

**TOWN OF SWEDEN
Planning Board Minutes
March 25, 2024**

A regular meeting of the Town of Sweden Planning Board was held on Monday, March 25, 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.

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

Also present: James Oberst, P.E., MRB, Town Engineer; Randy Bebout, Bohler Engineering; Matt Tuttle, Schultz Associates; Sarah Costich, Costich Engineering; Kurt Overmyer; Anthony Gizzie; Matt Lester; Phil Ostroski.

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 March 11, 2024, be approved.

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

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

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

The public hearing began at 7:02 p.m.

Chairman McAllister explained there are three public hearings tonight, Darby Site Plan, Jiffy Lube Site Plan, and Quick Serve Restaurant Site Plan. He asked the public to come to the podium and state their name and address prior to any questions, comments, or concerns for a project.

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

Matt Tuttle, Schultz Associates, addressed the Board. There were no questions, comments, or concerns.

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Jiffy Lube Resubdivision, Site Plan and Special Use Permit. 6060 Bkpt.-Spen. Road. 084.01-1-19.42.

Sarah Costich, Costich Engineering, addressed the Board. She introduced Kurt Overmyer, Guggenheim Development Services.

Ms. Costich is representing the proposed Jiffy Lube Resubdivision, Site Plan and Special Use Permit, located at the corner of Owens Road and Rte. 31, and was accepted for review at the February 26 meeting.

The proposed Jiffy Lube site is 1.3 acres, which includes the Jiffy Lube building, four service bays, and a waiting room area that is a small portion of the building itself. Additionally shown on the site plan is proposed parking, dumpster enclosure location, landscaping, and lighting detail. Two-way access is proposed off Owens Road.

Technical comments have been received from MRB Group, and comments from Monroe County Planning, Environmental Conservation Board, and Superintendent of Highways. Comments are being addressed with no major issues noted.

Ms. Costich stated she would be happy to answer any questions from the Board or the public.

Nancy Houseknecht, 5893 Brockport-Spencerport Road – Ms. Houseknecht stated even though the property has been vacant for a very long time, will provide employment for some people, and will provide a tax base for the Town of Sweden, she is still concerned. Ms. Houseknecht did her research for the proposed Jiffy Lube at the corner of Owens Road. If you have ever sat on Brockport-Spencerport Road between 3 p.m. and 5:30 p.m., the traffic is backed up all the way to Rte. 260. Why would we want another business on the corner of Owens Road? There are eleven automotive maintenance facilities existing in the 14420-zip code (list of submitted businesses made part of the record). All of them are close to Owens Road. None of the eleven facilities include ones on Ridge Road, in Spencerport, North Chili, or Holley. With eleven facilities trying to do business in the Town of Sweden, she does not believe there is a need for a Jiffy Lube on the corner of Owens Road. Thank you.

Chairman McAllister asked if there was anyone else. No one came forward.

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 SRE LLC for the proposed Quick Serve Restaurant at the southwest corner of NYS Rte. 31 and Rte. 19. The existing site is the location of a former bank that has been vacant for some time. The bank will be demolished, and the entire site redeveloped as a ± 4,700 sq. ft. quick serve restaurant with a double lane drive thru, outdoor patio, possibly detached canopies, 49 parking spaces, dark sky compliant site lighting, and new landscaping around the entire perimeter. Also proposed are 31 drive-thru spaces for stacking in the lane and some additional spaces.

The site is zoned B-1, Retail Commercial, and the quick serve restaurant is a permitted use. The zoning is the same for the surrounding properties. Several variances will be sought from the Zoning Board of Appeals (ZBA), such as, front building setback due to the very wide corner triangular wedge area shown that is a DOT ROW, parking setback, buffer area, and greenspace.

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Currently there are two access points, one on Rte. 31 and one on Rte. 19. The access on Rte. 31 will be closed and a new site access on Rte. 19 will be reconstructed, which has been submitted to NYS DOT for review.

Stormwater mitigation will be addressed through bioretention and an underground detention system. Public water is available from Rte. 19 and a sanitary sewer is located on the northwest corner of the property.

Mr. Bebout stated he would be happy to answer any questions from the Board or public.

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

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

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

The public hearing ended at 7:15 p.m.

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

Matt Tuttle, Schultz Associates, addressed the Board. He stated that the letter from the State Variance Board is on its way.

Chairman McAllister spoke with Mr. Stirk, Building Inspector, today and confirmed that he spoke with the State Variance Board and that the transcript had been completed and being shipped. The State Variance Board will have to review it, accept it, and send it to the applicant in a week or so.

Moved by Mr. Hale, seconded by Mr. Sharpe, that the Villas at Brandon Woods – Section 2 Amended 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 April 22, 2024.

Serenity Acres Resubdivision. 515 Root Road. 114.03-1-12.

Matt Tuttle, Schultz Associates, addressed the Board. He explained this is a simple subdivision, cutting six acres out of twenty acres. The majority of the lot frontage will be off Covell Road. There are no plans for development at this time.

