

**TOWN OF SWEDEN
Planning Board Minutes
September 14, 2009**

A regular meeting of the Town of Sweden Planning Board was held on Monday, September 14, 2009, at the Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members present: Richard Dollard, William Hertweck, Craig McAllister, Matthew Minor, Arnold Monno, David Strabel

Absent: David Hale

Also present: Jim Oberst, MRB, Jim Butler, Bldg. Inspector, Jim Glogowski, L.S., Kris Schultz, P.E., A.J. Barea, L.S., John Clarke, P.E., Mark and Darlene Heitz, Walt Eisenhauer, Ed Hamilton

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

Correspondence passed to members for review.

Moved by Mr. Monno, seconded by Mr. Dollard, that the minutes of August 10, 2009, be approved.

Ayes – 4
Abstain – Mr. Minor
Abstain – Mr. Strabel

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

Mr. Minor asked if the Board plans to move through all three public hearings. Chairman McAllister stated yes.

Ayes - 6

Schuff Resubdivision. 1700 W. Sweden Road. 11303-1-16.2

Chairman McAllister asked if there were any questions, concerns regarding the application of Michael Schuff for the Schuff Resubdivision. There were none.

MPH Site Plan – Lot 2. 5377 Brockport-Spencerport Road. 084.02-2-25

Chairman McAllister asked if there were any questions, comments or concerns regarding the application of Mark Heitz for the MPH Site Plan. There were none.

Aubry Subdivision and Site Plan. 7203 Fourth Section Road. 083.01-3-9.1

Chairman McAllister asked if there were any questions, comments or concerns regarding the application of Maurice Aubry for the Aubry Subdivision and Site Plan. There were none.

Moved by Mr. Strabel, seconded by Mr. Dollard, to adjourn the public hearing to the regular meeting.

Ayes - 6

Ledgedale Airpark Amended Site Plan. 2400 Colby Street. 084.04-1-25.001

Mr. Kris Schultz was not present at this time. The Board reviewed the site plan. Mr. Ed Hamilton, operator of the Colby St. Garage, addressed the Board. He presented his proposed plan of the property including where the cars will be parked out front, the concrete wall behind the building that the FAA required as well as reflectors. He added there is plenty of room between the wall and the runway so there are no issues with the FAA.

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Mr. Hamilton explained that he is proposing to put no more than 15 to 18 cars out front. Also, he would like to add a deck and porch to the front of the building to make it more customer friendly. The septic system area will have flowers planted on it. Mr. Hamilton showed elevation drawings depicting a new porch, door, windows and new sign location. The diagram submitted by Mr. Schultz shows how the front looked in 1962. Today, there is no road going off to the left. Mr. Hamilton stressed the importance of getting his product in the front window.

Chairman McAllister clarified that the goal is to first get the Ledgesdale Airpark's site plan updated so it shows there is a repair garage onsite. Then, any changes requested by Mr. Hamilton could be approved. Per Mr. Hamilton, his site plan was presented to Mr. Schultz by Mr. Eisenhower, so he's not sure why it wasn't incorporated with Mr. Schultz' submission.

Mr. Schultz arrived at 7:15 p.m.

Chairman McAllister explained that there was two applications that were not previously identified including the auto business on Colby Street and Experimental Aircraft Association (EAA) Chapter #44.

Mr. Schultz addressed the Board by stating that Mr. Eisenhower is trying to maintain some consistency with what the Board has approved in the past. The first sheet shows a reproduction of the original Passero plan that shows the overall plan. The second sheet is an approved site plan for EAA. The third sheet is a depiction of what exists at the Colby St. Garage. The key items are the concrete barriers that were installed to separate the auto garage from the airpark. The owner does intend to provide signage on the building.

Mr. Minor asked if there would be a more detailed plan forthcoming. Mr. Schultz stated there was no survey done. The site plan was created from maps of records and aerial views. Mr. Hamilton commented he thought that's what he had just presented to the Board so there wouldn't be any confusion regarding setbacks and signage.

Mr. Monno asked if this property had a leach field. Mr. Schultz stated the leach field is located in front of the building.

Mr. Schultz added that the idea is to have one plan to keep track of all site plan changes.

