

**TOWN OF SWEDEN
Planning Board Minutes
March 8, 2021**

A regular meeting of the Town of Sweden Planning Board was held on Monday, March 8, 2021, at the Sweden Courtroom, 18 State Street, Brockport, New York, commencing at 7 p.m.

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

Absent: James Oberst, P.E., MRB – Excused.

Also, present: Nat O. Lester, III, Planning Board Counsel; Jerry Glogowski, Glogowski Land Surveying.

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 22, 2021, be approved.

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

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

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

The Public Hearing began at 7:02 p.m.

Chairman McAllister read the notice of public hearing and affidavit of publication.

Mr. Strabel arrived.

Leonard T. Lavell – Lot 2 Subdivision and Site Plan. 6491 E. Canal Road. 069.04-1-9.2

Chairman McAllister asked if there was anyone present with questions, comments, or concerns. There were none.

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

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

The Public Hearing ended at 7:04 p.m.

Chairman McAllister continued review of the Leonard T. Lavell – Lot 2 project.

Mr. Jerry Glogowski addressed the Board. He explained there have been several text changes since the last meeting. The changes include clarification, typos, responses to comments received from the various organizations. The engineered design has stayed the same.

Chairman McAllister read an email from Jim Oberst stating most comments have been addressed with some minor details still outstanding, such as the following:

- correct site statistics for a lot with public water.
- confirm if there are any easements on the property.
- a note added to the plans regarding the timing of the water extension indicating a building permit will not be issued until the water main is extended.
- clarify driveway detail with Fire Marshal.
- clarify erosion control issues.

Discussion took place clarifying the Fire Marshal's and the Highway Superintendent's comments. The Fire Marshal's comments have been addressed as the driveway width is shown as 15 ft. where 14 ft. is required. A conversation still needs to happen between Mr. Jim Glogowski and the Highway Superintendent as far as the requirements for the entrance coming off the road. There is a guardrail on the property side of the road which still needs to be shown on the plan. Mr. Glogowski agreed.

Chairman McAllister asked if the watermain has been extended across the property. Mr. Glogowski stated not yet, but the plan is to extend the watermain from the east side of the property across the front of the property to Mr. Romano's property.

Mr. Strabel asked for clarification regarding the note that states, "This Section of Water Main To Be Installed Under a Separate Contract." Mr. Glogowski explained it most likely is MCWA. The watermain will be installed to the house so it can be built, then after that Mr. Romano would obtain separate approvals to extend the watermain to his property. Note 20 on the plans explains the watermain extension.

Chairman McAllister asked if the above changes can be resolved in the next six months. The Planning Board will be adhering to its policy of six months for conditional approvals and very reluctant to issue three-month extensions as the project should be able to be finalized in the six-month timeframe. At the end of the six months if the project is not complete, the project will be cancelled, and the applicant must start the approval process from the beginning.

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Moved by Mr. Hale, seconded by Mr. Rickman,

WHEREAS, the Town of Sweden Planning Board has received an application for subdivision and site plan approval of the Leonard T. Lavell – Lot 2 Subdivision, located at 6491 East Canal Road, which was accepted for review on February 22, 2021: and

WHEREAS, a public hearing was held by the Planning Board on March 8, 2021, and all persons wishing to be heard were heard; and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form, comments of the Town Engineer, Fire Marshal, Highway Superintendent, and Environmental Conservation Board,

NOW, THEREFORE, BE IT RESOLVED that the Planning Board declares itself lead agency for the environmental review of this application and determines that the Leonard T. Lavell – Lot 2 Subdivision and Site Plan are unlisted actions, which will not have a significant impact on the environment and grants the subdivision Preliminary Approval, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final public hearing be waived and the Leonard T. Lavell – Lot 2 Subdivision and Site Plan be granted final approval, contingent upon receiving all required signatures, and the Chairman be authorized to sign the mylar.

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

**OTHER
SEQR Lead Agency Coordination Request**

Chairman McAllister explained this request is for the new local law Battery Energy Storage Systems. The Town Board is declaring its intent for lead agency status. The Planning Board had no objections to the Town Board’s lead agency.

Review Comments – Rezoning Application

Chairman McAllister explained the Town Board is looking for review comments from the Planning Board for Kubota’s application to rezone 5625, 5635, and 5645 Brockport Spencerport Road from R1-2 to B-1, Residential to Commercial.

1. Applicant should merge all three properties with the Kubota property to avoid the issue of the required perimeter buffer zone between the properties.
2. This is not consistent with the updated Comprehensive Plan. Spot zoning is discouraged but at least the rezoned parcels would be attached to the same zoning, B-1, or an expansion of the existing zoning.
3. Discussion took place that when and if the lots are merged, amended site plan approval will also be required to utilize the property for the business, i.e., storing/moving product to the newly rezoned site. The site will need to be paved as the vehicles stored will have fluids, i.e., gasoline and oil, which vehicles are not to be stored on the grass.

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4. The Planning Board recommends that the Town Board keep in mind that once the properties are rezoned to commercial, at some point, it could also become a car sales lot or anything commercial.

Project Extensions

Chairman McAllister discussed the recent project extension requests received. The Clerk explained there were two of them at the February 8 meeting in the correspondence folder, however, only Heritage Square was granted a three-month extension instead of a six-month extension as requested. The other one was for Maier Subdivision and Site Plan approval on Colby Street, which was not granted an extension.

Discussion took place regarding the Maier project. The last time the engineer addressed the Board was July 13, 2020, until recently when the Clerk asked for a status, and a request for a three-month extension was received for the February 8 meeting. Counsel Lester recommends that the applicant be asked to appear at the next Planning Board meeting with the status of the project. The Board can make its decision to grant the extension or cancel the project at that time.

The Board reviews the project status report at each meeting to keep projects on track with required timeframes, approvals, or cancellations. The Clerk will expand the report to include specific approvals granted and/or status. Ultimately, it is up to the applicant/engineer to ensure their project gets approved per requirements.

The meeting was adjourned on motion at 7:45 p.m.

Respectfully submitted,
Phyllis Brudz - Planning Board Clerk