

TOWN OF SWEDEN
Planning Board Minutes
August 8, 2005

A regular meeting of the Town of Sweden Planning Board was held on Monday, August 8, 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, Arnold Monno

Absent: Matthew Minor, Edward Williams

Also present: James Oberst, Town Engineer, William Weber, Building Inspector, Fred Perrine, Highway Superintendent, Jerry Foster, ECB, Rueben Ortenberg, Esq., Kris Schultz, Ron Bronstein, Douglas Morris, Shane Hajjar, Taylor McDermott, Frank Mento, Mark Horshel, Lauren McCracken, Ralph Sisson, Michael McLean, Mark St. John, Doug Tackley

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

Correspondence passed to members for review.

Moved by Mrs. Bahr, seconded by Mr. Hale, that the minutes of July 11, 2005 be approved.

Ayes – 4
Abstain – A. Monno

Moved by Mr. Hertweck, seconded by Mr. Hale, that the regular meeting be adjourned to the public hearing.

Ayes – 5

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

South Wind Subdivison & Site Plan – 17 Lots. Lake and Beadle Roads. 114.01-1-45.112

Mr. Kris Schultz addressed the Board stating this is the second public hearing for the project. A few key issues still need to be resolved. Presently, all the Town Engineer's comments have been addressed. One of the issues raised was the need to open up drainage north of the site. Mr. McCracken has recently completed some work to help the drainage.

Mark Horshel, 925 Beadle Road – Mr. Horshel stated he has a NYSDEC Classified "C" stream crossing his property. Currently, there is a 45 ft. wide drainage easement between Mr. Horshel's property and Tania Riexinger's property. That easement should extend 20 ft. onto Lot 9 which isn't shown on the plans. Also, the drainage swale shown on the plans is the NYSDEC Classified "C" stream and should be noted as such on the plans. Lastly, the aesthetic pond shown will increase the runoff rate into the stream. Mr. Horshel explained with three entrances coming into the development from Rte. 19, the water will run into the tributary as well as the spillway from the pond; thus increasing the flow rate and frequency across the property. Mr. Schultz disagreed; the flow rate has been shown to be reduced overall by 35 percent for a five-year stream and a hundred-year storm event. All the calculations have been provided to the Town Engineer for review. The 35 percent reduction is assuming that the majority of house sites will have an acre or two of lawn. Mr. Schultz further stated any areas of the swale that need to be cleaned will be taken care of, but the whole swale will not be cleaned out. Mr. Horshel asked the Town Engineer if the calculations have been reviewed and found to be accurate. Mr. Oberst stated he has reviewed the calculations and requested additional information, but has not had a chance to review that information. Also, Mr. Schultz will still have to submit the Storm Water Pollution Prevention Plan which will address drainage issues during construction. Mr. Horshel stated he would like a

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copy of the calculations to review with the hydrologist in his office. Mr. Schultz stated that would not be a problem.

Lauren McCracken, 650 White Road – Mr. McCracken stated he lives upstream and is currently flooded. The ditch needs to be cleaned out; especially the high spots, which Mr. McCracken will take care of. Mr. McCracken has already cleaned out the drainage easement going east between Avery’s land and the McVean farm.

Mark Horshel – Mr. Horshel stated that while Mr. McCracken is cleaning out the ditch, he still recommends that there be a drainage easement between the Town and Mr. Toscano so that the Town can maintain the ditch in the future, if necessary. Mr. Schultz stated he will contact Mr. Toscano to discuss the easement with him.

Fred Perrine, Highway Superintendent, stated that he visited the project area and that the water is going to pond on the north side. One solution would be for Mr. McCracken to establish a swale as long as he is renting the land.

Mark St. John, 6043 Lake Road S. – Mr. St. John asked for a summary of what has been proposed. Mr. Schultz explained that there will be three 16 ft. wide driveways that will each service 3 to 5 lots. Mr. St. John asked about the water supply for the wells. Mr. Schultz stated fortunately the lots are larger, fewer homes, and that there is always the possibility of bringing public water to the development. Mr. St. John was very surprised that the lot across from his house passed testing due to all the flooding.

Mr. Hale asked Mr. Schultz to show the driveways on the west side of the development. Mr. Schultz explained that typically a builder will buy a group of lots and complete those homes/road first.

Mr. Doug Tackley, 5969 Lake Road S - Mr. Tackley is also very concerned with the increase in the number of wells and wanted to know if anything has been done to address that concern. Mr. Schultz explained that Monroe County Water Authority was contacted to see if there were any water problems as far as the quality/quantity and there were none on record. Before a homeowner buys a lot, a well should be put in to make sure there is enough water. It’s very important to report any water problems to the Monroe County Water Authority.

