

**TOWN OF SWEDEN
Planning Board Minutes
January 22, 2024**

A regular meeting of the Town of Sweden Planning Board was held on Monday, January 22, 2024, at the Sweden Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members present: Richard Dollard; David Hale; Craig McAllister; Matthew Minor; Peter Sharpe; David Strabel.

Absent: Wayne Rickman; Nat O. Lester, III, Planning Counsel – Excused.

Also present: James Oberst, P.E., MRB, Town Engineer; David Matt, Schultz Associates; Robert Laviano and Steve Licciardello, Brandon Woods LLC; Alan Adams, Owens Road Self Storage LLC; John Desimone; Paul Byers; Mike and Janice Waeghe; Carolyn Marcuccio; Mercedes Skidmore; Joan and Jim Genthner.

Chairman McAllister called the meeting to order at 7 p.m. and asked everyone present to say the Pledge of Allegiance.

Correspondence was passed to members for review.

Moved by Mr. Dollard, seconded by Mr. Hale, that the minutes of January 8, 2024, be approved.

Chairman McAllister - Aye
Mr. Dollard - Aye
Mr. Hale - Aye
Mr. Minor - Aye
Mr. Rickman - Absent
Mr. Sharpe - Aye
Mr. Strabel - Aye

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

Chairman McAllister - Aye
Mr. Dollard - Aye
Mr. Hale - Aye
Mr. Minor - Aye
Mr. Rickman - Absent
Mr. Sharpe - Aye
Mr. Strabel - Aye

The public hearing began at 7:04 p.m.

Owens Road Self Storage Subdivision and Site Plan – Phase 1. 90 Owens Road. 084.01-1-19.141/19.145.

Dave Matt, Schultz Associates, addressed the Board. Mr. Matt explained this project requires a thirty-day coordinated review which was mailed the second week of January; no action can be taken beyond the public hearing tonight. The second meeting in February will be the first opportunity to act after the thirty-day waiting period.

TOWN OF SWEDEN
Planning Board Minutes
January 22, 2024

Mr. Matt gave a brief overview of the site. The Owens Road Self Storage is located at 90 Owens Road. Chairman McAllister asked that the site plan be displayed for everyone to view. The project proposes to adjust the boundary line of the current property with the lot to the south. He explained there are five existing self-storage buildings. A driveway would run across the swale shown as federal wetlands, with a bridge that completely jumps the wetlands. There will be no impact to the wetlands. The bridge will lead to the Phase 1 development that includes six conventional storage unit buildings, each 4,400 sq. ft., two commercial retail space areas proposed for individual small businesses to rent or lease for storage of their equipment, trucks, etc. Future phases would propose nine storage building units and two commercial rental buildings.

Mr. Matt added there will be a large stormwater management facility to the north of what is proposed in the back. The larger commercial unit buildings will have a sanitary sewer with a lateral that runs across the buildings to a pump station. The pump station will pump the sewage through a force main sewer line up to the road to a manhole across the street on the west side of Owens Road. There is a private existing water main that goes to the end of the existing storage units which will be extended to provide fire protection to both future phases.

Also shown on the plan is a large vehicle storage area where you can park RVs, boats, trailers, etc. The area is shown stoned and will be paved in the future.

Mr. Matt discussed the Town Engineer's review comments relating to the Code Enforcement Officer and whether or not all the units would require sprinklers. Also, if a large vehicle storage area is allowed in this area. The current units do not have sprinklers. The developer is proposing sprinklers for the larger commercial buildings as well as additional fire hydrants. Per code, outdoor storage is allowed as long as the area is encompassed by a privacy fence or a buffer from adjacent properties.

Mr. Matt concluded his presentation by saying that he will have the rest of the Town Engineer's comments addressed by the second February meeting.

Chairman McAllister asked if anyone had any questions, comments, or concerns. There were none. Chairman McAllister moved on to the next public hearing.

