

A regular meeting of the Town of Sweden Planning Board was held on Monday, June 10, 2002, at the Town Offices, 18 State Street, Brockport, N.Y., commencing at 7:00 p.m.

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

Also present: Jerry Foster—Environmental Conservation Board, Charlie Sanford – Fire Marshall, James Oberst – MRB, Don Grentzinger, James Missell, Steve Taylor, Paul Thompson, Jim Glogowski, Cory Green, Mark Heitz, Walter Eisenhauer, Shawn Bray, Mary Kay Genthner, Fred Corell, Sam Lustumbo, Louis Lustumbo, Jessica Williams, Ashley Anzalone, Paul Guarino, Katherine Doe, Lindsey Johnson, Megan Krahe, Andrew Gardner, and others.

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

Correspondence passed to members for review.

Moved by Mr. Williams, seconded by Mr. Monno, that the minutes of May 13, 2002 be approved.

Ayes – 6
Abstain – Mrs. Bahr

Moved by Mr. Hertweck, seconded by Mr. Hale, that the regular meeting be adjourned to the Public Hearing.

Ayes – 7

The Chairman read the notice of Public Hearing and the affidavit of publication. The chairman asked if there were any questions or comments from anyone present at the Public Hearing.

Concordia Lutheran Church Amended Site Plan. 6605 Fourth Section Road. Tax Acct. No. 083.02-1-14. Fred Corell gave a brief overview of the proposed picnic pavilion. There were no public comments.

North Coast Automotives Amended Site Plan. 5600 Brockport Spencerport Road. Tax Acct. No. 084.02-1-3. Jim Glogowski submitted updated plans. He explained that the applicant would like to abandon the southern half of the existing septic system and pave more of the site.

Louis Lustumbo asked where the additional run-off would go. He said that the North Coast Automotive site already drains onto his property to the north. Mr. Lustumbo said the state expansion of Route 31 made the problem worse than it had been. He asked why the North Coast site had been built higher than his property.

Moved by Mr. Monno, seconded by Mrs. Bahr, to adjourn the Public Hearing to the regular meeting.

Ayes – 7

Exxon Mobil Oil Corp Permit E. 6517 Brockport Spencerport Road. Tax Acct. No. 084.01-1-4.2.

No one representing the applicant was present.

Mr. Hover said that an end date for the temporary shed would need to be set.

No action was taken.

Brockport Ford Amended Site Plan. 4875 Lake Road. Tax Acct. No. 083.02-1-17.
Paul Thompson described the proposed new entrance and façade of the existing building.

Mr. Hover asked how the new façade for the sales part of the building would integrate the service part of the building so that the look would be contiguous. Mr. Thompson said the architectural block on the service part of the building would be painted to match the new façade.

Mr. Hover asked about the various out buildings on the parcel. Mr. Thompson said the current proposal does not include work on any of those structures.

Mr. Williams asked if there would be any changes in lighting. Mr. Thompson said no. He also said that the Brockport Ford sign would be illuminated.

Fire Marshall Charles Sanford said that the new state building code will require seismic load calculations for this project.

Moved by Mr. Monno, seconded by Mr. Hale, that the Brockport Ford Amended Site Plan be accepted for review.

Ayes – 6
Nay – Mr. Hover

The Public Hearing was set for July 8, 2002.

Taylor West Subdivision and Site Plan. 1241 Euler Road. Tax Acct. No. 114.04-1-2.1. Jim Missell presented updated plans that have the Monroe County Health Department signature and Town Engineer signature. The applicant is seeking final approval for the three-lot subdivision and final site plan approval for Lot 2.

Mr. Hale asked if the Rotondi lot (Tax Acct. No. 114.04-1-1) is substandard and if the proposed action would make it undevelopable. Mr. Missell said the Rotondi lot is a pre-existing substandard lot.

Chairman McAllister said the Rotondi lot is an unapproved real estate site which may or may not be developable.

Mr. Sanford signed the plans. The signature of the Highway Superintendent still needs to be obtained.

Mr. Hale expressed concern that approving the Taylor West Subdivision, particularly Lot 3, would legitimize the substandard lot. Mr. Missell said that Lots 1 and 3 were not being approved for building purposes. Mr. Rotondi also owns the Taylor West property so he would be creating his own hardship.

Don Grentzinger, Chairman of the Zoning Board of Appeals, said the ZBA would not be sympathetic to an applicant who created his own hardship.

Mr. Hover asked if Mr. Rotondi knew that he was creating an undevelopable lot. The applicant, Steve Taylor, explained that Mr. Rotondi is his grandfather.

The Planning Board asked that Mr. Rotondi provide a letter acknowledging the fact that the lot in question is substandard and can't be developed as it exists.

Moved by Mr. Hertweck, seconded by Mr. Hover, that the final public hearing be waived, that the Taylor West Subdivision be granted final approval contingent upon the signature of the Highway Superintendent and receipt of a letter from Mr. Rotondi acknowledging that his lot at the corner of Euler Road and Root Road (Tax Acct No. 114.04-1-1) is substandard and undevelopable as it exists, and the Chairman be authorized to sign the mylar.

Ayes – 7

Moved by Mr. Hale, seconded by Mr. Hertweck, that the Site Plan for Lot 2 of the Taylor West Subdivision be granted final approval.

Ayes – 7

MPH Subdivision and Site Plan. 5377 Brockport Spencerport Road. Tax Acct. No. 084.02-2-25. Cory Greene submitted revised site plans. Mrs. Bahr asked if the driveway or water line required an easement. Mr. Greene said no.