Chairman McAllister commented that he has heard these same concerns before with other developments. The Town requires the water note, “Not responsible for quality or quantity of water” to be included on the plans. The chances of getting a good well and keeping a good well south of the ridge are not good. Chairman McAllister added that the Quarry operation has quadrupled in size and is pumping approximately 250,000 gallons of water daily out of the aquifer.

Moved by Mr. Hale, seconded by Mr. Monno, to adjourn the public hearing to the regular meeting.

Ayes – 5

Lowe’s of Brockport. Owens Road and Route 31. 084.01-1-19.1

Mr. Douglas Morris introduced his partner, Mr. Ronald Bronstein, Mr. Shane E. Hajjar, TK Engineering, Mr. Taylor McDermott, Lowe’s and Mr. Frank Mento, CHA.

This project consists of approximately 55 acres of land that has been designed for development in phases. The application before you tonight is for a Lowe’s store, approximately 136,000 sq. ft. with a 28,000 sq. ft. garden center. The remainder of the property will be developed commercially as well. The project has been designed

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to work around the existing wetlands on the site with the exception of crossing over an intermittent stream allowing for very little impact environmentally. Presently, we are in the planning stages with our traffic study which includes extensive improvements to Rte. 31 and Owens Road. There is a pylon sign located at the corner of Owens Road and Rte. 31.

Paradigm Development has developed a dozen Lowe's shopping centers that include retail shops such as Best Buy and Petsmart. This project will be a nice mixed-use type of development, and due to the wetlands, the buildings will be considerably spread out in a campus-style setting.

Chairman McAllister asked for clarification on the 49 ft. height measurement. Mr. Morris explained that the Lowe's building is approximately 28 ft. high and when measured to the peak of the sign, the height is 49 ft. Chairman McAllister explained that because of the building height, a variance would be required. Mr. Morris agreed. Mr. Morris commented that the parking spaces are at 4.5, not because there isn't enough room, but because that is pro-typical to Lowe's. A study will be provided to support that Lowe's is in a different category with respect to parking because it doesn't get the typical customer count that a Wal-Mart or Target store does. Mr. Morris stated the 4.5 parking space detail is based on the 136,000 sq. ft. of retail space. After the office, shipping and receiving space is added, the project's required parking may be closer than thought.

Chairman McAllister stated that the PIF has the retail space as 171,000 sq. ft. Mr. McDermott explained that the retail space varies with the design of the garden center especially during April through July when it is used for seasonal stock.

Mrs. Bahr commented that there were no storm sewers. Mr. Hajjar stated that storm sewers are definitely planned for this project. Preliminary plans would have a string of catch basins at the front parking lot that would collect the drainage from the main parking lot and driveway into a storm water management pond. Mr. Oberst added that the drainage flows farther east of Owens Road. Mr. Bronstein commented that these plans are very preliminary; "geo-technical" people were at the site today collecting soil samples to analyze and determine permeability. A system will then be designed around the information gathered. Mrs. Bahr stated that the developers should keep in mind that there are apartments just down the road and to make sure the slopes on the pond are not so steep that more problems arise. Mr. Bronstein also added that the pond will be protected with a fence, the type to be determined.

Mr. Morris stated two items worth mentioning are that first, Paradigm Development has agreed to continue an eight inch sewer line to the eastern most portion of the property; and second, to give to the Town a portion of the land at the north of the property for a road to be built from Owens Road to Sweden Walker Road.

Mrs. Bahr asked what type of screening in regards to lighting and sound will be provided for the residents on the south side of Route 31. Mr. Bronstein stated that plans are still very preliminary and open for discussion. Mr. Bronstein stated they are very eager to work with the Planning Board and to hear any suggestions.

Mr. Hale stated that a simple subdivision map would need to be submitted as part of this application.

Moved by Mr. Hale, seconded by Mr. Hertweck, that the Lowe's of Brockport Subdivision & Site Plan be accepted for review.

Ayes – 5

The Public Hearing will be Monday, September 12, 2005.

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Heritage Square. Redman Road.

Mr. Kris Schultz introduced Mr. Michael McLean, one of the developers for Heritage Square. Mr. Schultz and Mr. McLean wanted to present this project informally to the Planning Board.

Mr. McLean addressed the Board stating the project is located on Redman Road just north of Town Park. A public hearing was held for the rezoning of an approximately 130 acre parcel from R1-2, Residential to B-1, Retail-Business. Plans are for a senior development, 55 and older for the vast majority of the site with commercial amenities for the residents. Also, part of the development will be non-age restricted housing that will include smaller units geared towards ownership by young professionals. The non-age restricted housing is 25 percent of the total housing and would be mixed with the commercial amenities to form a traditional town-type neighborhood. The age restricted housing would be in walking distance of the commercial amenities, but not mixed in for privacy and safety.