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Moved by Mr. Hale, seconded by Mr. Minor, that the Serenity Acres Resubdivision 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 April 22, 2024.

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

The Board continued to review this application.

Matt Tuttle, Schultz Associates, addressed the Board. He explained the application is for site plan approval for a single-family home with associated improvements on approximately a seven-acre parcel on Reed Road. The site is serviced by public water and private septic with good percolation tests.

Since the last meeting, review comments have been received from the Town Engineer, MCWA, MCDOH, and the Environmental Conservation Board.

Chairman McAllister asked the Town Engineer for a project update. Mr. Oberst stated revised plans were received on March 12, 2024, and all concerns were addressed. He had one question regarding a proposed curb cut from Genesee County and that the Highway Superintendent indicated it should be through Monroe County. Mr. Tuttle will follow up on that question to determine the correct county.

Chairman McAllister noted a curb cut should be received prior to submitting for a building permit.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Darby Site Plan – Lot 3, located at 2170 Reed Road, which was accepted for review on February 26, 2024, and

WHEREAS, a public hearing was held by the Planning Board on March 25, 2024, 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, Environmental Conservation Board, Highway Superintendent, and Fire Marshal,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself lead agency for the environmental review of this application pursuant to the SEQRA Regulations [6 NYCRR §617.6 (b)], and determines that the Darby Site Plan – Lot 3 is an unlisted action, which will not have a significant impact on the environment, and

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NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Darby Site Plan - Lot 3 be approved contingent upon obtaining a curb cut from Genesee County, all required signatures, and the Chairman be authorized to sign.

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

Jiffy Lube Resubdivision, Site Plan and Special Use Permit. 6060 Bkpt.-Spen. Road. 084.01-1-19.42.
The Board continued to review this application. Sarah Costich, Costich Engineering, addressed the Board.

Chairman McAllister stated he spoke with Mr. Oberst today and that he still has several items to discuss before moving forward.

Chairman McAllister recommends that the development be moved to the north as the proposed development is situated in the most significant wetlands on the entire site.

Ms. Costich thought there were wetlands and a pond to the north, but it was clarified by Chairman McAllister that is not the case. Chairman McAllister requested that a wetland delineation be provided all the way to the entrance road to Lowes.

Mr. Strabel asked if the owners of the plaza had been contacted. Ms. Costich explained that she had a conversation last week with Doug Morris, the property owner, and he is working with Earth Dimensions to work on the permit. She explained the reason for the proposed development site is to steer clear of the large culvert that crosses the road and the large existing pond.

Chairman McAllister explained when the subdivided lots were created, all accesses were off the Lowe's internal road, and were approved that way.

Ms. Costich stated she and her client will need to have more discussions with the property owner. She added this is a 1.3-acre site that was carved out for Jiffy Lube with Doug Morris. Of that 1.3 acres, total project disturbance is about 0.68 acres, keeping it under the one-acre threshold for stormwater. Chairman McAllister stated one of the Town Engineer's comments was that developing the site at the proposed location creates a hot spot for environmental concerns. From an environmental standpoint, it makes no sense to develop the site right in the middle of the densest wetlands when to the north is clear.

Ms. Costich noted she was aware of the hot spot comment and noted that Jiffy Lube contains all of its oil processing within the interior of the building in a lower bay so that no oil goes offsite or leaves the building. Mr. Oberst added that if the development is moved farther north, there will be shorter access to the Lowe's east/west internal road. Chairman McAllister stated to avoid any confusion, the Board is looking to have the internal road as the access to the site. There is not a need to go through the wetlands to access the internal road if the development is moved to the north like there is with the proposed location in the middle of the site.

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Mr. Oberst provided a wetland map for Ms. Costich to review. Chairman McAllister stated if the proposed development with access off the internal road works and meets all engineering requirements, the site plan could be approved, even though it is not favorable.

Ms. Costich discussed Owens Road access and that a queuing analysis was completed during peak traffic at three different times for the Board to review. Chairman McAllister reiterated that the Board requests the access be off the internal road. Ms. Costich understood.

Moved by Mr. Hale, seconded by Mr. Minor, to table the application until the next meeting, April 22, 2024.

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

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

The Board continued to review this application. Randy Bebout, Bohler Engineering, addressed the Board.

Chairman McAllister stated five variances are requested for this project. He suggested an application be made to the ZBA for those variances. The ZBA will request input from the Planning Board.

Mr. Bebout stated Mr. Oberst's comments were received and most were addressed. There are still some comments that need to be worked out. Chairman McAllister stated NYSDOT's approval is a huge one since that intersection is already failing and putting a high-volume business there would not seem to work very well.

Mr. Bebout stated a traffic impact study was completed even though not required and the conclusion was that there are sufficient gaps on Rte. 19 and adequate sight distance. The recommendation is to make a signal timing on the Saturday peak hour at Rte. 31 and Rte. 19 intersection and at the Rte. 31 and Wegmans intersection. By making that adjustment, the same level of service will be maintained. The adjustment made would be to go to a hundred-second green cycle length east and west which is what the evening peak hour is already at.

