

**TOWN OF SWEDEN
Planning Board Minutes
July 13, 2020**

A regular meeting of the Town of Sweden Planning Board was held on Monday, July 13, 2020, at the Sweden Courtroom, 18 State Street, Brockport, New York, commencing at 7 p.m.

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

Absent: James Oberst, MRB, Town Engineer

Also, present: Nat O. Lester, III, Planning Counsel; Matt Tuttle, Schultz Associates; Ray Raimondi, Marathon Engineering; Fred Shelley, BME Associates; Richard Maier, Maier Land Surveying; Wendy Meagher and Anthony Tintera, Meagher Engineering; Matt Tuttle, Shultz Associates; Robert Burgdorf, Nixon Peabody; Andrew Stoker; Kris and Nancy Sanger.

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

Moved by Mr. Dollard, seconded by Mr. Strabel, that the minutes of June 22, 2020, be approved.

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

Heinlein Subdivision – 2 Lots - 46 and 56 White Road. 098.02-1-15.11, 098.02-1-13.11.

Mr. Richard Maier addressed the Board. He explained the property is located on the north side of White Road, right next to the Sweden Highway Garage. The properties are owned by the Heinlein family. The house located at 46 White Road abuts the Town garage. Initially, it was a stand-alone lot and at some point, the lands in the back were purchased and merged through a courtesy merge to the house property. The son, Ken, owns the property to the west, 56 White Road. The parents are downsizing, and the house lot is reverting to its original configuration with the land in the back being joined to Ken's property to the west.

Chairman McAllister asked if we have enough information, and if so, he would entertain a motion.

Moved by Mr. Strabel, seconded by Mr. Minor, that the Heinlein Subdivision – 2 Lots be accepted for review.

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

The Public Hearing will be August 10, 2020.

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King Site Plan. 717 Shumway Road. 084.03-1-39.11.

Wendy Meagher and Tony Tintera addressed the Board. Mr. Tintera explained the site plan property is located at 717 Shumway Road, part of the MK Subdivision, Lot 1A. Their client, Marshall King, owns the property and properties to the east, west, and south of the proposed site plan. There are existing residential properties to the north. The proposed site plan is located on vacant farmland that is no longer within an agricultural district.

With regards to soil conditions, there is not enough useful soil to allow for a traditional absorption system. Therefore, a modified raised septic system is proposed in accordance with the MCDOH standards. The applicant is also proposing a single-family home, basement and driveway that is configured so it is equal distance from the existing driveways of the northern neighboring properties.

The area of disturbance has been kept under the 25,000 sq. ft. requirement for the Town of Sweden so that a SWPPP is not required. Mr. Strabel explained that the Town of Sweden requires a SWPPP if the area of disturbance is 1 acre or more.

Chairman McAllister asked the size of the lot. Mr. Tintera stated just under 5 acres. Mr. Minor confirmed with Ms. Meagher that the property is part of an existing subdivision, MK Subdivision, Lot 1A. Mr. Strabel confirmed with Mr. Tintera that the property will be serviced by public water.

Moved by Mr. Minor, seconded by Mr. Hale, that the King Site Plan be accepted for review.

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

The Public Hearing will be August 10, 2020.

EIP Holdings II LLC/Verizon Wireless/Waeghe Subdivision.6773 E. Canal Road.069.04-1-5.114.

Mr. Robert Burgdorf, Nixon Peabody, addressed the Board on behalf of EIP Holdings and Verizon Wireless. The proposed application is for a self-site facility, 120 ft. monopole on E. Canal Road to remedy service deficiencies shown in Exhibit F of the application and limited flexibility as to where the monopole can be placed as shown in Exhibit G. This site proved to be the best candidate for the monopole from a service, coverage, and land use standpoint. The project requires a special use permit and site plan approval as well as sending it to the County for review.

Mr. Strabel asked if the coverage report includes that Verizon is proposing a facility on the Allen Building at SUNY Brockport. Mr. Burgdorf could not confirm that specific location, but the report does show all the different sites in the area. Mr. Strabel is currently working with Costitch and Bret Morgan at the college site for a proposed facility, which Albany is finally given its approval.

Discussion took place regarding the distance from this proposed facility to the one at the college. A mile between the two sites could be very far these days depending on the density. Mr. Burgdorf will have his in-house engineer look at it.

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Moved by Mr. Rickman, seconded by Mr. Strabel, that the EIP Holdings II LLC/Verizon Wireless Site Plan and Special Use Permit be accepted for review.

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

The Public Hearing will be August 10, 2020.

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

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

The Public Hearing began at 7:55 p.m.

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

Stonebriar Glen South Subdivision. Lake Road. 083.04-1-1.21 and 083.04-1-5.111

Mr. Fred Shelley, BME, addressed the Board. He explained he is the Project Engineer for both projects. Mr. Cantwell could not be here tonight.

Chairman McAllister asked if there was anyone here with comments, questions, or concerns. There was one person.

Mr. Shelley stated he is requesting a conditional approval for the subdivision for the boundary line revision between two existing parcels. If the Board agrees, the approval would be conditional upon the subdivision map being revised per the Town Engineer's comments.