Mr. McLean described the site entrance as completing the intersection at New Campus Drive; the only curb cut into the development. The existing Town Park entrance would be closed off and used only as an emergency entrance/overflow exit. A dedicated road would be built that would be the new main entrance into the Town Park, and eventually connect into the Northview Subdivision.

8 p.m. - Attorney Ortenberg arrived at the meeting.

The design of Heritage Square is one of a traditional neighborhood with small lots and hidden parking. The architecture, which will have a Victorian theme, is designed to integrate with the local community. The current commercial space is approximately 150,000 sq. ft. designated for service-oriented shops primarily for the seniors in the development to get their daily needs. Victorian Square is the centerpiece of the development and also the literal center of the project. It has multi-unit buildings that overlook the park and integrates the housing with the amenities. This project is committed to smart growth principles. There is a lot of ponds and green space for preserving the perimeter. The lakes are designed in natural areas of drainage engineered up to a 500-year storm. The lakes will provide public access to the waterfront and are inhabited by natural wildlife. A 100 ft. greenbelt swath has been designed from the park that goes north through the entire development up to the lake. Public access will continue along the entire lake to provide a walking path that may someday connect through the park over the railroad tracks to the canal and end at downtown Brockport.

There are a variety of housing types to address lifestyle/pricing options from small units to apartments to assisted living. Also, there will be patio homes. Commercial buildings will reflect the Town's community theme. No buildings will be designed over 35 ft. There has been a tremendous request for more hotel space. Mr. McLean met with small business development advisors to explain that the goal for the commercial part is to provide a business space for retirees. Mr. McLean offered to answer any questions.

Mr. Monno asked if the lakes were being created for fill. Mr. McLean stated no, the lakes are being created for storm water runoff and as an environmental feature to enhance the development. Mr. Monno asked if the lakes would be very deep and Mr. McLean stated no, that the only boating would be for non-motorized boats, canoes and kayaks.

Mr. Foster asked what the total number of units would be and Mr. McLean stated approximately 1100 units; 800 units for seniors and 300 for non-age restricted residents.

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Questions were raised regarding the increased traffic. Mr. McLean stated Redman Road was studied and it showed 180 trips at peak, while Rte. 19 and Lake Road showed 20,000 trips. The commercial development must be first supported by residential development.

Mr. Hale asked about the price range for senior housing. Mr. McLean stated a market study has not been completed, but would estimate \$100,000 for a two bedroom condominium, 1200 sq. ft. Mr. Hale asked if there would be an incentive for someone to move from senior housing to assisted living. Mr. McLean stated there very well could be, but it has not been addressed yet.

Mr. McLean met with Village officials who were misinformed about the project. They acknowledged that a development such as this is not a threat to what they have accomplished downtown. Mr. McLean stated the goal is to have an open relationship with the development and the downtown community.

Mrs. Bahr asked in regards to community life, what type of recreation areas and/or public service areas would the development offer; i.e., fitness center, pool, library. Mr. McLean stated how to use the space is the next issue once the land is rezoned, and he is open to all of those suggestions.

Mr. McLean is anticipating submitting a more formal application some time in the late Fall.

Redman Road Rezoning Application/Intent to Declare Lead Agency

Mr. Hale stated there are two issues: (1) what is the Planning Board's opinion of the rezoning application, and (2) the Town Board's intention to be Lead Agency on the rezoning that will include a resolution for a coordinated review on site plan and subdivision matters.

Attorney Ortenberg stated that if one agency reviews the rezoning and another agency reviews the environmental part of the site plan, then there is segmentation, which may be frowned upon because all the impacts of the project will not be considered together. There is a provision for the Town Board to have a project segmented as long as it can be stated there is not a loss of environmental protection in doing so. With the Town Board as the Lead Agency for the whole project, it is expected that the Planning Board comment as thoroughly as possible on all the impacts that need to be addressed.

Chairman McAllister commented that he was able to talk with Supervisor Lester before tonight's meeting to address the Planning Board's concern with not being the lead agency for this project. Supervisor Lester assured the Planning Board that why he feels the Town Board should be Lead Agency, the SEQR portion would be completed with the input and guidance of Jim Oberst, Jerry Goldman, Rueben Ortenberg, and two Planning Board members. Mr. Hale commented that he would be willing to be one of the Planning Board members to assist the Town Board.

Mrs. Bahr suggested holding a work session to review the rezoning application and make comments at that time. It was agreed to hold a work session Monday, August 15.

The meeting was adjourned by motion at 10:15 p.m.

Planning Board Secretary