

At 7:00 p.m. Supervisor Lester called to order a public hearing located at the Town Hall, 18 State Street, Brockport, New York on June 14, 2005. The purpose of the public hearing was to hear all persons for or against the request by application of Paradigm Development, Inc. to rezone from Industrial (I) to Commercial (B-1) the current Lana Property, parcel ID No. 084.01-1-19.1.

Town Board Members present were Supervisor Buddy Lester, Councilperson Rob Carges, Councilperson Patricia Connors, Councilperson Tom Ferris and Councilperson Danielle Windus-Cook. Also present were Finance Director Leisa Strabel, Building Inspector Bill Weber, Town Clerk Karen Sweeting, and Highway Superintendent Fred Perrine.

Visitors present were Jerry Goldman and Reuben Ortenberg, Attorneys from Fix, Spindelman, Brovitz, and Goldman, Ron Bronstein and Douglas Morris from Paradigm Development, Inc., David and Peg Hale from 26 Meadowview Drive, R. Sisson from 82 Talamora Trail, Julie Lapinski from 4016 Sweden Walker Road, Ken Schlecht from 5859 Brockport-Spencerport Road, Harry Shifton from 76 Talamora Trail, Brad Burns from 5954 Brockport-Spencerport Road, Rose Lana from 6151 Brockport-Spencerport Road, Bob Anderson from 8 Hickory Way, and Tim Bates from 69 Royal Gardens Way.

Supervisor Lester introduced the members of the Board and asked Town Clerk Karen Sweeting to read the legal notice published in the Town newspapers. Notice was read.

Supervisor Lester told the public that the application had been sent and reviewed by the Sweden Environmental Conservation Board, Sweden Planning Board, Sweden Highway Superintendent, Town Engineer, Monroe County Planning and Development, Monroe County Water Authority, and Monroe County Pure Waters. The Town Board received responses from two of the above, Monroe County Planning and Development and the Sweden Planning Board. The change is consistent with the Comprehensive Plan of the Town of Sweden; the area for discussion should be considered for rezoning and commercial zoning would be feasible in this area. The comments received from the Sweden Planning Board agree to the recommended rezoning to commercial. The SEQR Determination was done under the Comprehensive Plan Update 2002 and falls within the parameters set by SEQR.

Mr. Lester then directed the floor to Douglas Morris of Paradigm Development, Inc. Mr. Morris gave an overview of why Paradigm Development, Inc. was seeking the rezoning of the Lana Property to Commercial (B-1). The back of the parcel will remain Industrial (I) and the front will remain Commercial (B-1).

Supervisor Lester then opened the floor to the public for comment. David Hale from 26 Meadowview Drive, also a member of the Sweden Planning Board, asked why they applied to rezone only half of the parcel and not the whole parcel. Mr. Morris answered that they only have plans for the front portion of the parcel and the back portion is still under consideration. Paradigm will consider ideas from the community for that section and the back is not essential at this time. They are taking one step at a time. Mr. Hale asked if they would be asking for a subdivision of that commercial section in the future. Mr. Morris answered yes and they were open for suggestions.

Jerry Goldman was asked to give a short version of the SEQR review for this project. Mr. Goldman explained that the review required under SEQR was done as part of the overall update to the Comprehensive Plan Update 2002. The Plan recommended the consideration of a rezoning for that area. The SEQR covered the Comprehensive Plan Update 2002 and all actions related to the

Plan. When the applicant files with the Planning Board, a new SEQR analysis would have to be done at that time.

Douglas Morris stated that they were following the recommendations of the Comprehensive Plan and looked at property that the Town would consider to have developed. This parcel already has a traffic signal enabling frontage on two roads.

Harry Shifton from 76 Talamora Trail asked the Town Board why the rezoning was being done in pieces and does the Town have to have a request from the owner, can the Town rezone a parcel without the owner's request. Mr. Shifton made references to number of curb cuts. Supervisor Lester answered that at the Comprehensive Plan Update 2002 public hearing some of the residents had concerns with a possible rezoning. The Town can rezone without an application, but in this case, stated they would not unless an application was received. Councilperson Connors added that the ideal would be a campus type setting that would allow for a connector road between Owens Road and Sweden Walker Road in the future, therefore decreasing the number of curb cuts required along Route 31. Supervisor Lester said it would probably be easier to rezone as a whole, but would not force the other parcel owners to rezone. The Town adopted the Comprehensive Plan Update 2002 and plans to move toward the future.