Villas at Brandon Woods – Section 2. Wood Trace/Etna Trail. 084.01-1-14.116 and 084.01-1-14.117.

David Matt, Schultz Associates, addressed the Board. He explained the applicant is amending the original site plan by proposing to add a second emergency vehicle access road along the eastern portion of the project just before the cul-de-sac to Wood Trace. The 20 ft. wide gravel access would go along the cleared area on the plan. The access would be built according to the fire department's standards and the fire code.

Mr. Matt stated the plans have been revised according to the Town Engineer's review comments. The revisions include adding a profile showing the slopes, some hammerhead details to show how the fire emergency vehicles would make the corner from both roadways, and that the access road will be protected by emergency access gates for which the fire department will have a key. There were initial talks regarding installing a Knox Box at the site so that the fire department can unlock the gates. The road is proposed to be stoned to avoid it turning into a skateboard ramp.

TOWN OF SWEDEN
Planning Board Minutes
January 22, 2024

There will be a maintenance agreement with the company who owns the property to make sure that the road is being plowed and maintained. The maintenance agreement will be in effect with the current owner and any future owners. Whoever owns the property will always maintain the emergency fire access road. The Town will not be responsible for the maintenance of the emergency fire access road.

Chairman McAllister asked if anyone had any questions, comments, or concerns.

Jim Genthner, 31 Talamora Trail – Mr. Genthner asked for clarification as to where the access road is relative to Talamora Trail on the plan. Mr. Matt pointed to the access road, cul-de-sac, and Talamora Trail on the plan. Mr. Genthner explained it was his understanding right from the beginning that the issue was putting in sprinkler systems or having an emergency fire access road. Is the proposed emergency fire access road in lieu of putting in sprinkler systems? Chairman McAllister stated the proposed road is for the end units. Mr. Strabel indicated pretty much for all the houses being built on the cul-de-sac road, Etna Trail.

Mr. Strabel invited Mr. Genthner and others to look at the plan up close to better see Talamora Trail and Etna Trail. Discussion took place at the Board's table.

Chairman McAllister restated that for the record, anyone from the public with questions, please state your name and address.

Carolyn Marcuccio, 29 Wood Trace – Ms. Marcuccio asked for confirmation that if the amended site plan is approved, sprinkler systems would only be required in a few units. Mr. Strabel explained that the applicant has made an application to the NYS Variance Board for a State building code variance that would allow the applicant not to have to put sprinkler systems in the townhomes if there were a second means of egress. The applicant is proposing the emergency fire access road hoping to get approval to go back to the NYS Variance Board and be granted a variance not to have to put sprinklers in. Mr. Strabel clarified that the NYS Building Code required sprinkler systems, not the Planning Board. Mr. Strabel added that when there is a dead-end road that has more than thirty dwelling units, it has to have two means of access for fire apparatus equipment. The cul-de-sac in this case is the dead-end road and there are well over thirty proposed townhomes. Sprinkler systems should be installed in the townhomes per the NYS Fire Code starting with the 31st townhome and everyone thereafter. Ms. Marcuccio confirmed with Mr. Strabel that the developers are requesting a variance so that they would not have to install sprinkler systems by putting in an emergency fire access road. Mr. Strabel stated the developers are proposing to install a secondary access road as an alternative to installing the sprinkler systems in order to get a variance from the NYS Variance Board.

John Desimone, 29 Talamora Trail – Mr. Desimone questioned if the cul-de-sac would be behind his house on Talamora Trail. He inquired what the distance is from the townhomes to his house. Mr. Strabel could not confirm that distance from the plan submitted. Mr. Desimone confirmed with Chairman McAllister that the emergency fire access road does not have anything to do with his house the way it has been proposed. Discussion took place regarding the remaining woods, which is the developer's private property so that trees may be removed, as necessary.

