

**TOWN OF SWEDEN  
Planning Board Minutes  
August 10, 2020**

A regular meeting of the Town of Sweden Planning Board was held on Monday, August 10, 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.

Absent: David Strabel

Also, present: Nat O. Lester, III, Planning Counsel; Jim Oberst, P.E., MRB; Kris Schultz and Patrick Laber, Schultz Associates; Robert Cantwell, BME Associates; Richard Maier, Maier Land Surveying; Anthony Tintera, Meagher Engineering; Robert Burgdorf, Nixon Peabody; Janice Waeghe, Marshall King; Casey Pritchard; John Terrigino; Sean McLean; Peter George; John Egan; Josh Doolin; Michael Armour.

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

Correspondence was passed.

Chairman McAllister noted there was not a quorum to approve the minutes of July 27.

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

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

The Public Hearing began at 7:03 p.m.

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

**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. As you can see by the updated plans, the existing house and approximately nine acres are being created while the rear of the property is being merged with the property to the west of it. The existing raised ranch house was part of an approved subdivision and is being reverted to its original size. The plans before you reflect the Town Engineer's comments. They include:

- The gazebo and concrete slab that were shown previously on the map have been demolished and removed from the plan.
- There are no easements on the property.
- Only one septic system as shown on the lot. The rear property does not have one.
- The signature block has been modified to include the Town Engineer and Planning Chairman.
- Site data has been added.
- Name and address of applicant added.

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Chairman McAllister asked if there was anyone present with questions, comments, or concerns. There were none. He moved to the next public hearing.

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

Mr. Anthony Tintera, Meagher Engineering, addressed the Board. He introduced Marshall King, the applicant and owner of property. Mr. King asked Mr. Tintera to inform the Board that his correct address is 707 Shumway Road and not 3313 Chili Avenue, Rochester, New York, as indicated on the application.

Mr. Tintera is requesting final conditional approval for the King Site Plan. Conditional due to the Town Engineer and MCDOH comments regarding the perc hole test for the septic system. Per MCDOH, the recommendation is for a full raised septic system, which requires a setback of 100 ft. from the property lines. It was determined that the proposed location for the septic system does not meet the 100 ft. setback from the front property line and so was pushed back towards the northeast corner of the property to receive approval from MCDOH. Town code for the R1-2 zoning states a full raised septic system requires a minimum of 5 acres. Application has been made to the Zoning Board of Appeals for an area variance for which the hearing will be Thursday, August 13 at 6 p.m. The area variance will be for approximately 300 sq. ft.

As a result of pushing the septic system northeast, the house was moved to the west, uphill of the proposed septic system location, the curb cut stayed the same between the two nearest residential driveways, and other minor modifications were made to the layout of the driveway to facilitate the ingress/egress of the property.

Chairman McAllister asked if there was anyone present with questions, comments, or concerns.

John Egan, 456 Shumway Road – Mr. Egan resides directly north of the property. His only concern is the drainage. All the drainage from the south side of the road to the west flows to a culvert centered on this lot into his yard. Thirty years ago he built a barn, installed a 12 inch culvert with a nice swale through his yard, and over the past thirty years with increased drainage from the farmer, the new house built next to his property and cleaning the ditches, the drainage has gotten worse and worse running over his driveway 3 to 6 times a year. His concern is drainage. He has nothing against developing land; these are his neighbors. His property is still serviced by a private well. Public water is available, but he has not hooked into it. Mr. Egan has had conversations with Brian Ingraham, Highway Superintendent, and he is aware of it. The proposed development is a farm field now and he has not seen the plans to see if any ditching is shown for drainage to run into the road.

Chairman McAllister showed the plans to Mr. Egan. Mr. Egan is not sure what the solution is, but he wanted to bring it to the Board's attention.

Chairman McAllister asked if there was any more questions, comments, or concerns. There were none. He moved to the next public hearing.

