

**TOWN OF SWEDEN
Planning Board Minutes
June 13, 2022**

A regular meeting of the Town of Sweden Planning Board was held on Monday, June 13, 2022, at the Sweden Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

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

Absent: Wayne Rickman; Dave Strabel.

Also present: Nat O. Lester, III, Planning Board Counsel; James Oberst, P.E., MRB, Town Engineer; Lyle Stirk, Building Inspector; Kris Schultz, Schultz Associates; Richard Maier, Maier Land Surveying; Brittany Murphy, SWBR; Andy Burns, Passero Associates; Anthony Danielle and Alex Benoit; Royal Car Wash; Genie Banker; Robert Lanano; Steve Licciardello.

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 May 23, 2022, be approved.

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

Moved by Mr. Minor, 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 – Absent
Mr. Sharpe - Aye
Mr. Strabel – Absent

The public hearing began at 7:03 p.m.

Chairman McAllister waived reading the legal notice.

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Gretchen's Subdivision – 2 Lots. Resubdivision of 2610 Colby Street. Colby Street. 084.03-1-24.111.

Mr. Richard Maier addressed the Board. The subdivision was accepted for review last month and is located on the north side of Colby Street, one mile west of Sweden Walker Road.

The applicant is proposing to split off approximately 762 ft. by 200 ft. piece of property from the airport property. No new development is proposed at this time.

Chairman McAllister asked if there were any questions, comments, or concerns relative to this application. There were none.

Englerth Acres Subdivision. 5230 Redman Road. 083.03-1-5.1,083.03-1-9.1, 083.03-1-25.2.

The Clerk stated Mr. A.J. Barea, surveyor for this project, called to say he would not make the meeting tonight.

Chairman McAllister asked if there were any questions, comments, or concerns relative to this application.

Mr. Ed Englerth addressed the Board. He explained he is currently looking to create one tax account number by combining the three parcels.

Genie Banker, 5161 Redman Road – Ms. Banker was interested in knowing the purpose of this hearing in respect to combining the three parcels into one. Is this an automatic approval? Were the residents notified because it will affect their taxes for however many years? When the applicant combines the three parcels into one parcel, he will be responsible for one-third of the water district tax and the remaining residents in the district will have to pay the other two thirds.

Chairman McAllister reiterated Ms. Banker's primary concern is the impact on the water district tax. He asked was not there a resubdivision previously with this property. The Clerk explained that Mr. Arnie Monno, original owner, had resubdivided the Redman Heights Subdivision from four parcels into one prior to this application.

Ms. Banker wants to know how much the water district tax will increase.

Chairman McAllister asked if there were any other questions, comments, or concerns relative to this application. There were none.

Moved by Mr. Dollard, 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 – Absent
Mr. Sharpe - Aye
Mr. Strabel – Absent

The public hearing ended at 7:07 p.m.

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The Brock Apartments (Brockport College Suites) Amended Site Plan. 4599 Redman Road. 068.03-1-13.001.

Ms. Brittany Murphy, SWBR, addressed the Board. She is presenting improvements to The Brock Apartments at 4599 Redman Road. The improvements are to the interior courtyard, and two access ramps on either side of the building. The Brock Apartments came under new ownership earlier this year. The new owners are looking to make improvements to the courtyard and add new amenities for the residents to fill some vacancies in the building and be more competitive with others in the area. Existing conditions in the courtyard include an enclosed courtyard within a rectangular building with three primary access points to the exterior of the building.

The interior courtyard has concrete sidewalks, some areas for lawn games, a few hammocks, and a small patio in the corner. The proposed improvements include adding an inground pool with an associated deck and seating, two fire pits and seating areas, a grilling and dining area with lights for evening use, an expanded sidewalk for circulation around the courtyard, and a designated game/court play area, and improved access to the ramps on either side of the parking lot.

Ms. Murphy is requesting to advance to a public hearing for approval of these site modifications.

Chairman McAllister confirmed with Ms. Murphy that there is no access in the rear of this property, only on the east and west sides. Ms. Murphy added also from the south where the current seating is.

Mr. Minor confirmed with Ms. Murphy the only changes to the exterior are the sidewalks both east and west, replacing the ramps and adding some stairs for more direct access into the building from either side, and improving the route of the ramps to make it better accessible from the parking lot and more directly accessible through the stairways.

Ms. Murphy added the dog park area located outside the building in one of the side yards has not changed.

Moved by Mr. Minor, seconded by Mr. Sharpe, that The Brock Apartments Amended Site Plan be accepted for review.

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

The Villas at Brandon Woods - Section 2, Subdivision and Site Plan. Wood Trace. 084.01-1-14.114.

Mr. Kris Schultz addressed the Board. He explained the project received approvals in 2021, which expired. The subdivision plat must be filed within 60 days from approval date with the County. The funding for this project took longer than expected. The project has been resubmitted and application fees paid. Applications are pretty much identical as submitted before.

