

**TOWN OF SWEDEN**  
**Planning Board Minutes**  
**July 11, 2005**

A regular meeting of the Town of Sweden Planning Board was held on Monday, July 11, 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: William Weber, Building Inspector, Donald Grentzinger, ZBA Chairman, David Matt, Kathryn Hargis, Reuben Ortenberg, Esq., John Bennett and Tom Lucey – APD, Kelly Pronti, Esq., Deanna and Harry Shifton, Ralph Sisson, James Moore

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 June 13, 2005 be approved.

Ayes – 4  
Abstain – E. Bahr  
Abstain – E. Williams

Moved by Mr. Hertweck, seconded by Mr. Williams, that the minutes of June 20, 2005 be approved.

Ayes – 5  
Abstain – E. Bahr

**South Wind Subdivision & Site Plan – 17 Lots. Lake Road and Beadle Road. 114.01-1-45.12**

David Matt, Schultz Associates, stated that he has satisfied the Town Engineer's comments, and is looking to receive preliminary approval tonight for this application.

**MRB's Comments:**

1. NYSDOT approval of the three accesses onto Lake Road. NYSDOT sent a letter dated June 17, 2005, granting approval. Also, MCDOT has approved the access onto Beadle Road. *Chairman McAllister asked if the three entrance points are all 122 ft. Mr. Matt stated that the driveways are all the same; 20 ft. entrances which split off to 14 ft. for individual driveways. Mr. Minor asked about the lots with frontage on Lake Road and Mr. Matt stated they will not have a driveway off of Lake Road, but will share an entrance point as well.*
2. Grading over the culvert at the driveway to Lot #10 has been taken care of; there will be at least a foot of cover over the pipe.
3. The wetland buffer has been delineated by showing a split rail fence along the 100 ft. buffer up until it goes into the woods.
4. The type of waiver being requested with a 60-day review for the Stormwater Pollution Prevention Plan (SWPPP) permit is a waiver against a full blown stormwater management system. All but the middle driveway can be put in without disturbing an acre.
5. Contacting the Army Corps of Engineers (ACOE) is a standard issue. The project will be disturbing less than a tenth of an acre total and the ACOE does not have a concern with that.

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6. Stone check dams have been proposed for anywhere there is a steep grade on the driveways. A stone check dam is when stone is put perpendicular in the swale to slow down the flow of water.
7. A note has been added referencing the contractor to the requirements of the SWPPP.
8. A note regarding the riprap spillways at the ponds has been added to the detail sheet.
9. Design forebays for the ponds, per the NYS Stormwater Design Manual, have been done where needed and sized accordingly.
10. The existing culvert between Lots 8 and 9 has been identified as a stone concrete box culvert, approx. 3 ft. by 4 ft. and has been added to the plans.
11. Arrange with Mr. McCracken to clean out the ditch north of Beadle Road, which Mr. McCracken volunteered to do at the public hearing. Mr. Minor commented that at the public hearing it was mentioned that the culvert going south to north on Beadle Road may have been set wrong; its exit was higher than the entrance. Mr. Matt stated it was off just a couple of inches; not enough to have the road ripped up to replace the culvert. Discussion followed.
12. Full size drainage area maps (existing and proposed) will be provided.

**DEC Comments for DRC:**

1. Not applicable; no work done in the wetlands.
2. A label on the wetland of who and when delineated it has been applied.
3. Added a lot more silt fencing to construct the limit of disturbance.
4. Break up the project so there isn't any wetland in the lots or put a split rail fence up with a note added to both the plans and to the deeds.
5. Confirm that there will be no erosion within the wetland adjacent area from pond discharge.
6. No stream disturbance permit required.
7. A SWPPP permit will be required.

**Fire Marshal Comments:**

Easements have been adjusted to incorporate driveways where needed so that everyone has access to the easement when their driveways cross other properties.

Mr. Minor asked Mr. Matt to check with the County to see if repairs could be made to the western most culvert which is in front of 985 Beadle, owned by David and Sharon Mason. Mr. Matt stated he would and added that a catch basin was recently installed at that culvert location.

Mr. Hale asked if County Health had reviewed the plans and is in agreement. Mr. Matt stated yes; all that's needed is to prepare the mylar for MCDOH to sign.

Moved by Mr. Hale, seconded by Mr. Williams, that the South Wind Subdivision and Site Plan be given preliminary approval.