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**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. He is here for the continued review of the proposed 120 ft. monopole at 6773 East Canal Road for the purpose of remedying service deficiencies as set forth in Exhibit F. He introduced Mr. Peter George, site acquisition specialist, Josh Doolin, in-house RF engineer for Verizon Wireless, and Michael Armour, with EIP Holdings, the company who will build the tower. They will be happy to answer any questions.

Mr. Burgdorf explained since the July 13 meeting, several requests for additional information were received from the Town. Town Engineer and Planning Board comments were responded to in a letter dated July 30. On August 7, the Fire Marshal and County comments were responded to as well as a subdivision application made. Mr. Burgdorf is happy to answer any questions the Board may have regarding the above, but feels it is straightforward.

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

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

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

The public hearing ended at 7:13 p.m.

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

Chairman McAllister moved to accept for review the subdivision application.

Moved by Mr. Minor, seconded by Mr. Hale, that the EIP Holdings II LLC/Verizon Wireless Telecommunications Tower Subdivision be accepted for review.

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

The Public Hearing will be September 14, 2020.

Mr. Hale asked if the lot shown on the updated plan is bigger than the one originally submitted so that the fall-zone is completely on the applicant's property. Mr. Burgdorf stated yes and that there is 208 ft. to the road and 142 ft. to the west, which is the nearest lot line. There is plenty of space there. The easement has been enlarged for the fall-down, which is half the height plus 10 ft. Chairman McAllister stated the fall-down is for the whole height of the monopole or 120 ft. plus 10 percent.

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Mr. Hale explained the Board was very particular when reviewing the cell tower application on East Avenue so that everything falls on the developer's land.

Chairman McAllister asked Mr. Oberst if he was ready to review his comments relative to this project tonight.

MRB Comments – dated July 23, 2020

Mr. Oberst stated he received a response letter dated July 29, 2020.

SEQR Comments – still waiting on clearance from SHPO.

Site Plan – Town curb cut to be required; noted.

The correct Town apron detail needs to be added; driveway with culvert detail has been added.

Screening – existing buffer exists. Vinyl privacy slats can be added to the proposed chain link fence if deemed necessary by Planning Board.

It was requested that a bond be posted for demolition, removal, and site restoration. A lump sum was provided, but a breakdown was requested. Once the breakdown is reviewed and accepted, a recommendation will be made.

Chairman McAllister asked for explanation as to the need for a tower. Mr. Oberst stated a representative was supposed to attend tonight to address that. Mr. Burgdorf stated Exhibit F in the original submission explains in depth the need for the facility. There is limited flexibility where the tower can be placed and still meet the coverage needs of the network. Josh, in-house RF engineer, is present tonight and responsible for designing the tower. Chairman McAllister asked if Exhibit F identifies the inability to co-locate on any of the other towers that exist in the Town, including the new tower proposed at the college. Mr. Burgdorf stated he can provide testimony to that. Chairman McAllister requested documentation. Mr. Burgdorf was under the impression Exhibit F was reviewed by the Town Engineer. Chairman McAllister stated not to date. Mr. Oberst added that a consultant will have to be hired to review as there is not someone in-house.

Mr. Burgdorf asked if there were any other questions since the whole group was present tonight. Mr. Oberst needs the above engineering items addressed in writing. Mr. Burgdorf would like to discuss the fall-down at some point before the next meeting. Chairman McAllister stated the fall-down is part of the subdivision application submitted tonight and will be reviewed after the public hearing. It would be better if the engineers were aware of any issues with the fall-down so that they can be addressed prior to the public hearing.

Chairman McAllister clarified there are no issues if the requirement is met for the fall-down which is the height of the tower plus 10 percent. Per the code, the Board could waive that requirement, however, that has not been waived for any other towers in the Town. Mr. Burgdorf asked to explain his reasons for requesting the requirement be waived.