Ken Schlecht from 5859 Brockport-Spencerport Road stated that the rezoning did not fit in with the Comprehensive Plan Update 2002. He alleged that there is plenty of commercial space in the Town and much of it is empty. Mr. Schlecht stated that if the Town provides the opportunity to build more commercial space, it could lead to more vacancies. He also stated that by allowing piece meal rezoning, Route 31 might eventually look like Ridge Road in Greece. Mr. Schlecht didn't feel that the rezoning would retain the rural character referred to in the Comprehensive Plan. Mr. Schlecht realizes that the Town is looking to increase the tax base, but feels that the Town would actually be losing. He asked why not encourage the developers to move into existing commercial property. Councilperson Ferris answered by confirming that the integrity of the Town is rural and does have rural character and it is the Town's responsibility to look at and read the Comprehensive Plan as an entire document. The Lana's property currently zoned Industrial (I) has been vacant for years. As for vacancies in the Town, there are actually very few. The commercial properties that are nearly vacant are left that way by the property owners. The Town of Sweden is close to 100% occupancy for commercial. Supervisor Lester added that many of the plazas in the Town were either full or nearly full. The Wal-Mart plaza has purposely been left vacant. You aren't going to get a 100% occupancy rate.

Bob Anderson from 8 Hickory Way asked if Paradigm could speak as to the planned use for the Lana property. Mr. Morris answered that they were still putting the list of tenants together and assured Mr. Anderson that they are the type of tenants not currently located in Brockport and would not fit in any of the current vacant commercial locations. Paradigm would be happy to cooperate with the Town concerning road improvements. Mr. Schlecht asked what kinds of improvements were being considered. Mr. Morris answered that he could not say at this time. They would take the lead from the Town when the project got to that point. Mr. Schlecht stated that Route 31 is a main thoroughfare and traffic is a big concern. Ron Bronstein from Paradigm added that when a project begins they hire traffic consultants to work with Department of Transportation. They are in the early stages and do not have firm commitments from the tenants yet; the tenants generate their own volume of traffic.

Julie Lapinski from 4016 Sweden Walker Road asked about the tenants. Mr. Morris stated that they were still in the developmental stage and all he could confirm is multiple tenants. Mrs. Lapinski asked what types of tenants have been approached. Mr. Morris stated that he could not

provide the information due to confidentiality with the tenants. He generalized by saying that they are not a type currently in the Brockport area. Mrs. Lapinski asked whether they were the types of tenants that would likely remain in the area. Mr. Bronstein answered that Paradigm will own the plaza property and it is in their interest as well as the Town and community to fill the property with financially stable tenants that have a good record. They will not accept secondary or tertiary tenants. Mrs. Lapinski stated a concern regarding a "strip mall" located in the Town of Clarkson. She felt that the Clarkson plaza was poorly planned. She made comments relative to working with the NYSDOT and stated that many resident requests for speed controls and stop signs have been turned down by the NYSDOT. Mr. Bronstein stated that he realizes the DOT will be strict and that it takes a long time for any action.

Mr. Bronstein clarified that Paradigm has been in business for over fifteen years building centers in areas in Ohio and Indiana. These centers have very low or no vacancies. The tenants are not low-end bargain stores they are the types of tenants that will raise the quality of retail in this area. Paradigm looks for a need to fill. They are not in the business to lose money so focus on tenants that have good credit ratings and provide good service.

Mr. Schlecht asked for a list of tenants. Mr. Bronstein reinforced the need to remain confidential.

Supervisor Lester asked if anyone else would like to place a comment on the record. There were none. Mr. Lester thanked the visitors for attending the meeting. The public hearing was closed at 7:30 pm.

Respectfully Submitted,

Karen M. Sweeting  
Town Clerk