Mr. Greene noted that the following changes have been made to the plans:

- 100-year flood plain line added
- NYS DOT permit received for driveway
- Note to protect existing vegetation as much as possible added
- Signature of Monroe County Water Authority obtained
- Limit of disturbance line removed from west side

Monroe County Health Department signature is still needed.

Mr. Sanford stated that he has checked the driveway entrance and although access by large fire apparatus will be difficult, it is possible.

Mr. Monno asked if everyone was clear about the limit of the disturbed area. Mr. Greene said the stone wall would be disturbed just enough for the driveway and utilities to get through. He said the applicant is interested in preserving the stone wall as much as possible.

Moved by Mr. Hale, seconded by Mr. Williams, that the final public hearing be waived, the MPH Subdivision be granted final approval and the Chairman be authorized to sign the mylar.

Ayes – 7

Moved by Mr. Hale, seconded by Mr. Williams, that the MPH Site Plan be approved contingent upon the approval of the Monroe County Health Department, and the Chairman be authorized to sign the mylar.

Ayes – 7

Mr. Oberst requested that the Town and himself be copied sets of the final approved plans.

Mr. Sanford and Mr. Oberst signed the plans.

Ledgedale Airport Amended Site Plan. 2400 Colby Street. 084.04-1-39. Engineer Shawn Bray reported that he and the applicant had met with the adjacent property owners to resolve drainage issues. Walter Eisenhower, the applicant, has installed interceptor ditches south of the existing ditch line to help the Vigilante property drain better. Mr. Bray said Mr. Vigilante seemed satisfied with Mr. Eisenhower's efforts.

Mr. Oberst said that the airport property is not draining onto the Vigilante property.

Mr. Bray made the following points:

- an erosion control plan has been submitted
- notes about the floor of the building, and the absence of electric, sewer, lighting and floor drains at the building were added
- a letter about fuel storage tanks was submitted to the fire marshall
- the Town Engineer's comment requesting an explanation of the connection between Mr. Eisenhower's current fill permit and this project was answered

Mr. Hover said that it is important for the Planning Board to make sure that the concerns of the adjacent property owners (the Vigilantes) have been satisfactorily addressed.

The Planning Board Clerk will send a letter to Mr. Richard Vigilante, 19 Willowbank Drive, Churchville, NY 14428 stating that the Town Engineer has ascertained that the airport property isn't draining onto his property; that the airport owner seems willing to help with drainage problems; and asking if Mr. Vigilante's concerns have been satisfactorily addressed.

Moved by Mr. Hale, seconded by Mr. Hover, that having reviewed the Ledgedale Airport Amended Site Plan 2002 which is consistent with the SEQR review for the overall Ledgedale Airport Master Plan, comments from the Town Engineer, County Planning, and the Environmental Conservation Board, the Planning Board determines that the Ledgedale Airport Amended Site Plan 2002 is an unlisted action which will not have a significant impact on the environment.

Ayes – 7

Moved by Mr. Williams, seconded by Mr. Monno, that the Ledgedale Airport Amended Site Plan 2002 be approved and the Chairman be authorized to sign the mylar.

Ayes – 7

Concordia Lutheran Church Amended Site Plan. 6605 Fourth Section Road. Tax Acct. No. 083.02-1-14. There are no engineering concerns from the Town Engineer.

Moved by Mr. Hover, seconded by Mrs. Bahr, that the Concordia Lutheran Church Amended Site Plan be approved and the Chairman be authorized to sign the mylar.

Ayes – 6

Abstain – Mr. Monno

Crystal Ridge PUD. The Planning Board would like its SEQR attorney, Jerry Goldman, to respond to the June 10, 2002 letter from Adam Walters. The Planning Board would like to be sure that Mr. Walters understands that MRB cannot begin completion of the FEIS until the DEC has made a final recommendation, the applicant has responded to DOT comments, the applicant's final responses have been received electronically by MRB, and the deposit of \$5,000 received by the Town. They would also like future correspondence from Mr. Spaziano to be addressed to Chairman McAllister and copied to Mr. Goldman.

North Coast Automotives Amended Site Plan. 5600 Brockport Spencerport Road. Tax Acct. No. 084.02-1-3. Mr. Monno stated that there is a 12-inch drainage pipe on the site that needs to be shown on the plan.

Mr. Hover said he was uncomfortable with increasing the exterior lighting as much as is proposed unless the property owner is having problems with criminal activity.

Mr. Glogowski stated the applicant intends to turn the additional lighting off at about 9 p.m. each night.

Mr. Hover said that what is intended is not always practiced and the town has difficulty enforcing those practices.

Mr. McAllister requested that remaining green space be verified.

Mr. Oberst stated that there is currently the required amount of green space on the Sweden Walker side, but the proposal would leave the site with insufficient green space on the Sweden Walker side. There may already be insufficient green space on the Route 31 side due to the state taking of property.

Mrs. Bahr said the property owner knew when the building was constructed that the state would be taking some of the property during the widening of Route 31.

Mr. Hover said that if the property owner has been compensated by the state for the taking then there isn't a hardship.

Mr. McAllister said that if the green space requirements are not met in the current proposal, the applicant would require a variance to reduce the green space on both Sweden Walker and Route 31.

Mr. Hover believes that green space is a priority and that strong justification would be required to allow the additional lighting.

The meeting was adjourned by motion at 9:40 p.m.

Planning Board Secretary