The towers are built to incredible standards to withstand 90 mph winds. The standards are far greater than for light poles for which parking is under. The tower is in a farm field. The owner of the property does not want to give up more land for a fall-down zone. Mr. Burgdorf is suggesting the Board consider for the next meeting the following:

- The Planning Board may waive the requirement if after the Town engineer has reviewed the ANSI standards, in the unlikely hood that the tower should fail, it fails half its height, not the full height. A lot of engineering information has been submitted to that and would ask the Town engineer look at it.
- An area variance under Rosenberg could be applied for.
- The site is no longer viable as the landowner is not interested giving up more land.

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Mr. Minor asked how much is the requirement short? Mr. Burgdorf added that the fall-down was increased by 10 percent of half its height. Mr. Burgdorf, in his 33 years of doing this, has never had a tower fail, but should it fail, it does so at half its height. They are built to ANSI standards which are amazing. He told the story of how after a hurricane in a devastated area, only cell towers were left standing except for one which got hit by a flying bar.

In closing, as a practical matter, after verifying all the engineering data, and upon the Town Engineer's request, would the Planning Board consider waiving the requirement.

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

Mr. Rich Maier addressed the Board for continued review of this project.

Mr. Maier has addressed all MRB's comments. The Town Engineer is all set, he just needs the mylar to sign.

Mr. Minor confirmed with Mr. Maier the location of the final western lot line. Also, confirmed with Mr. Oberst that a substandard lot is not being created.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Heinlein Subdivision-2 Lots, located at 46 and 56 White Road which was accepted for review on July 13, 2020, and

WHEREAS, a public hearing was held by the Planning Board on August 10, 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 and Fire Marshal,

NOW, THEREFORE, BE IT RESOLVED, the Planning Board declares itself lead agency for the environmental review of this application and determines that the Heinlein Subdivision – 2 Lots is an unlisted action, 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 Heinlein Subdivision – 2 Lots 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. Strabel – Absent  
Chairman McAllister - Aye*

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

Mr. Anthony Tintera addressed the Board for continued review of this project.

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Chairman McAllister asked if Mr. Oberst was all set. An email was sent to Mr. Tintera today with a couple minor changes. Fire Marshal and Highway Superintendent's signature lines should be removed from the subdivision plat. A silt fence detail should be added. Thursday, August 6, is the hearing with the Zoning Board of Appeals for an area variance.

Chairman McAllister asked for the drainage concerns discussed at the public hearing tonight be addressed. Mr. Marshall King, 707 Shumway Road, applicant and owner of the property, addressed Mr. Egan's concerns with the Town Engineer and Board. Mr. Egan's house is across the road to the east side of the proposed driveway.

Mr. Oberst confirmed with Mr. King that the proposed property is being farmed right now and that there is no under drain. The land is bare certain times of the year. Drainage flows to Mr. King's property where he has a natural drainage pond/rock and continues down and then across the street to the creek.

Mr. Tintera stated that site disturbance is under one acre. Chairman McAllister explained part of the problem may be when the property owner of the old farmhouse blocked a large culvert by putting in a swing set and fireplace on his property.

With the above discussion, Mr. Oberst is good with the proposed plan. Chairman McAllister asked if there were any other questions or comments. There were none.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the King Site Plan, located at 717 Shumway Road which was accepted for review on July 13, 2020, and

WHEREAS, a public hearing was held by the Planning Board on August 10, 2020, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Site Plan 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 King 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 final hearing be waived, and the King Site Plan be granted final approval, contingent upon when the requested area variance is granted by the Zoning Board of Appeals and all required signatures are obtained, and the Chairman be authorized to sign the mylar.

*Discussion: Chairman McAllister requested that the granting of the area variance be a condition of the final approval. Board agreed. Chairman McAllister asked if there was any other discussion. Mr. King explained the reason for the shortage of acreage is that he wanted to have the property line stop at the hedgerow instead of two feet past it. No further discussion.*

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

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

Mr. Robert Cantwell, BME, addressed the Board. He explained he is here to request final approval of the Stonebriar Glen South Subdivision.