Mr. Schultz added that the process of completing a multi-phase project especially with dedicated roads, it requires a letter of credit to be posted and the Town Clerk's signature on an application for plat form to file the plat. There is a time crunch involved.

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Chairman McAllister asked if there were any changes made. Mr. Schultz stated minor changes in the grading, which the Town Engineer will review. He added there are no changes in the dedicated ROWs.

Moved by Mr. Minor, seconded by Mr. Hale, that the Villas at Brandon Woods - Section 2 Subdivision and Site Plan be accepted for review.

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

Royal Car Wash Subdivision-2 Lots, Site Plan and Special Use Permit. 6625 Fourth Section Road. 083.02-1-13.

Chairman McAllister asked Mr. Oberst for a project update. Mr. Oberst stated the project is in good shape; all plan review comments have been addressed. A copy of the letter from NYSDOT was received today regarding technical comments and there was nothing indicating the driveway/curb cut should be relocated or changed. A second review of the SWPPP was completed with minor issues found. Mr. Oberst is satisfied with moving forward.

Mr. Anthony Daniele, Royal Wash Development, addressed the Board. He introduced Alex Benoit from Royal Wash Development and Andrew Burns, Passero Associates.

Mr. Daniele agrees with Mr. Oberst. He understands any approvals will be subject to conditions. The only item that changed on the plans is the addition of a fence on the east side of the property per this Board's request. The width of the drive aisles at the entrance were modified to work better. Some additional vegetation in the stormwater area was added.

Mr. Minor asked Mr. Oberst if he reviewed the lighting per the comment from Ms. Hilton at the public hearing. Mr. Oberst stated the lighting was reviewed and met all requirements. All lighting is dark sky compliant.

Mr. Minor questioned the plan's note that the dumpster enclosure is white vinyl. The dumpster enclosure is required to match the building.

Mr. Daniele stated the proposed building is brick and the dumpster enclosure detail states white vinyl. Typically, when the dumpster enclosure is located at the road, brick is used, which is costly. Discussion followed. Mr. Daniele will match the dumpster enclosure either in a dark color vinyl that matches the building or use a brick-like material. The Board agreed. Mr. Daniele will update the dumpster enclosure detail on the plans.

Mr. Minor asked for a summary of any outstanding items. Mr. Oberst stated the applicant received formal comments today from NYSDOT; comments were standard requesting more details. Mr. Oberst's main concern was to make sure NYSDOT was okay with the location of the driveway, which NYSDOT is. A change in the location would have affected the site plan approval.

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Moved by Mr. Hale, seconded by Mr. Dollard,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Royal Car Wash Subdivision – 2 Lots, Site Plan and Special Use Permit, located at 6625 Fourth Section Road, which was accepted for review on April 11, 2022, and

WHEREAS, a public hearing was held by the Planning Board on May 9, 2022, and all persons wishing to be heard were heard, and

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

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

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the site plan and Special Use Permit be approved contingent upon receiving regulatory approvals, obtaining all required signatures, and the Chairman be authorized to sign.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final public hearing be waived, the Royal Car Wash Subdivision – 2 Lots, be granted final approval contingent upon obtaining all required signatures, and the Chairman be authorized to sign the mylar.

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

6683 Lake Road Amended Site Plan. (Hausner Subdivision – Lot 2) 6683 Lake Road. 128.02-1-14.

Mr. Kris Schultz addressed the Board. He explained that the Town Engineer and MCDOH have signed the plans. MCWA did not have to sign because it was an automatic service with the watermain recently installed.

Chairman McAllister asked Mr. Oberst for a project update. Mr. Oberst stated he is all set; he signed the plans.

Moved by Mr. Hale, seconded by Mr. Sharpe,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the 6683 Lake Road Amended Site Plan, located at 6683 Lake Road, which was accepted for review on February 14, 2022, and

WHEREAS, a public hearing was held by the Planning Board on March 14, 2022, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board declared at the May 23, 2022, meeting that the amended site plan is an unlisted action which will not have a significant impact on the environment,

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NOW, THEREFORE, BE IT RESOLVED, that the amended site plan be approved contingent upon obtaining all required signatures, and the Chairman be authorized to sign.

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

Eric Chick Property Amended Site Plan. 977 West Avenue. 068.01-2-1

Mr. Kris Schultz addressed the Board. He explained the Town Engineer has signed the plans and the MCDOH has issued a two-year approval letter for the septic system because it did not change with the amended site plan.

Moved by Mr. Hale, seconded by Mr. Dollard,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Eric Chick Property Amended Site Plan, located at 977 West Avenue, which was accepted for review on April 25, 2022, and

WHEREAS, a public hearing was held by the Planning Board on May 23, 2022, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board declared at the May 23, 2022, meeting that the amended site plan is an unlisted action which will not have a significant impact on the environment,

NOW, THEREFORE, BE IT RESOLVED, that the amended site plan be approved contingent upon obtaining all required signatures, and the Chairman be authorized to sign.

