

TOWN OF SWEDEN
Planning Board Minutes
August 9, 2004

A regular meeting of the Town of Sweden Planning Board was held on Monday, August 9, 2004, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7:00 p.m.

Members present: David Hale, William Hertweck, Matthew Minor, Edward Williams

Absent: Ellen Bahr, Craig McAllister, Arnold Monno

Also present: James Oberst, Town Engineer, Bill Weber, Building Inspector, Jerry Foster, ECB, Richard Maier, James Glogowski, Paul Naliwajek, Patrick Laber, Kris Schultz, Jack Hassall, Marc Romanowski, Dave Milillo, Barbara Baird, Robert Orr, and please see attached sign-in sheet.

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

Correspondence passed to members for review.

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

Ayes – 4

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

Carnes Subdivision & Site Plan. 111 West Sweden Road. 082.02-1-27.101

Mr. Patrick Laber gave an overview of the project. The project is located at the intersection of Fourth Section Road and West Sweden Road. The driveway is located off West Sweden Road approximately 700 ft. from Fourth Section Road. All utilities will come from Fourth Section Road and the home will be serviced by a private leach system and public water with a booster pump due to the low water pressure. A pond will be dug for fill only. A pole barn will be built. There is a tributary onsite that will not be disturbed; all utilities will go underneath it.

Acting Chairman Hale asked for comments from the public.

Jean Schofield, 159 West Sweden Road – The legal notice stated this was a subdivision; how many lots are being developed. Acting Chairman Hale stated this is a one-lot subdivision.

Brian McCullough, 135 West Sweden Road – How big is the pond? Mr. Laber stated $\frac{1}{4}$ to $\frac{1}{2}$ acre and will be used only for fill.

Mark Rapjohn, 330 West Sweden Road – Mr. Rabjohn commented how fast the cars drive on West Sweden Road and asked if a traffic study would be completed. A traffic study would not be done at this time.

Jean Schofield – Ms. Schofield asked if the utilities coming from Fourth Section Road would interfere with the house on the corner. Mr. Laber stated no due to this parcel having frontage of Fourth Section Road.

Ms. McCullough asked how big is the house. Mr. Laber estimated the house to be 2,000 sq. ft.

TOWN OF SWEDEN
Planning Board Minutes
August 9, 2004

Mark Rabjohn restated the importance of informing DOT how dangerous the driving is on West Sweden Road and to make sure the driveway is put in at the right location. Mr. Laber stated the sight distance was checked and the driveway falls within the requirements/guidelines. Mr. Laber will add the driveway detail to the plans. Mr. Minor suggested putting the driveway farther north for a safer entrance.

Hurley Site Plan. 1260 Reed Road. 114.03-1-22

Mr. Patrick Laber stated that this is a 5 acre lot located on Reed Road; approximately 2,500 ft. west of Root Road. The project is a single family home with private leach system and well. The house is set approximately 800 ft. off the road with a bump in the driveway for fire trucks. The driveway will go right into the woods preserving as much of the trees as possible. The applicant wants to live in a heavily wooded area.

Acting Chairman Hale asked if there were any comments regarding this project.

Robert Lewis, 6662 Lake Road – Mr. Lewis wondered if there is a minimum value set for a house that can be built and Acting Chairman Hale stated no, but there are minimum size requirements.

Moved by Mr. Minor, seconded by Mr. Hertweck, to adjourn the public hearing to the regular meeting.

Ayes – 4

Ridge Harvest Resubdivision. 400 Gallup Road. 070.03-1-32

Mr. Richard Maier is representing Mr. Ernest Bernhart. Mr. Bernhart would like to combine his two lots of the Ridge Harvest Subdivision due to the Gallup Road watermain project. Mr. Bernhart wants to create one tax parcel number so that he doesn't have to pay twice for the same service. Acting Chairman Hale asked if both lots have been previously approved and Mr. Maier stated that is correct.

Moved by Mr. Hertweck, seconded by Mr. Minor, that the Ridge Harvest Resubdivision be accepted for review.

Ayes – 4

The Public Hearing will be September 13, 2004.