The project last appeared at the July 13 meeting for a two-lot subdivision and the Board requested a consolidation plat to include the remaining lands of the Jason Sweden LLC property which includes approximately 143 acres with access to Lake Road from Royal Gardens Way. The lands to be conveyed to Stonehaven Commercial are shown on the resubdivision plat as Parcel A, approximately 50 acres, which is a portion of two existing tax parcels. The remaining lands, Parcel B, will be retained by the Jason Sweden LLC estate, and includes a portion of or the entire parcel of five separate tax parcels created some time in the past. The entire western and southern boundaries of Parcel A abut the remaining lands of the estate. Also provided with the July 30 submittal is an access easement from Parcel A through the existing Stonebriar Glen development via the access roads to Fourth Section Road. Mr. Cantwell stated he would be happy to answer any questions from the Board.

Mr. Oberst stated plans were received July 30 and one additional request was made to incorporate the parcel ending in 14.11 into Parcel B. Also, provided is the map and description for the ingress/egress easement from Parcel A to the Stonebriar Glen existing parcel. Everything checked out and Mr. Oberst is satisfied.

Mr. Minor, who was absent at the last meeting, asked what the outcome was as to why the parcels were created that way. Chairman McAllister stated they were created without formal subdivision approval and are all incorporated into Parcel B now.

Mr. Oberst and Counsel Lester had no further concerns.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Stonebriar Glen South Subdivision, located at Lake Road, which was accepted for review on June 8, 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 Subdivision Application, Short Environmental Assessment Form, and the comments of the Town Engineer,

NOW, THEREFORE, BE IT RESOLVED, the Planning Board declares itself lead agency for the environmental review of this application and determines that the Stonebriar Glen South Subdivision is an unlisted action, which will not have a significant impact on the environment, and grants the subdivision Preliminary Approval, and

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NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final hearing be waived, and the Stonebriar Glen South Subdivision 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. Strabel – Absent  
Chairman McAllister - Aye*

**Harrison Root Amended Site Plan. 90 Root Road. 099.04-2-9.15**

Mr. John Terrigino addressed the Board.

Mr. Oberst stated he received revised plans on July 21 and all engineering comments were addressed. At that time, MCDOH and MCDOT still needed to provide approval.

Mr. Terrigino stated application has been made to MCDOT for a ROW permit and the septic system has already been installed and approved by MCDOH. Mr. Lyle Stirk, Code Enforcement Officer, added that MCDOH called the office approximately six months ago to say that the septic system had been installed and approved.

Chairman McAllister stated that MCDOH will still have to stamp the amended site plan as approved. Mr. Terrigino agreed.

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

WHEREAS, the Town of Sweden Planning Board has received an application for amended site plan approval of the Harrison Root Site Plan, located at 90 Root Road, which was accepted for review on June 22, 2020, and

WHEREAS, a public hearing was held by the Planning Board on July 27, 2020, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Site Plan Application, Short 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 environmental review of this application and determines that the Harrison Root 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 Harrison Root Amended Site Plan be approved, contingent upon the plans are stamped by Monroe County Department of Health, all required signatures are obtained, and the Chairman be authorized to sign.

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

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**Heritage Square Phase 1A Site Plan. Persistence Path. 068.03-1-18.113**

Mr. Kris Schultz addressed the Board. He introduced Sean McLean and Pat Laber.

Chairman McAllister deferred to Mr. Oberst. A letter was sent out to the Board on Friday, August 7, indicating most of the engineering comments have been addressed. There are some outstanding SWPPP items that need to be verified. The remaining questions go back to the original resolution approving Incentive Zoning for this property in 2006.

The Board may want to look at the type of development, the density and the traffic update report prepared by SRF Associates. DOT needs to review the plans and respond back with its approval. There are also remaining comments left regarding parking and how the Board wants to classify the proposed homes, either townhomes or single-family homes which will dictate required parking. Does the Board want to use some of the street parking towards the parking count?

Mr. Kris Schultz explained the history of the Incentive Zoning resolution as some members of the Board were not here in 2006.