The subdivision will result in two parcels, Lot A, ± 50 acres and Lot B, ± 101 acres, owned by Jason Sweden LLC. The intent of this subdivision is to establish the 50 acres that Stonehaven Commercial will be purchasing, which will be utilized for the next phase of the Stonebriar Glen South development. Currently Lot A is under rezoning and the subdivision is required to establish the lines of zoning.

Written responses to the Town Engineer's review letter and a revised SEQR have been provided, which specifically addresses the subdivision only as no development is proposed at this time. MRB has required an access be provided to the proposed site. In discussions with the Town Board for rezoning, Bader's Way has been chosen to utilize for one access point. The second point of access would be at the south line of the existing Townhomes at Stonebriar Glen and then continue through the development. The remaining lands, approximately 101 acres, will have access to the public ROW at Royal Garden's Way.

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Additionally, the approximate wetland locations should be provided on Lot A, add a line in the legend for the lot line that is to be removed or dissolved, and draft a fall zone easement for the existing tower. The above will be provided.

Chairman McAllister asked if there was any questions, comments, or concerns for the subdivision. There were none.

Stonebriar Glen Amended Site Plan. 6745 Fourth Section Road. 083.02-1-7.11

Mr. Fred Shelley addressed the Board. The applicant is requesting final approval for an amended site plan, which deals specifically with Phases 2 and 3 of the existing Townhomes at Stonebriar Glen.

The revisions include future access as discussed previously to the proposed Stonebriar Glen South subdivision, which is an approved road that will be moved to a new location, relocation of both water and sanitary sewer lines to be able to extend the lines to the Stonebriar Glen South future development, the reduction of one 5-unit building in Phase 3, and the addition of a small proposed maintenance building.

Written comments to the Town Engineer's review letter and SEQR revisions have been provided. Mr. Shelley would be happy to answer any questions.

Chairman McAllister asked if there was any questions, comments, or concerns for this application.

Andy Stoker, 6 Hartshorn Drive – Mr. Stoker stated he had the same concerns as he did with the approved Townhomes at Stonebriar Glen, which did not seem to matter.

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

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

The Public Hearing ended at 8:16 p.m.

Versteeg Subdivision & Site Plan. 1800 W. Sweden Road.128.01-1-1.12 and 1.112.

Mr. Ray Raimondi addressed the Board and distributed signed plans by the Town Engineer. The applicant, Dave Versteeg is not present tonight. Mr. Raimondi is seeking final approval for subdivision and site plan. All review comments have been addressed. All DOH comments have been addressed; SEQR approval is required for the DOH to sign the plans.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Versteeg Subdivision and Site Plan, located at 1800 West Sweden Road which was accepted for review on March 9, 2020, and

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WHEREAS, a public hearing was held by the Planning Board on June 8, 2020, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Subdivision Application, Short Environmental Assessment Form, comments of the Town Engineer, Fire Marshal, Monroe County Planning and Development,

NOW, THEREFORE, BE IT RESOLVED, the Planning Board declares itself lead agency for the environmental review of this application and determines that the Versteeg 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 hearing be waived, and the Versteeg Subdivision be granted final approval, contingent upon receiving all required signatures, and the Chairman be authorized to sign the mylar.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Versteeg Site Plan be approved, contingent upon receiving all required signatures, and the Chairman be authorized to sign.

Mr. Dollard – Aye

Mr. Hale – Aye

Mr. Minor - Aye

Mr. Rickman - Aye

Mr. Strabel – Abstain

Chairman McAllister - Aye

McCracken Subdivision and Site Plan. West Sweden Road and White Road. 098.01-1-14.111.

Mr. Matt Tuttle addressed the Board. He is seeking final approval tonight. Updated plans per MRB's comments were distributed.

Chairman McAllister read an update he received from Mr. Oberst that he received written responses and updated plans today for the McCracken Subdivision and Site Plan, and based on a cursory review, most of the comments have been addressed except for the following:

MRB Comments – dated June 15, 2020

4. Survey notes to be completed on final plans prior to signature.
6. Note #17 has been changed to a one-inch copper instead of well.
- 9.-11. MCDOT, MCDOH and MCWA have reviewed plans, comments to be addressed.
15. Construction staging area still needs to be added to the plans.
17. Without architectural drawings, it is unsure where roof leaders will be located. Best guess is shown at the rear of the house. Recommendation to use note stating connect underground until light to the south side. Mr. Tuttle agreed.
24. Construction sequence will be provided on the plans before final.

Chairman McAllister commented when the Board receives plans, architectural drawings are never included, but there are always notes regarding roof leaders on the plans. Mr. Strabel indicated from experience that architectural plans usually are not drawn up until it is definite the site plan is approved.

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Mr. Hale asked for clarification as his plans are dated April 24, 2020. Mr. Tuttle explained that was the original submittal date, since then the plans have been updated with a revision date of July 8 shown in the middle of the plan.