Mr. Monno asked if there was a time limit for these changes. Chairman McAllister stated the Town requested Mr. Eisenhower update his site plan to reflect the operations on the site. Mr. Schultz stated the operator of the Colby St. Garage is very anxious to see the amended site plan approved in order to be able to put a sign up on the building. Mr. Hamilton will need to get an amended site plan approval for any changes he is proposing.

Moved by Mr. Monno, seconded by Mr. Hertweck, that the Ledgesdale Airpark Amended Site Plan be accepted for review.

Ayes - 6

The Public Hearing will be September 28, 2009.

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Baltz Subdivision. 6142 Bkpt-Spen Road. 084.01-1-25.114

Mr. Kris Schultz addressed the Board. He explained that Fieldstone Acres – Section I was approved a number of years ago on behalf of Mr. Fletcher Baltz. Mrs. Margaret Baltz lived in the fieldstone house out front. Lot A was configured to continue this development and the looping of the road. When Mrs. Baltz died, the estate had to figure out what to do with the holdings. As part of that work, Shultz Associates was hired to subdivide Lot A with the existing house so that it could be deeded to one of the heirs. The balance left to the remaining heirs.

Chairman McAllister asked if the commercial section off Owens Road was subdivided. Mr. Schultz stated it was approved, but never recorded so the approvals expired.

Moved by Mr. Minor, seconded by Mr. Strabel, that the Baltz Subdivision be accepted for review.

Ayes - 6

The Public Hearing will be October 26, 2009.

Villas at Brandon Woods – Lot 125 Resubdivision. 25 Wood Trace. 084.01-1-74

Villas at Brandon Woods – Lot 124 Resubdivision. 27 Wood Trace. 084.01-1-75

Mr. Kris Schultz addressed the Board. He explained that these two new homes are pretty similar.

Mr. Strabel asked if there is a way to streamline this process. Chairman McAllister stated we are at that point, but haven't gotten through the first approval yet.

Mr. Minor stated there is no road in front of these two homes, which would hold up the issuance of a certificate of occupancy. Mr. Schultz agreed that the road has to be completed, inspected and be ready for dedication.

Moved by Mr. Minor, seconded by Mr. Strabel, that the Villas at Brandon Woods – Lot 125 and Lot 124 Resubdivision be accepted for review.

Ayes - 6

There will be no public hearing.

Villas at Brandon Woods – Lot 112 Resubdivision. 1647 Nathaniel Poole Trail. 084.01-1-88

Mr. Kris Schultz addressed the Board. He explained that since the last meeting, he has received comments from the Town Engineer.

MRB Comments:

1. The step-by-step process of how to handle the resubdivisions was sent to the Town Attorney for review. Mr. Schultz asked for a contingent final approval on the Town Attorney's acceptance of the process.
2. The parcel owner to the west has been added to the plan.
3. The driveway service location was changed because the house was flipped due to the buyer's request that the garage be on the east side. Mr. Oberst confirmed that the change did not result in any utility conflicts.
4. Changed the word village to town.
5. Added original property lines to the plan.
6. The side setbacks have been added to the plan.

Chairman McAllister asked Mr. Oberst if he was okay with the plan. Mr. Oberst stated yes.

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Mr. Monno stated this resubdivision process is new to the Planning Board. He requested Mr. Schultz to change the location map so that every time a lot is approved, it is shown on a master map. Mr. Schultz agreed to incorporate that request in all future applications with a separate location map.

Mr. Minor requested clarification of the rules of the homeowner's association. Mr. Schultz explained that Mr. Hassall is the sole member until the first house is sold. After sales go over 50 percent, Mr. Hassall loses control.

Chairman McAllister confirmed that the Planning Board would require a written statement from the Town Attorney that the resubdivision process is acceptable. Also required is an updated location map from Mr. Schultz.

Moved by Mr. Monno, seconded by Mr. Hertweck,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Villas at Brandon Woods – Lot 112 Resubdivision located at 1647 Nathaniel Poole Trail, and

WHEREAS, the Planning Board has reviewed the comments of the Town Engineer,

NOW, THEREFORE, BE IT RESOLVED, that the final hearing be waived and the Villas at Brandon Woods – Lot 112 Resubdivision be granted final approval contingent upon receiving in writing from the Town Attorney the acceptance of the resubdivision process, and a separate location map indicating all approved resubdivisions, the signature of the Town Engineer, and the Chairman be authorized to sign.

Ayes - 6

Crosier Driving Range Amended Site Plan. 7487 Fourth Section Road. 082.02-1-32

Mr. Kris Schultz addressed the Board. He distributed updated plans including a landscaping detail.