This property was originally zoned residential and rezoned to commercial, B-1, with the idea that some of the use would be residential and some commercial, along with senior living or mixed use. Attorney Rueben Ortenberg, consultant for the Town at the time, was hired to oversee this project and Incentive Zoning. A Full Environmental Impact was completed looking at everything conceivable, public hearings were held with a lot of attendance, and every question recorded and addressed. During the development of the plans, one of the concerns was how to do a multi-year project and modify it as the years go on and the market changes. Attorney Ortenberg was a big fan of PUD developments, where you take a large piece of land and design the whole thing utilizing different uses, mixed use. For this project, it was determined that a PUD was not practical. At the end, questions came up regarding the site plan and how to handle/approve different uses, roads, buildings, etc. It was determined that the Planning Board would have the authority to look at the project as a whole and waive those types of requirements if they felt they were valid and reasonable and in line with the intent of the rezoning. This was at a time when many commercial projects were under development, Lowe's and Wal-Mart, and there was concern that this site might be targeted for a big box store, which then became one of the restrictions. There was also concern that the commercial would race past the residential. Also popular was senior housing at the time; today it is not as much.

This project required a lot of cooperation between the developer and the Town. The Town had funded the sanitary sewer extension from Wegmans to Northview Subdivision. The Town purchased the pipe and Northrup installed it, which created debt for the Town. When this project came along, it was agreed that his client would pay \$100,000 towards the sewer line. Also installed was a sanitary lift station at the bottom of the hill. In addition, the plan for the main drive through Heritage Square would be the main access into the Town Park with the idea that when the commercial and multi-family developed, there would be a nice way into the Town Park. With the development of the Town Park, and my client working with the Town and MRB, a second entrance to the park was created off Fourth Section Road with my client's assistance. Lastly, my client assisted in putting a 12-inch water main from Fourth Section Road all the way through the Town Park to this development. All in all, my clients have worked with the Town for all of the above improvements, and is now asking the Planning Board to recognize the original agreement and to look at this project as a whole and not just the specific strict requirements of MR-1 zoning, which the interpretation is a little fuzzy, for site plan approval.

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Chairman McAllister deferred to MRB and asked Mr. Oberst for a status of everything he is reviewed, if he has any questions or if anything is still outstanding.

Mr. Oberst stated from an engineering standpoint, there are a few minor things to be verified in the SWPPP and we want to see that DOT has reviewed the SRF traffic report. Some outstanding smaller items such as verifying light pole height. The remaining outstanding items are at the Planning Board's discretion such as the mix of uses and the required parking. Chairman McAllister asked if the parking is consistent with MR-1 requirements. Mr. Oberst stated townhomes require three parking spaces, apartments require two parking spaces without a garage. Mr. McLean added they tried to design the site plan to limit five apartment units in one infrastructure so the Board could be confident they could not be converted to townhomes or condos. Sanitary and public water hookups are not to individual units to facilitate apartment units even though they are shaped like townhomes with 6 ft. deep porches. For the proposed site plan, 16 garages were required, and Schultz was able to show 15 of the 16 garages on site.

Chairman McAllister asked how many parking spaces are still needed. Mr. Oberst stated it depends on how it is interpreted; they are calling them townhouses, but they are acting like apartments. Chairman McAllister confirmed with Mr. Schultz the units are 100 percent rentals. Mr. Oberst explained the other issue is they are counting street parking as part of their parking requirement. From a practical standpoint, it is not an issue today, but in the future, it could be an issue when there is more retail. One option is to include landbank parking on the plan if that is a concern.

Mr. Hale does not think street parking in the wintertime is a good idea. Mr. Schultz explained the Village of Brockport uses street parking all year. Mr. McLean explained there is the piece of property at Mull Lane and Redman Road which is reserved for a hotel, community building or retail that could be used for additional parking to address that parking concern. Also available is the 80 acres to the west. When the road was designed to the park, it was a 60 ft. R.O.W. which would incorporate street parking for future development.