Highlands at Brandonwood Subdivision & Site Plan – Section V. Talamora Trail. 084.01-1-14.111.

Mr. Kris Schultz and Mr. Jack Hassall addressed the Board. Revised plans were distributed to the Board. Mr. Schultz stated that a few years ago, the project was before the Board for Sections 5 through 8 as an extension of the Highlands Subdivision and there were two outstanding issues that needed to be addressed.

- Low water pressure
- Improvements to Rte. 31 as related to the Talamora Trail access

Mr. Hassall put the project on hold, but now would like to reopen it to discuss the new/updated plans which are basically the same. The biggest change is Section 5 which will have mature or senior housing; popular in today's market and also help with the transition to the proposed Wal-Mart Supercenter. The lots would support a 1,200 sq. ft. unit with an association fee for maintenance of the home.

Mr. Schultz added a meeting with the State DOT was held a few weeks ago to clear up what happened many years ago with the initial construction of Talamora Trail. Mr. Schultz referenced a letter from the State DOT requesting the following from Mr. Hassall:

- Cross access through the development to Transit Way

TOWN OF SWEDEN
Planning Board Minutes
August 9, 2004

- Gain access to the undeveloped property north of the site
- Design or construction of a westbound turn lane on Talamora Trail

At the meeting, it was determined that a temporary access permit was granted to the developer to start work onsite which was used to construct the entrances that exist today. The State DOT and the developer didn't follow through to make sure a standard highway permit was obtained. Mr. Schultz asked Dave Goehring, NYSDOT, to summarize the meeting and address a letter to the Sweden Planning Board. Mr. Schultz stated Wal-Mart is currently preparing highway improvement plans to submit to the State DOT. The direction this project takes will depend on the outcome of Wal-Mart's submission to the DOT.

In summary, any improvements proposed for Sections 5 through 8 will include State DOT approvals. By reopening this project, Mr. Hassall is hoping to get the Town's comments on the senior housing and receive a review from the Town Engineer regarding the alignment of the roads so that the revised plans fit with what Wal-Mart is proposing.

Mr. Williams inquired as to the timeline for this project since it is dependent on what happens with the Wal-Mart project. Mr. Schultz stated if the Wal-Mart Supercenter isn't approved, then Mr. Hassall will be back where the project left off and will have to work with the DOT to provide a lefthand turn at Talamora Trail.

Mr. Hassall explained that he put the project on hold because of the uncertainty of his development being a success next to a supercenter which is open 24 hours a day. After waiting over a year and a half, Mr. Hassall stated financially he had to proceed with the project, and revised the plans to include mature housing as a buffer to fit in with Wal-Mart's plan. Mr. Hassall has requested Mr. Schultz to continue to work with the DOT to provide an access as promised.

Acting Chairman Hale asked for more detail regarding the senior housing. Mr. Hassall stated tentative plans target the age 55 and older population with houses selling for approximately \$175,000 with an association fee of \$100. The lots will be smaller and will be approved under Town Law 278.

Ladue Estates Subdivision & Site Plan. Ladue Road. 112.02-1-15.

Mr. James Glogowski distributed updated plans to the Board. Mr. Glogowski explained that the Department of Health and the Town Engineer have approved the plans. Acting Chairman Hale stated the Fire Marshal still needs to sign the mylar.

Acting Chairman Hale referred to the June 12 minutes stating that the following still needed to be addressed:

- Minimum lot size labeled.
- Amend agricultural statement.
- Vegetative note may be changed to add the planting of trees
- Minimum width of bubbles in the driveway needs to be labeled. Discussion followed. Mr. Minor stated he would accept the way the plan is noted regarding the driveway/bubbles.

Moved by Mr. Hertweck, seconded by Mr. Williams, that the final public hearing be waived, the Ladue Estates Subdivision and Site Plan be approved contingent upon signatures of the Fire Marshal, Highway Superintendent and the first three items listed above, and the Chairman authorized to sign the mylar.

Ayes – 4

TOWN OF SWEDEN
Planning Board Minutes
August 9, 2004

Birch Subdivision Amended Site Plan. Lot #3. 1023 West Avenue. 067.02-2-3.13.