MRB Comments:

1. A Stormwater Pollution Prevention Plan has been submitted. The pond out front is a new pond that will receive runoff.
2. The plantings along the west side will be evergreens, which will be used for screening. There is an elaborate wooden gate at the entrance. Mr. Dollard asked how wide the gate would be. Mr. Schultz stated in excess of 24 ft., more than enough room for two-way traffic. He also asked what the setback of the gate was from the road. Mr. Schultz stated where the gate starts would be close to 60 ft. off the pavement. Mr. Minor asked about the lighting detail. Mr. Schultz stated the lighting plan was reviewed, and fixtures were resized, intensity cut down, and additional posts added. The applicant is sensitive to the neighbor to the west.
3. The leach field system and water system were designed for a future ice cream parlor.
4. Handicap signs will be put on posts in the parking lot to avoid striping stones.
5. The zoning of the parcel has been updated with the correct zoning, B-3.
6. A drainage easement over the portion of the swale out front is shown.
7. Gate detail was discussed previously.
8. Septic details have been added.
9. Waiting to hear from MC Water Authority to see if an RPZ is required on the service.
10. The wattage of the lighting fixtures originally approved was excessive.
11. Handicap spaces were previously discussed.
12. A stabilized construction entrance was added to the plan with details.

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13. The deep hole system has been shown on the plan.
14. The plan shows screening the neighbors to the west with evergreens.
15. The drainage study has been submitted to the Town Engineer.

Chairman McAllister asked Mr. Oberst if he was done with his review. Mr. Oberst stated he still needs to complete a review of the stormwater.

Mr. Monno questioned why the pipe at the driveway wasn't straightened as requested. Mr. Schultz apologized and stated it was an oversight that will be corrected.

MPH Site Plan – Lot 2. 5377 Brockport-Spencerport Road. 084.02-2-25

Mr. Glogowski addressed the Board. He stated per the request of the MCDOH, he changed the plans to show 10 ft. centers on the leach lines instead of 8 ft. plus another 5 ft. on the taper.

The NYSDOT has reviewed the applicant's driveway permit and approved it. The plan has been through the MC Water Authority for review and it has been signed.

MRB's Comments:

1. The Short EAF was corrected to show site plan instead of resubdivision.
2. The Federal wetland and 100-year flood plan is well off the site, past the 100 ft. separation.
3. General Notes #6 and #7 have been revised.
4. MC Water Authority was provided the requested information and the plan was signed.
5. Calculations were provided for the sizing of the proposed water service.
6. Information regarding safe stopping distance was provided to the NYSDOT and the permit was approved and issued.
7. Information regarding sizing and inverts for the driveway culvert was provided to the NYSDOT and the permit was approved and issued.
8. A bump out for the driveway has been added to the plan.
9. Tax account numbers for Lots 1 and 2 will be added to the plan.
Mr. Oberst asked regarding #7, have the inverts been put on the culvert. Mr. Glogowski stated no, but he will take care of that. Mr. Minor asked that a copy of the inverts be provided to the Clerk. Mr. Glogowski agreed.
10. Erosion control measures have been added to the plan.
11. Details for a stabilized construction entrance are not on the plan, but the applicant is following State requirements including a stone bench right before pulling out on the road.
12. Separation distance between the leach field and water service has been noted on the plan, #27.
13. The Town's standard mailbox detail is on the plan under the General Notes.

ECB Comments:

- Vegetative protective note has been added to plan.

DRC Comments:

- Comments read and discussed. MCDOH wanted separation on the leach lines to be 10 ft. Approval is still needed.

Chairman McAllister confirmed that a SEQRA motion was approved during the resubdivision approval.

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Moved by Mr. Minor, seconded by Mr. Dollard,

WHEREAS, Mark Heitz has applied to the Town of Sweden Planning Board for Site Plan approval of the MPH Resubdivision – Lot 2 located at 5377 Brockport-Spencerport Road, and

WHEREAS, a public hearing was held by the Planning Board on September 14, 2009, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the comments of the Town Engineer, Fire Marshal, Environmental Conservation Board, and Monroe County Planning and Development,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board determines that the MPH Site Plan – Lot 2 be approved contingent upon receiving approval from the Monroe County Department of Health, that the site plan be updated to include inverts on the culvert pipe, new tax account numbers, the sump pump discharge line moved farther south, the stabilized construction detail shown, all required signatures, and the Chairman be authorized to sign.