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

OTHER

Reapproval – Birch Amended Site Plan. 1023 West Avenue. 067.02-2-3.13.

The Clerk explained the application for reapproval was received because the amended site plan was approved in 2004 and has since expired based on the Land Use Regulations. The Land Use Regulations, adopted by the Town Board in 1996, states:

Section A177-19 Expiration of Site Plan. Approval of a site plan shall expire after thirty-six (36) months, unless the development is sufficiently complete for a Certificate of Occupancy to be issued or, if the development is in two (2) or more phases, the first phase is sufficiently complete for a Certificate of Occupancy to be issued. Re-approval after such expiration shall be given without additional expense to the applicant, provided that no changes are initiated by the applicant, Monroe County or the State of New York or required due to amendments to the Town of Sweden ordinances.

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Chairman McAllister confirmed with the Clerk that there are no changes. The Clerk added that a two-year approval letter from MCDOH for the septic system has been received. Chairman McAllister asked Mr. Oberst if he had any comments. Mr. Oberst stated he had a chance to review the plans and finds no impact based on the area of disturbance.

Discussion followed regarding making sure the right processes are being followed. The Board was good with moving forward with the reapproval.

Moved by Mr. Hale, seconded by Mr. Sharpe,

WHEREAS, the Town of Sweden Planning Board received an application for reapproval of the Birch Amended Site Plan, located at 1023 West Avenue, which was approved on September 13, 2004, and

WHEREAS, the Planning Board has received comments from the Town Engineer, and an updated two-year approval letter from Monroe County Department of Health.

NOW, THEREFORE, BE IT RESOLVED, that the Birch Amended Site Plan be reapproved, and the Chairman be authorized to update his signature.

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

The Villas at Brandon Woods - Section 2, Subdivision and Site Plan. Wood Trace. 084.01-1-14.114.

Chairman McAllister summarized the status of this project. A complete application and payment have been submitted and the project has been accepted for review. There are no significant changes, and Mr. Oberst is ready to sign. Mr. Schultz stated the developer has established a letter of credit.

Chairman McAllister recommended the Board grant final approval for this project.

Moved by Mr. Hale, seconded by Mr. Dollard,

WHEREAS, the Town of Sweden Planning Board has received an application for subdivision and site plan approvals of the Villas at Brandon Woods – Section 2 Subdivision and Site Plan, located on Wood Trace, which was accepted for review on June 13, 2022, and

WHEREAS, the Town Board on April 24, 2017, determined that the project was an unlisted action, which will not have a significant impact on the environment,

NOW, THEREFORE, BE IT RESOLVED, that the subdivision be granted Preliminary Approval.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final public hearing be waived, the Villas at Brandon Woods – Section 2 subdivision and site plan be granted final approval, contingent upon obtaining all required signatures, and the Chairman be authorized to sign the mylar.

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Discussion: Mr. Minor asked for clarification as to what the conservation areas B, C, D, and E labeled on the site plan mean. Mr. Schultz explained to Mr. Minor what they meant and where they are. The clearing that took place involved keeping within the limits of the conservation easement areas except for a small area which was cleared. An updated map showing the clearing that was completed has been submitted for Mr. Oberst's review. Mr. Schultz will provide a hard copy of this map to the Clerk and include a copy with the maps to be filed. Chairman McAllister agrees with waiving the final public hearing because there are no significant changes.

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

Gretchen's Subdivision – 2 Lots. Resubdivision of 2610 Colby Street. Colby Street. 084.03-1-24.111.

Chairman McAllister continued review of this application.

Mr. Maier has addressed the only comment received from Mr. Oberst, which is to add a note stating the subdivision is not approved for building. Mr. Oberst is all set and ready to sign.

Moved by Mr. Hale, seconded by Mr. Minor,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of Gretchen's Subdivision – 2 Lots, located on Colby Street, which was accepted for review on May 23, 2022, and

WHEREAS, a public hearing was held by the Planning Board on June 13, 2022, 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, Highway Superintendent, Fire Marshal, 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 Gretchen's Subdivision – 2 Lots, is an unlisted action, which will not have a significant impact on the environment and grants the subdivision Preliminary Approval.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final public hearing be waived, the Gretchen's Subdivision – 2 Lots, be granted final approval, contingent upon obtaining all required signatures, and the Chairman be authorized to sign the mylar.

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

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Englerth Acres Subdivision. 5230 Redman Road. 083.03-1-5.1,083.03-1-9.1, 083.03-1-25.2.

Chairman McAllister asked the Clerk to direct Ms. Banker's questions to either the Assessor or Finance Director for answers as the Planning Board does not have that information. The Clerk agreed.

The project will be scheduled for final approval at the July 11 meeting.

The meeting was adjourned on motion at 8 p.m.

Respectfully submitted,
Phyllis Brudz – Planning Board Clerk