

**TOWN OF SWEDEN  
Planning Board Minutes  
August 14, 2006**

A regular meeting of the Town of Sweden Planning Board was held on Monday, August 14, 2006, 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, Arnold Monno

Absent: Edward Williams

Also present: James Oberst, MRB, Whitney Autin, ECB, Brian Sorochty, Kris Schultz, Brian Donovan, Harold Mundy, Les Krasuski

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

Correspondence passed to members for review.

Member Bahr arrived – 7:05 p.m.

Moved by Mr. Minor, seconded by Mr. Monno, that the minutes of July 10, 2006 be approved.

Ayes – 6

Moved by Mrs. Bahr, seconded by Mr. Minor, that the regular meeting be adjourned to the public hearing.

Ayes – 6

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.

**Fisher Subdivision & Site Plan. Corner of Beadle & Sweden-Ogden TL Rds. 099.04-2-5.1**

A man asked if the property was residential. Mr. Sorochty stated yes. The man looked at the plans and had several questions regarding the location of the driveways for each lot.

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

Ayes – 6

**Michael J. Miles Subdivision & Site Plan. 8609 West Canal Road. 067.02-2-8.21**

Mr. Kris Schultz addressed the Board. The property is located on the south side of West Canal Road and is approximately 8 acres.

The applicant has worked on the site for about a year, obtained fill permits, and excavated a pond. Perc tests were done a short time ago, which indicated a modified raised system is required.

Moved by Mr. Minor, seconded by Mrs. Bahr, that the Michael J. Miles Subdivision & Site Plan be accepted for review.

Ayes – 6

Public Hearing will be September 11, 2006.

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**Fisher Subdivision & Site Plan. Corner of Beadle & Sweden-Ogden TL Rds. 099.04-2-5.1**

The Chairman continued review of this project. Mr. Sorochty addressed the Board.

MCDP & D Comments:

1. Location of federal wetlands on both lots. Lot 1 wetland has been located and is on the other side of the creek. All the development on Lot 1 will take place in an open field up on top of a knoll. Chairman McAllister asked if there would be a 100 ft. buffer area. Mr. Sorochty explained that a buffer was only required for state wetlands. Lot 2 has a federal wetland in the northwest corner, which has been located on the plan.
2. Proximity of the project to active farming. An Agricultural Data Statement was submitted and a note has been included on the plan that the project is near farm operations. Chairman McAllister asked if the land has been farmed recently. Mr. Sorochty stated no.
3. Tributaries were located on the property, mostly on Lot 1. Preserve the stream corridor. The applicant's intent was to not destroy any of the woods or creek bed. Erosion control measures have been shown between project improvements and the creek.
4. Proposed sediment and erosion control methods and locations to be used during construction have been shown on the plan.

DRC Comments:

1. Leach field designs have been submitted to DOH.
2. Monumentation has been checked.
3. There isn't any survey monuments in the work area.
4. A tie distance to the nearest county or state highway will be on the final plan.
5. Adjacent property addresses have been labeled.
6. The driveway detail will be updated.
7. The review fee of \$50 will be paid.
8. Per Henry's request, the driveway on the opposite side will be shown.
9. Lot 2 inverts will be given.
10. Lot 2's driveway will be located to obtain adequate intersection sight distance.
11. Ogden-Sweden TL Road has been relabeled to CR#250, not #231.
12. The project was not reviewed by the NYSDOT and NYSDEC because it did not meet their review criteria.

MRB Comments:

1. Tax account numbers for the lots being subdivided will be added to the plan.
2. The driveway length for Lot 1 is over 250 ft. and will be changed to 14 ft. wide. Mr. Minor asked for the width of the bubble to be added to the final plan to show it meets code. Lot 2 is also over 250 ft. Mr. Sorochty stated he would revise the length to 249.99 ft. A man asked if there would be any legal issues subdividing land that the applicant doesn't own. Chairman McAllister explained the applicant could subdivide a parcel into two separate parcels and be the owner of both. When the applicant sells a parcel, matters will be resolved with the mortgage holder.
3. Dimensions for pullover will be added to Lot 1.
4. The 24 inch and 12 inch driveway culverts will be revised to show additional cover.
5. Federal wetlands for Lots 1 and 2 have been added to the plan.
6. Straw bale detail should be removed from the plans and silt fence used for erosion control.
7. Well detail needs to be revised to delete references to Cayuga County DOH standards.

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ECB Comments:

1. The 34.8-acre parcel contains many forested acres that should be retained and protected to the greatest extent possible. The existing woods on Lot 1 are not being disturbed. Lot 2 is a completely wide-open field.
2. There are no trees with a DBH of 5 inches, both houses to be built in an open field.
3. Forest and vegetative protective notes will be added to "Site Notes."
4. Change Cayuga County to Monroe County

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

Ayes – 6

Moved by Mr. Hale, seconded by Mr. Minor, that the Fisher Subdivision & Site Plan be given preliminary approval.