Ayes – 6

Schuff Resubdivision. 1700 W. Sweden Road. 11303-1-16.2

Mr. A.J. Barea addressed the Board.

MRB Comments:

- The well location has been shown on the plan.

Chairman McAllister asked Mr. Oberst if he was ready to sign. Mr. Oberst stated yes.

Moved by Mr. Minor, seconded by Mr. Dollard,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Schuff Resubdivision located at 1700 West Sweden Road, and

WHEREAS, a public hearing was held by the Planning Board on September 14, 2009, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board determined on September 14, 2009, that the Schuff Resubdivision is an unlisted action which will not have a significant impact on the environment, and

WHEREAS, the Schuff Resubdivision has been approved by the Town Engineer, and

NOW, THEREFORE BE IT RESOLVED, that the Schuff Resubdivision be granted Preliminary Approval, and

THEREFORE, BE IT FURTHER RESOLVED, that the final hearing be waived and the Schuff Resubdivision be granted final approval contingent upon receiving Monroe County Department of Health approval, all required signatures, and the Chairman be authorized to sign.

Ayes – 6

Aubry Subdivision and Site Plan. 7203 Fourth Section Road. 083.01-3-9.1

Mr. John Clarke addressed the Board and distributed updated plans. He explained that plans have been submitted to the Monroe County Department of Health, Monroe County Water Authority, and Monroe County Department of Transportation. No comments have been received to date.

Mr. Monno asked where is the water line located. Mr. Clarke stated the water line runs along the driveway. He added he will make the line darker so it stands out better.

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Fire Marshal Comments:

- Bump out has been added to the driveway at the halfway mark. Mr. Clarke asked for clarification of the request for a concrete pad. The Board discussed several ideas. Mr. Clarke will contact the Fire Marshal tomorrow for clarification.

MRB Comments:

1. Location of the septic system (no well) has been shown on the plan as well as offsets to the property lines.
2. Town Engineer signature block has been added to the subdivision plat.
3. Bump out has been added to the plan. Further clarification from the Fire Marshal will be needed regarding the concrete pad.
4. Water service sizing calculations will be provided. Mr. Oberst asked regarding #1, the request is for the existing septic system to make sure separation distance is maintained. Mr. Clarke apologized and stated he would take of that. Mr. Dollard stated regarding #3, the pad is for the pump to be placed on it so that it doesn't suck up mud when operating.
5. Proposed grading has been provided on the site plan including the pond.
6. Spoils from the pond will be exhausted on site.
7. Location of erosion control has been shown. The proposal is for silt fence, which will encompass all of the new work. Stabilized construction entrance has been shown on the plan and detail provided.
8. Federal wetlands have been shown on the subdivision plan on the southern portion of the property. The development is not anywhere near the wetlands.
9. Inverts for the proposed driveway culvert have been shown.

ECB Comments

- There were no significant comments. The ECB was pleased with this development.

DRC Comments:

- There were no significant comments.

Mr. Monno asked for the plan to show a detail of where the sanitary pipe comes into the house. Mr. Clarke will add that detail.

Moved by Mr. Minor, seconded by Mr. Dollard,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Aubry Subdivision located at 7203 Fourth Section Road, and

WHEREAS, a public hearing was held by the Planning Board on September 14, 2009, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board determined on September 14, 2009, that the Aubry Subdivision is an unlisted action which will not have a significant impact on the environment, and

WHEREAS, the Aubry Subdivision has been approved by the Town Engineer, and

NOW, THEREFORE BE IT RESOLVED, that the Aubry Subdivision be granted Preliminary Approval, and

THEREFORE, BE IT FURTHER RESOLVED, that the final hearing be waived and the Aubry Subdivision be granted final approval contingent upon receiving Monroe County Department of Health approval, verification of location of the leach field on the existing lot, and the Chairman be authorized to sign.

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Mr. Clarke asked if it were possible to get a contingent final for the site plan.

The Board discussed the issues to be resolved including the detail of the sanitary pipe coming from the basement into the house and clarification regarding the Fire Marshal's suggestion for a concrete pad, and decided to wait until the next meeting on September 28.

The meeting was adjourned by motion at 9 p.m.

Planning Board Secretary