with the MC Department of Health tomorrow in order to obtain a septic permit.

Because of the summer meeting schedule, Chairman McAllister asked the Board who could be in attendance on Memorial Day. There were enough for a quorum, so if Mr. Warren is able to get the information to the Clerk

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by May 23, the Board will meet on May 28. The public hearing will be June 11, and the project could be granted final approval at that meeting.

Mr. Monno stated a deephole test is not required in Monroe County when doing repairs to the septic system.

Kris Schultz – Stettner Subdivision and Site Plan. Beadle Road.

Mr. Kris Schultz addressed the Board regarding the Stettner project located on Beadle Road, which was before the Board about a month ago. The very “budget-minded” project consisted of constructing a storage building at the back of the property. The Board reviewed the plan showing grading and the access for the barn on an approximately 30-acre parcel.

In order to save money, the applicant did some of the work himself, as well as having his brother represent him at the meetings. Mr. Schultz stated he thought the project required site plan approval because there was no change in lot lines. Even though the project received subdivision and site plan approval, a subdivision plat map was never submitted. The issue is in order to have a subdivision plat map, the approximate 30 acres would have had to be surveyed. A total holdings map was submitted showing only the one side where the barn was proposed. He added there are additional requirements (i.e. perimeter survey, iron pins, etc.) above and beyond what the Board sees that must be done in order to file a subdivision plat.

Mr. Schultz stated he went through the Town’s code book looking for a one-lot subdivision rule similar to the Town of Hamlin’s code that states any parcel that was created by a deed, but never went through the Planning Board, was an illegal subdivision. Most other towns only require subdivision approval when creating or moving property lines. Mr. Schultz mentioned McDonald’s, Arby’s, and Kubota as examples of pre-existing lots. Chairman McAllister pointed out that the examples given were also developed lots, which is totally different from the Stettner property.

Mr. Schultz stated in order to file the map; it would be an additional \$2,500 to \$3,000 of work, resulting in the applicant’s budget to be way overboard. He is requesting any consideration the Board could give the applicant in keeping it to site plan approval only since the applicant did not have a clear understanding of subdivision approval. Also, to request clarification regarding the Board’s requirements on what necessitates subdivision approval and what doesn’t.

The Board discussed when this parcel was created and if it was before subdivision regulations were in place, would it be pre-existing and not require subdivision approval. Mr. Schultz stressed that the Board needs to put that in writing. Mr. Kasey Stettner explained that if he knew what was involved from the start, he wouldn’t have gone through with it. He already has over \$8000 invested in approval fees and the proposed barn will cost \$11,000.

Mr. Schultz will email the history of the deeded parcel, New York State Subdivision law, and the Town of Hamlin’s subdivision law in order to help the Board reach a decision and to clarify when subdivision approval is required.

The Clerk stated, as part of the record, when the application was received it was for subdivision and site plan approval, which was communicated to the engineer. She added that as long as she has been the Clerk, any vacant parcel requesting site plan approval required subdivision approval as well.

Randy Spurr – Amended Site Plan. 6325 Brockport-Spencerport Road.

Mr. Randy Spurr addressed the Board. He wanted to give the Board an idea of what General Motors is proposing and to receive input, if any. Basically, General Motors would like to change the front design of the building by removing the existing columns and have a single entrance in the middle. Also, there would be a new addition for drive-up service so customers could pull in and be greeted by a service advisor. Colors would be blue and silver. General Motors would be paying for the majority of the modifications.

Mr. Spurr presented drawings for review, as well as showing a computer demo of what the front facade would look like.

There will be some signage changes.

Mr. Dollard asked if there would be any changes to the height of the building. Mr. Spurr stated approximately 2 ½ ft. higher, but still under the Town's requirement.

Mr. Spurr stated that there would be interior changes with this project. The goal is to speed up the service/repair process by having the customer drive in and see a service advisor, which is more efficient and convenient. The option to leave your car overnight for service would still be available.

Mr. Spurr would need to apply for an amended site plan approval. Mr. Hale stated that the Board would be moving to its summer schedule.

OTHER

The Clerk mentioned that there was a question whether a church increasing their parking spaces would need amended site plan approval and the Board agreed it would, especially for any drainage concerns.

The Bedard Subdivision and Site Plan will be modified to show the original lot lines with only a proposed pole barn using the existing farm access. The changes should be submitted for the June meeting.

Comments - Excavation Permit Renewal – Iroquois Rock Products

The Board had no comments.

The meeting was adjourned on motion at 8:30 p.m.

Planning Board Clerk