Mr. Glogowski stated that the plans have been revised according to the comments from the Town Engineer, Fire Marshal and Environmental Conservation Board. Revised plans were distributed and changes reviewed.

Mr. Glogowski stated the plans have been forwarded to the New York State Canal Authority in regards to the docks and siphoning of the canal water. A copy of the letter received from the NYS Canal Authority was given to the Board. Acting Chairman Hale stated that in regards to the pond, the previous minutes stated that the pond on Lot #2 should be removed because the application before the Board is for Lot #3 only. The public hearing addressed only Lot #3. Mr. Williams asked what the dotted line represented if the lots are separate. It was agreed to make it a solid line.

Tractor Supply Site Plan. Bkpt-Spen Road. 084.01-6.1, 6.2, 6.3 (part of)

Mr. Patrick Laber stated this project is still in the process of getting approvals. To date, the project has received comments from the Monroe County Water Authority, Pure Waters and the Monroe County Health Department. These comments have been addressed. Mr. Laber stated he is working with Mr. Hogan to finalize the pond area and obtain an easement over the land. Mr. Oberst is still looking at the drainage calculations. Mr. Laber requested a special meeting at the end of the month to finalize the project. Acting Chairman Hale stated that the Board would be available for a meeting on August 23.

Mr. Oberst asked to discuss the pond details. Mr. Oberst stated that Tractor Supply is planning on funding the construction of the project with Mr. Hogan conveying an easement. The pond would be dedicated to the Town for maintenance with Tractor Supply and Spurr conveying easements. Tractor Supply and Spurr would like to try and recoup some of the construction costs from the other potential developers benefiting from the improvements.

At this time, Mr. Laber stated he is hoping to receive the review of the drainage calculations and meet with Mr. Hogan to show how he would benefit from the improvements. Mr. Oberst stated if Mr. Hogan were to begin development of Transit Way, the DEC would require him to update the pond at his expense. Mr. Laber stated there was a meeting with the DEC regarding the improvements, which they were very pleased with.

Mr. Oberst asked Mr. Laber to explain the sanitary sewer issue. Mr. Laber stated Gibraltar, who owns Sweden Corners Plaza and the small parcel to the west of Tractor, has access to sewer already and doesn't need Tractor Supply to provide one. Gibraltar will provide a letter of agreement regarding the sanitary sewer. Sidewalk service will be taken care of.

Moved by Mr. Williams, seconded by Mr. Minor, that having reviewed the Project Information Form, comments from the Town Engineer, County Planning, and the Environmental Conservation Board, the Planning Board determines that the Tractor Supply Site Plan is an unlisted action which will not have a significant impact on the environment.

Ayes – 4

Spurr Dealerships Site Plan. 6345 Bkpt-Spen Road. 084.01-1-6.1, 6.2, 6.3 (part of)

Mr. Laber continued to discuss drainage improvements for this project which are the same for Tractor Supply. Mr. Laber received comments from the DRC, which are generic and do not apply.

The Town Engineer's comments were reviewed as follows:

- PIF and SEQR difference in acreage. PIF was project site specific (1.95A) and SEQR was overall area being disturbed (4.3A).

TOWN OF SWEDEN
Planning Board Minutes
August 9, 2004

- The two parcels will not be combined. There will be a north and a south access with 7.5 ft. buffer on one side and the other side will be 8.5 to 9.6 ft. in width. No landscaping due to plowing issues.
- Sanitary Sewer Easement - Tractor Supply's easement will overlap by 6 ft. onto Spurr's parking lot. Mr. Laber stated Spurr will not hold the Town liable for the repair of the parking lot. Acting Chairman Hale asked how that could be guaranteed and Mr. Laber stated by writing it with the easement.
- Stormwater was previously discussed.
- Two accesses are shown instead of the paving across between the two parking lots.
- Plan details have been identified as parking lot expansion, building addition and/or detention pond. Specific Notes #1, #2 on Sheet C-2 have been deleted from plans.
- Additional specifications on the lighting have been sent to the Town Engineer to show dark sky compliance.
- Stabilized construction entrances have been shown on the plans.
- Details not applicable to this plan have been removed. Plans are parking lot specific.

