

**TOWN OF SWEDEN
Planning Board Minutes
February 26, 2024**

A regular meeting of the Town of Sweden Planning Board was held on Monday, February 26, 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; Wayne Rickman; Peter Sharpe; David Strabel.

Also present: Nat O. Lester, III, Planning Counsel; James Oberst, P.E., MRB, Town Engineer; Supervisor Patty Hayles; David Matt, Schultz Associates; Randy Bebout, Bohler Engineering; Sarah Costich, Costich Engineering; A.J. Barea, PLS; Kurt Overmyer; Anthony Gizzie; Matt Lester, Caliber; Alan Adams; Sean Cliff.

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. Sharpe, that the minutes of February 12, 2024, be approved.

DISCUSSION: Mr. Hale stated relative to the Villas 2 at Brandon Woods motion, page 3, he did not make the motion and voted against it. Chairman McAllister stated that Mr. Hale did make the motion, it was seconded, and then Mr. Hale voted against it, which is acceptable. Mr. Hale referred his question to Planning Counsel Lester that he was under the impression some years ago the Board was instructed to make approval motions in the form of resolutions, which the Board has been doing. What about denial motions? Planning Counsel Lester stated the Board could do the same for denial motions if so desired. Mr. Hale added opposed to being instructed to do so. Counsel Lester stated that is correct. Mr. Hale agreed. Thank you.

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

Chairman McAllister welcomed Supervisor Hayles to tonight's meeting.

Jiffy Lube Resubdivision, Site Plan and Special Use Permit. Bkpt-Spen Road. 084.01-1-19.42.

Sarah Costich, Costich Engineering, addressed the Board. She introduced Kurt Overmyer, Guggenheim Development Services, representing Jiffy Lube this evening. The application is for the proposed 3,228 sq. ft. Jiffy Lube at the corner of Owens Road and Rte. 31. It is an existing outparcel associated with the Lowe's subdivision. The overall parcel is approximately six acres. The application is for a proposed 1.3-acre subdivision.

Minimal site disturbance is shown for the 1.3-acre parcel, which is under one acre as far as stormwater permitting. The property is low and there are existing wetlands and a wetland pond shown on the site.

**TOWN OF SWEDEN
Planning Board Minutes
February 26, 2024**

The proposed access, a two-way in and out, to the site will be off Owens Road. Thirteen total parking spaces are proposed, twelve parking spaces and one handicapped parking space. Landscaping plans show proposed plantings at the entrance and foundation plantings. Lighting plans show a minimum of three proposed light poles for parking lot lighting.

Elevation drawings were presented. Jiffy Lube has two different styles of buildings. In minimizing the site disturbance with the existing wetlands, the smaller, one by three building, was chosen. There are three service bays, two that are the depth of one vehicle and one double stacked bay. Also shown is an employee lobby/waiting area where customers can wait while their vehicle is serviced.

Mr. Overmyer addressed the Board showing the east and west elevations. Mr. Strabel confirmed with Ms. Costich that traffic will go into the west and out to the east. Ms. Costich added vehicles will enter off Owens Road and go around the back side of the building, go through the bays and circulate back out. Mr. Strabel asked how many cars can be stacked in the parking lot. Ms. Costich stated two vehicles stacked are shown in the parking lot on the plan. Mr. Strabel confirmed with Ms. Costich that the 13 proposed parking spaces do not include stacking vehicles. Mr. Strabel stated per the Zoning code, 15 parking spaces are required. Ms. Costich could show three land banked parking spaces. Mr. Strabel added most people don't come to park in the parking spaces but to get into the garage.

Mr. Strabel asked if the wetlands are delineated in the documents. Ms. Costich explained Mr. Doug Morris is the property owner who has had the wetlands delineated and is taking the responsibility for working through the wetland permitting process. Chairman McAllister stated the wetlands will be discussed more thoroughly during the review process.

Ms. Costich further touched upon the Jiffy Lube operations which are preventative maintenance, oil changes, tire rotation, alignment, and brake work. Hours are Monday through Friday, 8 a.m. to 6 p.m., Saturdays, 8 a.m. to 5 p.m., and Sundays, 10 a.m. to 4 p.m. In terms of the operations, this is a low traffic generator with 25 to 30 cars a day with three to five employees at any location.

In summary, Ms. Costich, stated her client is looking for resubdivision approval, special use permit, and site plan approval for this application. She would be happy to answer any questions.

Chairman McAllister explained the first meeting is an accept for review, then to the public hearing for public comment.

Moved by Mr. Minor, seconded by Mr. Dollard, that the Jiffy Lube Resubdivision, a resubdivision of Lot C of Owens Landing Subdivision, Site Plan, and Special Use Permit be accepted for review.

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

The public hearing will be March 25, 2024.

TOWN OF SWEDEN
Planning Board Minutes
February 26, 2024

Quick Serve Restaurant Site Plan. 4871 Lake Road. 083.02-1-19.