Chairman McAllister confirmed with Counsel Lester that approving the landbank parking was within the Board's right.

Mr. Oberst added from a practical standpoint, utilizing landbank parking covers the parking requirements. Mr. Schultz agreed that when Phase 1A is built and the parking is tight, land is available to open for additional parking.

Chairman McAllister stated the other issue is the mix of uses. The first 1100 units were to include 800 senior and 300 non senior. Mr. McLean explained even with the first 80 market rate units and the student housing at the Brock, they are still under the 300 count. The reason the plan was designed in phases is the ability to be able to modify the mix of uses as appropriate. At some point, there may need to be a conversation with the Town Board to reduce senior restrictions. Chairman McAllister corrected Mr. McLean that any modifications should be brought to the Planning Board.

Chairman McAllister asked Mr. Oberst, with the above discussion, if he is ready to sign off on the site plan. Mr. Oberst still wants to hear from NYSDOT.

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Mr. Minor confirmed with Mr. Oberst that if it is a townhome, three parking spaces are required, and apartments require two parking spaces per unit. What is provided? Mr. Schultz stated there are two spaces for all buildings considered apartments and three spaces for townhouses. Mr. McLean stated only one garage was missed, but there are enough spaces.

Mr. Pat Laber referred to the site statistics on page 2 which calculates 160 spaces required and 163 spaces provided, and 16 garages required and 15 provided.

Chairman McAllister asked if the Town had a requirement for garages. Mr. Schultz stated one parking space must be covered for townhomes.

Chairman McAllister asked if there were any other questions, comments.

Mr. Lyle Stirk had one question. His concern was if the Fire Marshal's comments regarding the location of the fire hydrants so the fire trucks could get to them. Mr. Schultz stated all concerns were addressed.

Mr. Oberst asked if a follow up conversation was had with Mr. Ingraham regarding the dedication of the sewer and the ease of accessibility should he have to do work due to the density of the development. Mr. Schultz explained when more than one person is on the sanitary main, the municipality is required to perform the work per NYS requirements. Easements will be provided to the Town.

Chairman McAllister asked if the commercial development will be sold or leased. Mr. McLean stated leased. Even the hotel part out front? Mr. McLean explained he has started planning two more site plans with Mr. Schultz. One is the front part, which will have 5000 sq. ft. of retail as well as a community building and outdoor common spaces. There will also be a hotel which will have separate ownership from a liability perspective and capital investment.

Mr. Minor questioned what he will be looking for from NYSDOT regarding the traffic study. Mr. Oberst stated with each phase of the development as part of the original agreement a traffic assessment is required. At some point, the increased density will necessitate improvements, signalized intersection, turning lanes, roundabouts, etc. For this phase, an independent traffic study was done by SRF and it was concluded that no improvements are warranted at this time. Chairman McAllister explained had the Brock and Senior's Choice projects reached full capacity, the traffic study may have been different.

In summary, the outstanding items to still be addressed are a response letter from NYSDOT, a solution to the parking, and some minor SWPPP comments, which were addressed by Mr. Laber tonight.

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

WHEREAS, the Town of Sweden Planning Board has received an application for site plan approval of the Heritage Square Phase 1A Site Plan, located at Persistence Path, which was accepted for review on June 8, 2020, and

WHEREAS, a public hearing was held by the Planning Board on July 27, 2020, and all persons wishing to be heard were heard, and

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

WHEREAS, the Town Board, on October 10, 2006, as part of the rezoning of the entire parcel, declared itself Lead Agency and determined the application was an unlisted action which would not have a significant impact on the environment,

NOW, THEREFORE, BE IT RESOLVED, that the Heritage Square Phase 1A Site Plan be approved, contingent upon NYSDOT's findings, receipt of 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 – Absent*  
*Chairman McAllister - Aye*

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

Respectfully submitted,  
Phyllis Brudz – Planning Board Clerk