DRC comments regarding the parking lot are as follows:

- Filing of map doesn't need to happen due to subdivision approval already granted.
- A few agencies reviewed the project, but had no comments.
- DOT will not be involved with the parking lot expansion
- Environmental Conservation had no comments.

Mrs. Shifton asked if Spurr Dealerships still intended on providing sidewalk service and landscaping. Mr. Laber stated sidewalk service would be provided, but no landscaping is proposed. It was noted that landscaping is required per Town code. Mrs. Shifton added there are many other car dealerships on Ridge Road that have landscaping.

Moved by Mr. Hertweck, seconded by Mr. Williams, that having reviewed the Project Information Form, comments from the Town Engineer, County Planning, and the Environmental Conservation Board, the Planning Board determines that the Spurr Dealerships Site Plan is an unlisted action which will not have a significant impact on the environment.

Ayes – 4

Carnes Subdivision & Site Plan. 111 West Sweden Road. 082.02-1-27.101

Mr. Patrick Laber addressed the concern of stopping distance. It was stated that while it is dangerous trying to pull out of a driveway on West Sweden Road, statistics for stopping distance fall into what is recommended. Mr. Laber will show all the driveways on the plans along the frontage.

Mr. Laber addressed the Town Engineer's comments as follows:

- The booster pump for the water line will be reviewed by the Monroe County Health Department and then the Water Authority. A SEQR determination is needed for that to happen.
- Well water was referenced on the PIF, the correction has been made to public water service.
- Stopping distance has been noted on the right side of the plans.
- The 7' reserve strip along the West Sweden frontage has been noted on the plans.

DRC comments are as follows:

- Project site is far enough away from the creek to ensure no disturbance.
- Monumentation will be checked.

TOWN OF SWEDEN
Planning Board Minutes
August 9, 2004

- Security deposit has been paid.
- Access to gas and electric will be shown on the plans.
- All the County's notes and standard details will be added to the plans.
- Plan size comments have been noted and will be addressed.
- Review fee of \$25 will be paid to the DOT.
- The 24" PSICPP diameter sizing of the pipe is really 18" and will be changed on the plans.
- The MC Environmental Management Council had no comments.
- The NYSDOT did not participate in the review of this project.
- This project did not meet the criteria for review by the MC Soil & Water Conservation District and the NYS Dept of Environmental Conservation.
- The MC Department of Health did not have enough time to review, but later stated they had no comments.

Mr. Oberst requested Mr. Laber to make sure this house is in the water district.

Acting Chairman Hale inquired about the letter to Mr. Sanford regarding the oil/separator the property owner is installing in the barn. Mr. Laber stated the owner collects classic cars and will be working on them and doesn't want to have any drainage into the leach field.

The ECB comments are as follows:

- The owner will preserve trees and shrub hedgerows as much as possible
- The owner will preserve existing vegetation
- The owner is only digging a pond for fill to minimize site disturbance.
- The owner will minimize habitat fragmentation

Mr. Minor requested that on the PIF, question #2, (Will disturbed area be in or within 500' of any of the following?), Steep Slopes and Agricultural Land be modified with a "yes" answer and % slope and agricultural land owner be specified.

Moved by Mr. Hertweck, seconded by Mr. Minor, that having reviewed the Project Information Form, comments from the Town Engineer, County Planning, and the Environmental Conservation Board, the Planning Board determines that the Carnes Subdivision and Site Plan is an unlisted action which will not have a significant impact on the environment.

Ayes – 4

Moved by Mr. Williams, seconded by Mr. Hertweck, that the Carnes Subdivision be given preliminary approval.

Ayes – 4

Hurley Site Plan. 1260 Reed Road. 114.03-1-22

Mr. Patrick Laber addressed the comments from the Town Engineer.

- Two feet of cover has been added to the culvert that runs approximately mid-point of the driveway.
- A 15.25 ft. reserve strip has been revised on the plans.

TOWN OF SWEDEN
Planning Board Minutes
August 9, 2004

Mr. Patrick Laber addressed the comments from the Environmental Conservation Board.