Jim Genthner, 31 Talamora Trail – Mr. Genthner's concern is that the developer is trying to acquire properties on Talamora Trail to build an access road. Mr. Strabel indicated that would be another legal option. He added the code requires secondary access.

TOWN OF SWEDEN
Planning Board Minutes
January 22, 2024

John Desimone, 29 Talamora Trail – Mr. Desimone asked for clarification. Mr. Strabel explained if you or Mr. Windus were to sell your properties and a road was put in place of your homes that would meet the requirement. The purpose of the two means of access per NYS is that if one means is blocked, there is another means for fire equipment to enter. Mr. Desimone stated he does not have a problem with it.

Mr. Hale stated there are other examples of an emergency fire access road in Town. For example, Royal Garden Apartments has one on Lake Road which is paved and has a gate. Mr. Strabel stated there is another one across from Wegmans, Stonebriar Glen, which is not paved and has a gate.

Jim Genthner, 31 Talamora Trail - Mr. Genthner confirmed with Mr. Strabel that this is the proposed plan to be submitted for the Town Engineer's design review to make sure it will work according to the slope and weight of fire apparatus, etc.

Carolyn Marcuccio, 29 Wood Trace – Ms. Marcuccio noted that the emergency fire access road is close to the wetlands. Will the road impact the wetlands? Chairman McAllister stated that will be reviewed. Ms. Marcuccio also asked who will be responsible for keeping the emergency fire access road plowed. Chairman McAllister stated that too will be reviewed.

Jim Genthner, 31 Talamora Trail – Mr. Genthner asked what is a conservation easement? Mr. Strabel explained it is part of a property that has been designated forever wild. Mr. Genthner asked is it truly forever wild, i.e., trees should not be taken down. Mr. Strabel explained it should not be turned into a lawn, but trees should still be removed if they are in danger of falling down.

Chairman McAllister asked Mr. Genthner if he was familiar with the conservation easement that runs up the center of Talamora Trail that was supposed to have public walkways through it. You might find sheds and lawns there, but it is still designated a conservation area and runs up the center north and south.

Carolyn Marcuccio, 29 Wood Trace – Ms. Marcuccio asked for clarification if the forever wild area referenced is on the west side of the houses, behind the houses on Talamora Trail. Mr. Minor explained the forever wild area referenced is the area between the backyards of the center ring or oval on Talamora Trail. Ms. Marcuccio stated there is also a conservation easement between the houses on Talamora Trail and the houses on Wood Trace. Mr. Minor agreed and that is also part of the wetland delineation. Ms. Marcuccio wanted to make it known that the wetland property she referenced is owned by the Brandon Woods Homeowner's Association even though there is a conservation easement on it. It is not public land, correct? Mr. Strabel agreed it is still private land with an easement overlay on it.

The Clerk noted that the attached memorandum from Walt Windus, 33 Talamora Trail, be made part of the record as he could not attend the public hearing.

Chairman McAllister asked if there were any more comments, questions, or concerns. There were none.

Chairman McAllister thanked the public for their input and good questions.

TOWN OF SWEDEN
Planning Board Minutes
January 22, 2024

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

Chairman McAllister - Aye
Mr. Dollard - Aye
Mr. Hale - Aye
Mr. Minor - Aye
Mr. Rickman - Absent
Mr. Sharpe - Aye
Mr. Strabel - Aye

The public hearing ended at 7:30 p.m.

Chairman McAllister checked with Mr. Oberst regarding the status of his review comments for Villas 2. Mr. Oberst received responses late Friday from Mr. Matt and has not had a chance to review them completely.

Moved by Mr. Dollard, seconded by Mr. Hale, to adjourn the meeting at 7:33 p.m.

Chairman McAllister - Aye
Mr. Dollard - Aye
Mr. Hale - Aye
Mr. Minor - Aye
Mr. Rickman - Aye
Mr. Sharpe - Aye
Mr. Strabel - Aye

Respectfully submitted,
Phyllis Brudz, Planning Board Clerk