*Mr. Hale stated that considering the amount of discussion there was regarding this project at the Public Hearing, the Board should not waive the final public hearing.*

Ayes – 6

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Chairman McAllister requested the Clerk to ask the Highway Superintendent to review and comment on the updated South Wind plans, specifically regarding the drainage culverts before the final public hearing on August 8, 2005.

Chairman McAllister also requested that Mr. Matt check with the MC Highway Department for any comments.

**Clare Resubdivision. 2785 Colby Street. 099.01-1-17.2**

Moved by Mr. Hale, seconded by Mr. Minor, that the final public hearing be waived, the Clare Resubdivision be granted final approval, and the Chairman authorized to sign the mylar.

Ayes – 6

**Wal-Mart Supercenter. Brockport-Spencerport Rd.**

Attorney Kelly Pronti addressed the Board requesting that a work session schedule be made to start review of the FEIS. Attorney Pronti stated a few weeks ago the Wal-Mart team had a positive meeting with the NYSDEC to review the revised plans. A conversation took place today with the NYSDEC, HS&E and Attorney Goldman. The NYSDEC is in concurrence with the revised plans. The NYSDEC agreed to issue a letter in the near future stating its concurrence as well as that no additional information will be required from the applicant.

Mr. Thomas Lucey stated that he has had a couple of meetings with the NYSDOT since the last Planning Board meeting. Mr. Lucey distributed copies of several site plans. The top copy is the most recently submitted site plan eliminating the truck entrance, the second copy is an older version of the site plan, and the last copy is a combination of these two site plans; including two parking fields and an elongated driveway that still maintains a limited amount of wetland disturbance while providing a continuous area for the flow of traffic. This change resulted from the NYSDOT stating it didn't like the T-intersection for the road coming in off of Transit Way and asked if APD could go back to the design of the second site plan showing a curve.

All the truck/emergency vehicle turns were tested and continue to work. Basically this revised site plan has the same footprint, drainage and utility plans as before. Mr. Lucey spoke with Dave Goehring, NYSDOT, regarding the revised site plan. Mr. Goehring will need to receive a copy of the NYSDEC letter and a copy of the revised site plan before issuing a letter that NYSDOT is in concurrence with the revised site plan. Mr. John Bennett added in regards to the overall improvements to Route 31, it should be noted that the NYSDOT is in concurrence with the engineering details of those plans. APD would now like to make sure the Planning Board is comfortable with the revised site plan.

Mrs. Bahr asked where the location of the proposed signal light will be. Mr. Lucey stated at the main entrance only. Mrs. Bahr also asked if it is possible to add a signal light at Transit Way. Mr. Lucey stated all the intersections were looked at during the DEIS process and the only one that warranted a signal was at the proposed Wal-Mart entrance.

Mr. Lucey asked how the Board wanted to proceed with the above changes and review of the FEIS. Chairman McAllister stated the letters from the NYSDOT and NYSDEC can be inserted in the FEIS when received, which will probably be before the first work session, but either way the review of the FEIS can still take place. It was agreed to hold the work session on July 25, 2005 at 7 p.m.

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Attorney Reuben Ortenberg from Fix Spindelman Brovitz & Goldman, P.C. introduced himself to the Board. Attorney Goldman and Attorney Ortenberg will both be assisting the Planning Board with the SEQR portion of the Wal-Mart Supercenter project.

Discussion among the Board Members took place regarding overall traffic and road improvements for the Wal-Mart project. It was suggested that a meeting be scheduled with the NYSDOT and the Planning Board to review the proposed road improvements in order to ensure that the Town's expectations and concerns are still being considered and met.

Mr. Bill Weber, Building Inspector, addressed the Board regarding the clear cutting that took place on the proposed site for the Goodwill Center. It was unacceptable and the situation will have to be remedied when the Goodwill Subdivision and Site Plan officially comes before the Board.

Chairman Donald Grentzinger was in attendance at tonight's meeting. Chairman Grentzinger asked the Board for its thoughts on the berm that was put in at the front of the Tractor Supply Co. store. Chairman McAllister commented that a one foot berm was completed according to what was shown on the plans, but the intent of the berm was to have it high enough to shield the headlights from shining into the properties across the street.

Chairman Grentzinger also commented that the Sweet Herbs & Sundry property located at 5384 Brockport-Spencerport Road will be auctioned off on Saturday and will need to reapply to ZBA for any change to its commercial use variance for the sale of antiques and collectibles and furniture stripping.

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

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**Planning Board Secretary**