Randy Bebout, Bohler Engineering, addressed the Board. He is representing 4871 Lake Road, Brockport, SRE, LLC, for the proposed Quick Serve Restaurant at the southwest corner of Rte. 19 and Rte. 31. The site has an existing bank, and drive-thru which will be demolished. Parking spaces will meet the zoning requirements; 48 parking spaces are proposed where 35 are required. The proposed development shown will require some area variances based on the layout and B-1 Retail Commercial zoning requirements. Regarding access points, the one on Rte. 31 will be removed and reconstructed on Rte. 19. The intent is to have a shared access agreement with Well-Now to the west, as well as the addition of four or five parking spaces on the Well Now property. A parking agreement will be completed. New landscaping and new lighting are proposed throughout the site. Stormwater mitigation will be handled with an underground detention system.

Mr. Bebout would be happy to answer any questions the Board may have.

Moved by Mr. Strabel, seconded by Mr. Hale, that the Quick Serve Restaurant Site Plan be accepted for review.

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

The public hearing will be March 25, 2025.

Darby Site Plan - Lot 3. 2170 Reed Road. 128.01-1-11.124.

Dave Matt, Schultz Associates, addressed the Board. The applicant is seeking site plan approval for the Darby Subdivision – Lot 3. He explained the lot was subdivided last year April. The applicant has purchased Lot 3 and plans to build a single-family house. Percolation tests were completed which showed sandy soils and good percolation times for an inground septic system. Public water is available across the road in the Town of Bergen, Genessee County, which will require an out of district agreement.

Mr. Matt would be happy to answer any questions.

Moved by Mr. Strabel, seconded by Mr. Hale, that the Darby Site Plan be accepted for review.

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

The public hearing will be March 25, 2024.

**TOWN OF SWEDEN
Planning Board Minutes
February 26, 2024**

OTHER

Lead Agency Status Declaration - Owens Road Self Storage Subdivision and Site Plan-Phase 1.

Chairman McAllister explained the Board has been waiting for responses from involved agencies over a 30-day time period to declare this Board as Lead Agency. The Clerk stated there have been no objections received.

Moved by Mr. Strabel, seconded by Rickman,

WHEREAS, Alan Adams, Owens Road Self Storage, LLC, (“Applicant”) has applied to this Board for subdivision and site plan approval for the Owens Road Self Storage Subdivision and Site Plan – Phase 1 to be located at 90 Owens Road and adjacent land on approximately 19.799 acres from a lot line change of 2 (two) contiguous current properties totaling approximately 46 acres, tax account numbers: 084.01-1-19.141 and 084.01-1-19.145, pursuant to the provisions of the Land Use Development/Subdivision Regulations and the general provisions governing such approvals by this Board pursuant to Article 175 of the Sweden Town Code (“the Application” and/or “the Project”); and

WHEREAS, at a meeting of this Board held on January 8, 2024, this Board adopted a Resolution determining that the Project/Application constituted a Type I action under the SEQRA regulations, declaring the intention of this Board to serve as lead agency for coordinated SEQRA review of the Project, and directing the Clerk to send to all involved agencies the notice of this Board’s intent to serve as lead agency, all pursuant to 6 NYCRR §617.6(b) of the SEQRA regulations, and the Clerk appropriately sent such notice to all involved agencies; and

WHEREAS, more than thirty (30) days have elapsed since the sending of such notice and all involved agencies have either consented in writing to this Board’s serving as lead agency with respect to the Project or have submitted no response objecting to this Board’s declaration of intent to serve as lead agency.

NOW, BE IT THEREFORE RESOLVED, that this Board hereby declares itself as lead agency as to the Project/Application pursuant to 6 NYCRR §617.6(b).

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

Chairman McAllister asked Mr. Oberst for an update on the review of the project. Mr. Oberst stated an initial review has been completed and there are some minor modifications but no showstoppers.

Donald F. Hibsich Amended Resubdivision. 7131/7125 Fourth Section Road. 083.01-3-21.1/083.01.

A.J. Barea, PLS, addressed the Board. He explained the plan before the Board was approved previously. There have been some changes to the application which requires an amended resubdivision. The entrance to Lot R-2A has been widened, it was 60 ft. and now is 100 ft., tapered at 175 ft. In addition, notes 13 and 14 have been added referencing the drainage easement and utility easement that the Town of Sweden is not part of.

Chairman McAllister stated that since this project was previously approved and the only change is minor with the widening of the access at the road, an expedited approval may be granted.

**TOWN OF SWEDEN
Planning Board Minutes
February 26, 2024**

Moved by Mr. Strabel, seconded by Mr. Minor,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Donald F. Hibsich Amended Resubdivision, located at 7131/7125 Fourth Section Road, and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form, and comments of the Town Engineer,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board Accepts for Review the Donald F. Hibsich Amended Resubdivision, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Board declares itself Lead Agency for the environmental review of this application, and determines that the Donald F. Hibsich Amended Resubdivision, is an unlisted action which will not have a significant impact on the environment, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Board determines the Donald F. Hibsich Amended Resubdivision is appropriate in the interest of the public health, safety and general welfare, and no undesirable change will be produced in the character of the neighborhood or no detriment to nearby properties will be created.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the public hearing be waived and the Donald F. Hibsich Amended Resubdivision, dated February 26, 2024, be granted approval, contingent upon all required signatures being obtained, and the Chairman be authorized to sign the mylar.

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

Moved by Mr. Hale, seconded by Mr. Minor, to adjourn the meeting.

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