*Mr. Monno questioned the pond elevations. For Lot 2, it was suggested to raise the house and utilize a gravity flow with no pumping. Mr. Sorochty stated the client had requested that specific location for the pond, but agreed it would be better to have a gravity flow. Mr. Hale commented if the pump is removed, that's one less concern for the homeowner.*

Ayes – 6

**Hall Subdivision – Resubdivision of Section II, Wohlers Subdivision. Sweden Walker Road.069.04-1-18.2,18.3,18.4**

Mr. Kris Schultz addressed the Board. This is a three-lot subdivision that was originally approved with a dedicated road. Due to the high cost of putting in a dedicated road, the applicant could not sell the property, and decided to change the dedicated road to a private drive and obtained a variance to do so. New perc tests were done on Lot R-1, and the plan now shows all required setbacks for the leach field and house.

MCDP&D Comments:

Agricultural District – the property hasn't been farmed in many years. There aren't any large trees to note, but the site has a lot of brush.

DRC Comments:

1. This is a realty subdivision and plans will be submitted to the DOH.
2. Monumentation has been checked.
3. MC Environmental Management Council reviewed project and had no comments.
4. NYS DOT and NYS DEC did not review the project.

MRB Comments:

1. Questioned the reasoning for the ZBA granting a variance for the dedicated road to become a private drive when the road frontage for each lot would be 40 ft. at the R.O.W. and then decrease to 20 ft. for each lot before opening up again.
2. If a full raised septic system is required for Lot R-1, verify that the minimum width requirement is met. Done.
3. If a modified raised septic system is required for Lot R-2, verify the 25 ft. setback requirement. Done.
4. The "Notice of Project Near Farm Operations" has been corrected.
5. A copy of the water service sizing calculations should be submitted even though final approval will be given by MCWA.

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ECB Comments:

1. Mr. Schultz discussed and clarified the extent of brush on the property.
2. The following should be added to the "Notes" section on the site plan, "forest, brushland and meadow and existing vegetation will be retained to the greatest extent possible with this development and protected from harm during the development process."
3. Mrs. Bahr requested a note on the plan stating, "now a shared driveway, not dedicated road."

Fire Marshal Comments:

There were no problems with the resubdivision. Mr. Sanford questioned the name change of Wohlers to Hall. The Halls are the current owners of the property and requested their names on the plan.

Mrs. Bahr asked if each driveway would require a bubble now that there isn't a dedicated road. Mr. Schultz agreed to change the plans to include a bubble on the two outside driveways.

Mr. Oberst questioned whether or not the issue with the proposed driveway overlapping the neighbor's existing driveway was resolved. Mr. Schultz stated it was decided to leave the proposed driveway as it is until the neighbor decides to sell. At that time, a survey map will show the overlapping and the new owner will have to decide if this encroachment is acceptable.

Moved by Mr. Minor, seconded by Mr. Hertweck, that the Hall Subdivision – Resubdivision of Section II, Wohlers Subdivision, be given preliminary approval.

Ayes – 6

**INFORMAL**

**Retail Center – Subdivision & Site Plan**

Mr. Brian Donovan, HDL Property Group, addressed the Board. Mr. Donovan explained HDL is a real estate company out of Syracuse residing in Rochester. Mr. Donovan specializes in projects that are approximately 20,000 sq. ft. and smaller. The vacant lot is owned by Mr. Hogan and is located in front of Jiffy Lube at Transit Way and Rte. 31. Mr. Donovan is presently working with Clough Harbour & Associates and is looking to retain a local engineer. There is a meeting with a local architect tomorrow to design plans for a 7,000 sq. ft. building for this site that will fit with the Town's master plan.

Mr. Donovan realizes there are issues with the access on Rte. 31 and that variances will be needed because the lot is small, .72 acres. There will be 4 or 5 tenants including one or two eateries, electronic and game stores. Mr. Donovan thanked the Board for letting him present the project informally and for offering comments/suggestions. The plan over the next few months is to develop a project that the Board will be pleased with and present the updated plan again.

Mr. Hale questioned the type of variances that will be required, i.e., parking spaces, building coverage, setbacks, and greenspace. Mr. Minor commented that Mr. Donovan potentially might have a few other issues if Rte. 31 improvements are done from Transit Way to the west taking more of this parcel's land, and that the utilities run across the front.

Chairman McAllister asked if the number of occupants is what is driving the size of the building. Also, wouldn't the site be better suited for a chain restaurant. Mr. Donovan stated at least an acre would be required for a chain restaurant. Mr. Hale added a smaller building would lessen the issues requiring variances.

A workshop will be held on Monday, August 21 at 7 p.m. to discuss and comment on the Town Code changes.

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

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**Planning Board Secretary**