Chairman McAllister stated that it would still be a failed intersection and NYSDOT is aware of that, but nothing can be done because it is already built up. Peaks times are lunch, and at the end of the workday when traffic backs up beyond Stonebriar to the west and beyond Rte. 260 to the east.

Mr. Strabel asked if there has been any communication with the neighbor to the west, WellNow, or with Hampton Inn to cut through their properties. Mr. Bebout stated WellNow has been contacted to have a cross connection and shared parking as well as the hotel for additional parking. Mr. Strabel stated it helps from a traffic standpoint to help push the restaurant's traffic farther away from the intersection. There is always going to be a problem with traffic exiting on Rte. 19 heading north.

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Mr. Minor asked for clarification relative to cycling time with Wegmans traffic lights. There are two, one going north on Rte. 19 and one going west on Rte. 31. Mr. Bebout stated he was referencing the one on Rte. 31, which was changing the green cycle length as per the traffic engineer to maintain the same level of service at Saturday peak hour.

Mr. Minor asked for clarification relative to the number and type of variances being requested. Mr. Bebout stated the following:

1. Building setback from the intersection of Rte. 31. The main building setback cannot be achieved due to the wedge area on the corner.
2. Greenspace.
3. Parking setback on Rte. 19.
4. Buffer perimeter setbacks.
5. Side setback on west side for canopy. The canopy is not attached to the building.

Chairman McAllister stated there are two notes for number 46, one for the east side of the building for outdoor seating and one for the west side of the building for outdoor seating which there is no outdoor seating shown. Mr. Bebout clarified on the plan where the only outdoor seating is proposed. He also pointed to the location of the outdoor enclosure and shed.

Mr. Strabel asked if there was any possibility of connecting through to the Hampton Inn. Mr. Lester spoke with Mr. Jett Mehta who will address it with his operations team to go over the pros and cons. The proposed quick serve restaurant will be closed on Sundays and the hope is to offset peak hours during the weekend with a curb cut through the Hampton Inn. He added Mr. Mehta is a little uncomfortable with the new access because the increased traffic will impact on his porte co-chere. Mr. Strabel stated it would help if the drive could be rearranged to go around the porte co-chere, and then head out the shared access with WellNow. Other proposed options were discussed but would have to be shown and approved.

Mr. Lester stated that his client is excited to finally activate that corner with economics that work. Mr. Lester has a follow-up meeting with Mr. Mehta following this meeting to discuss what some cross-access and shared parking might be like.

Mr. Strabel added that if Mr. Mehta agrees with the proposed cross access, then you have to look at the people who will be forced into using it that are going to be blocked by stacked traffic trying to head north. There has to be enough room for stacked traffic. Mr. Lester explained the thought and logic behind closing the Rte. 31 curb cut and connecting with WellNow is that there is a stack and choke point giving the exiting drive-through customers an opportunity to see that so they can turn right. Discussion followed.

Mr. Minor mentioned that existing cross access agreements will need to be reviewed to ensure new cross access is doable. Mr. Strabel stated there may be a drainage easement that goes along the southern border of the proposed property which goes between the ASAP building and Tim Hortons. Mr. Lester agreed.

Mr. Lester will pursue area variances with the ZBA as the next step. If the variances are not approved, then the site plan needs to be revised. The unattached canopies need to be looked at to see if additional variances are needed. Pictures of the canopies would help the ZBA.

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Moved by Mr. Hale, seconded by Mr. Minor, to table the application until the next meeting, April 22, 2024.

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. Strabel, 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

Application of Kurt Overmyer-Guggenheim Development Services
3000 Internet Boulevard, Frisco, TX
for approval of the **Jiffy Lube Resubdivision, Site Plan and Special Use Permit, located at the corner of Brockport Spencerport Road and Owens Road, Brockport, NY.**

Applicant proposes to construct a *3,228 sq.ft. Automotive service facility with associated site improvements on approximately 1.3 acres. The property is owned by Brockport land Associates II, LLC.

Automotive Maintenance Facilities in current existence:

Walmart Auto Care Center
6265 Brockport Spencerport. Rd.
Brockport, NY 14420

Firestone Complete Auto Care
6480 Brockport Spencerport Rd
Brockport, NY 14420

Nichol's Service
354 State Street
Brockport, NY 14420

Northside Service Center
165 Park Avenue
Brockport, NY 14420

Big Time Service
7978 W Ridge Rd.
Brockport, NY 14420

JT Auto
2424 Colby Street
Brockport, NY 14420

College Service Center
8388 W Ridge Rd.
Brockport, NY 14420

Monro Auto Service And Tire Center
4671 Lake Rd S
Brockport, NY 14420

Mr. Tire Auto Service Center
4900 Lake Rd S
Brockport, NY 14420

Spurr Chevrolet Buick GMC
6325 Brockport Spencerport Rd
Brockport, NY 14420

Barry's Auto Center
4579 Lake Rd S
Brockport, NY 14420