- Page 2, B, After Completion error – will correct
- Note 27 has been added as a vegetative protection statement
- Applicant wants to live in the woods, and is practicing sound environmental development

The Fire Marshal is all set with driveway and bubble location. Reviewed comments from the Department of Planning and Development and DRC, which all were addressed. PIF should be completed as being in the Agricultural District.

Moved by Mr. Williams, seconded by Mr. Hertweck, that having reviewed the Project Information Form, comments from the Town Engineer, County Planning, and the Environmental Conservation Board, the Planning Board determines that the Hurley Site Plan is an unlisted action which will not have a significant impact on the environment.

Ayes – 4

The Woods at Sable Ridge. Between Lake Rd & Redman Rd. 083.04-1-15.2, 14.1, 5.11, 1.2

Mr. Marc Romanowski addressed the Board. Acting Chairman Hale stated a lengthy resolution was given at last month's meeting.

Mr. Romanowski stated since the last meeting, the Town Engineer has had an opportunity to review all the submitted documents. The traffic study was reviewed by SRF-Traffic Consultant, and the project has been discussed with the Town Attorney. As a result of the review, SRF made some minor comments which have been addressed by the project's engineers, but the overall consensus from the review is that the project will not have a significant impact on traffic for Rte. 19 or Redman Road.

Mr. Romanowski added that Attorney Goldman expressed concern regarding evaluating the northern parcel and the impacts the southern parcel may have on future development of that site. It has been stated there are no plans for development of the northern parcel, but still traffic issues should be addressed and included in the traffic study. Drainage for this project is self contained as submitted to the Town in the drainage study and will not adversely affect any of the surrounding parcels.

In regards to the above, Mr. Romanowski wanted to confirm that these are the only outstanding SEQR issues that need to be addressed so that a SEQR determination can be given. Mr. Oberst stated he is waiting for review of the cultural resource of the area and the revised traffic study.

Friend's RV. 5605 Brockport-Spencerport Road. 084.02-1-38

Mr. Dave Milillo and Ms. Barbara Baird addressed the Board informally regarding the possible purchase of Brockport Lumber for their new business. Copies of the site plan were distributed to the Board. Mr. Milillo would like to improve the facility by doing the following:

- Resurface the driveway entrance
- Paint and clean up the buildings/property
- Obtain new permit for new signage

Acting Chairman Hale addressed the question of building signage and free standing signage and stated either one, but not both is permitted.

TOWN OF SWEDEN
Planning Board Minutes
August 9, 2004

Mr. Milillo stated that on the site plan there is a secondary proposed entrance drawn in and asked for guidance as to how to get that entrance approved. Acting Chairman Hale stated that is a state road and Mr. Milillo should contact the NYSDOT for approval and guidelines.

Mr. Milillo asked the Board if this type of business is properly zoned for this location. Acting Chairman Hale stated yes, but a special permit would be required for servicing the vehicles. Mr. Milillo stated all repair work, oil changes are completed off site.

Grossman's Bargain Outlet. Sweden Corners Plaza. 084.01-1-4.1

Mr. Robert Orr addressed the Board informally regarding constructing a 50 ft. by 50 ft. storage shed behind the store. Mr. Orr distributed copies of the site plan, enlarged drawing of the shed and a letter received from Mr. Josh Grossman, who is a partner of GBR, giving his approval for the storage shed. Mr. Orr stated the storage shed will be used for back stock, block, fencing and lumber.

Mr. Oberst stated the Fire Marshal should check to make sure there is adequate width between the shed and paved road for traffic.

Mr. Minor stated if the storage area would be an 8 ft. chain link fence and Mr. Orr stated yes. The question was raised if there will be a customer pick up at the storage shed and Mr. Orr stated at this time the proposed shed is for storage only in order to free up space inside the store. It was suggested the chain link fence be screened for privacy/safety issues. The material stored should not be combustible. The Planning Board requested the Fire Marshal and Building Inspector review and approve the plans for the storage shed first before any construction begins.

Moved by Mr. Minor, seconded by Mr. Hertweck, that the meeting be adjourned at 10:20 p.m.

Ayes – 4

Phyllis Brudz
Planning Board Secretary