Moved by Mr. Hale, seconded by Mr. Strabel,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the McCracken Subdivision and Site Plan, located at the corner of West Sweden Road and White Road, which was accepted for review on June 8, 2020, and

WHEREAS, a public hearing was held by the Planning Board on June 22, 2020, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Subdivision Application, Short Environmental Assessment Form, comments of the Town Engineer, Fire Marshal, Monroe County Planning and Development,

NOW, THEREFORE, BE IT RESOLVED, the Planning Board declares itself lead agency for the environmental review of this application and determines that the McCracken 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 hearing be waived, and the McCracken Subdivision be granted final approval, contingent upon receiving all required signatures, and the Chairman be authorized to sign the mylar.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the McCracken Site Plan be approved, contingent upon receiving all required signatures, and the Chairman be authorized to sign.

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

Maier Subdivision and Site Plan – 2 Lots. 2819 Colby Street. 099.01-1-1.

Mr. Tuttle addressed the Board. He has not provided written comments to the Town Engineer. Mr. Strabel stated is the design going to change the lots or is there going to be one huge swale. Mr. Tuttle stated one huge swale. Drainage issues are a concern.

Mr. Minor requested that Mr. Tuttle return to the next meeting after he has provided written comments to Mr. Oberst and he has had a chance to review the comments to save everyone's time.

Mr. Tuttle agreed.

Stonebriar Glen South Subdivision. Lake Road. 083.04-1-1.21 and 083.04-1-5.111

Mr. Fred Shelley continued review of this project.

Mr. Minor asked for clarification as to what happens to the remaining parcels that are shown as landlocked. Mr. Shelley stated the lots are existing and have separate tax account numbers.

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Discussion took place as to what lot lines are changing and what lines are existing. Mr. Minor asked how will the lots have access to a public R.O.W.? Chairman McAllister stated that is an important question because the Planning Board cannot approve landlocked parcels. Mr. Shelley stated we are not creating landlocked parcels as they were existing. Chairman McAllister stated existing tax account numbers are not important when it comes to subdivision approval.

Lots A and B are being created from two parcels with existing tax account numbers but have never been approved as subdivisions by the Planning Board. Chairman McAllister is requesting to see the subdivision that created the landlocked parcels.

Mr. Shelley stated that an ingress/egress easement will be provided from Stonebriar Glen North to Stonebriar Glen South. Counsel Lester asked that the easement be emailed to the Clerk prior to it being recorded. Counsel Lester stated all parcels require ingress/egress to a public R.O.W. Mr. Shelley stated even if the parcels are not being created by the proposed subdivision. They are existing landlocked parcels.

Chairman McAllister stated the angled lot line on the proposed plan needs clarification how it got there before any approvals can be given. It was mentioned that the State may have created the angled lot line during the proposed expansion of the 531. Discussion followed.

Mr. Shelley asked if it would be advisable that the subdivision be tabled until next meeting so that evidence of existing ingress/egress easements or previous subdivision maps showing when the landlock parcels were created can be provided. The Board agreed.

Stonebriar Glen Amended Site Plan. 6745 Fourth Section Road. 083.02-1-7.11

Mr. Fred Shelley addressed the Board. He has provided written responses to the Town Engineer's review comments dated July 7, 2020. The Clerk confirmed that Mr. Oberst had sent an email that all comments have been addressed.

Mr. Minor confirmed with the Board that the proposed amended site plan, once approved, stays that way even if the Stonebriar Glen South Subdivision is not approved. Another amended site plan application would be required for any changes to the site plan.

Moved by Mr. Hale, seconded by Mr. Strabel,

WHEREAS, the Town of Sweden Planning Board has received an application for amended site plan approval of the Townhomes at Stonebriar Glen, located at 6745 Fourth Section Road, which was accepted for review on May 11, 2020, and

WHEREAS, a public hearing was held by the Planning Board on July 13, 2020, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Site Plan Application, Long Environmental Assessment Form, comments of the Town Engineer and Fire Marshal,

NOW, THEREFORE, BE IT RESOLVED, the Planning Board declares itself lead agency for the

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environmental review of this application and determines that the Townhomes at Stonebriar Glen Amended Site Plan is an unlisted action, which will not have a significant impact on the environment, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Townhomes at Stonebriar Glen Amended Site Plan be approved, 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. Strabel – Aye
Chairman McAllister - Aye

Moved by Mr. Strabel, seconded by Mr. Hale, to accept the letter of withdrawal for the Solar Park Energy 12 Solar Farm project.

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

Moved by Mr. Rickman, seconded by Mr. Hale, that signatures must be secured on the subdivision plat and site plan for the Helios Energy New York Sweden Solar Farm 60 days from the date these minutes are approved.

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

The Board requested the Clerk to update the Planning Board Rules and Regulations to reflect the following change:

For a project to be added to the meeting agenda for continued review, written responses to review comments from the Town Engineer must be received by the close of day the Wednesday prior to the scheduled meeting. If written responses are not received, the project will not be added to the agenda. If written responses are received, the project will be added to the agenda, but still subject to the Town Engineer's review of responses, depending on the amount of time allowed and whether comments are satisfactorily addressed, before any approvals by the Board are granted.

The meeting was adjourned on motion at 8:35 p.m.

Respectfully submitted,
Phyllis Brudz – Planning Board Clerk