

**TOWN OF SWEDEN
Planning Board Minutes
September 12, 2022**

A regular meeting of the Town of Sweden Planning Board was held on Monday, September 12, 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; Wayne Rickman; David Strabel.

Absent: Peter Sharpe.

Also present: Nat O. Lester, III, Planning Board Counsel; James Oberst, P.E., MRB, Town Engineer; Patrick Laber, Schultz Associates; Lauren Rodriguez, LaBella Associates; Brittany Murphy, SWBR; Joe Rowley, Chateau at Heritage Square.

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. Strabel, seconded by Mr. Dollard, that the minutes of August 8, 2022, be approved.

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

Chateau at Heritage Square Amended Site Plan. 100 Isla Way. 068.03-1-18.112.

Pat Laber, Schultz Associates, addressed the Board. He explained this is a simple 28-space parking lot expansion on the east side of the building. There is already a drive lane and some parking up against the sidewalk.

Mr. Laber added there is new ownership at this site. Mr. Joe Rowley is present tonight from the Chateau at Heritage Square. He has been working diligently to resolve matters left from the previous owner. Mr. Rowley stated the facility is now independent living for a senior community, 55 and over. He added there are 20 parking spaces adjacent to the east side of the building, 7 parking spaces on the north side, and 80 parking spaces on the west side. The residents have commented there are not enough parking spaces on the east side, which is the reason for the expansion of the parking.

Chairman McAllister asked where the proposed 28 parking spaces are shown on the plan. Mr. Laber explained the proposed spaces are right off the driveway. The previous land banked parking spaces are also shown on the plan to show what was originally approved. Chairman McAllister noted the parking spaces must be 10 ft. by 20 ft. and a 7 ½ perimeter buffer is required.

Chairman McAllister asked Mr. Oberst if he was good with the proposed plan. Mr. Oberst stated yes.

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Moved by Mr. Strabel, seconded by Mr. Rickman, that The Chateau at Heritage Square Amended Site Plan be accepted for review.

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

Chairman McAllister queried the Board whether to move forward with final approval on this project. Mr. Strabel confirmed with Mr. Oberst that he has no other comments. Mr. Oberst stated he has reviewed the plans and is good with moving forward with final approval.

Mr. Minor asked if the greenspace requirement will still be met with the additional spaces. Mr. Laber explained yes as the greenspace calculations include all the land banked spaces. Mr. Minor asked if that jeopardizes the ability to utilize the land banked spaces in the future. Mr. Laber stated the plan statistics show greenspace at 57 percent after the addition of the 28 parking spaces, 30 percent minimum is required.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of The Chateau at Heritage Square Amended Site Plan, located at 100 Isla Way, which was accepted for review on September 12, 2022, and

WHEREAS, the Planning Board has reviewed the Project Information Form, Short Environmental Assessment Form, and comments of the Town Engineer,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board declares itself Lead Agency for the environmental review of this application, and determines that The Chateau at Heritage Square 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 Planning Board determines The Chateau at Heritage Square Amended Site Plan is appropriate in the interest of the public health, safety and general welfare, and no undesirable change will be produced in the character of the neighborhood or no detriment to nearby properties will be created.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the public hearing be waived, and The Chateau at Heritage Square Amended Site Plan be granted final approval, contingent upon all required signatures being obtained, and the Chairman be authorized to sign the mylar.

Discussion: Mr. Minor asked if there is anywhere on the plans that note the required parking spaces must be 10 ft. x 20 ft. Mr. Strabel stated it is on the plans. Mr. Minor also asked that the 7 ½ perimeter buffer be noted on the plan. Mr. Laber agreed to take care of it.

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

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Wolf Solar Farm Amended Site Plan. 7484 Fourth Section Road. 082.02-1-13, 082.02-1-15.

Lauren Rodriguez, LaBella Associates, addressed the Board. She presented plans showing the original site plan with the original extent of the road highlighted, and the proposed change with the reduced road due to an advancement in the electrical design. All that was needed was an offshoot of road to access the equipment pad and central inverters.

Chairman McAllister asked if the number of solar panels increased due to the design change. Ms. Rodriguez stated the number of solar modules decreased due to a more efficient panel. This site went from approximately 10,800 panels to approximately 8,600 panels.

Ms. Rodriguez added the only other change for this site is the switching from an 8 ft. high chain link fence to an 8 ft. high agricultural fence as a cost saving measure. She explained an agricultural fence has pressure treated pine posts and 12.5-gauge woven wire. Mr. Oberst added that he has seen other towns move towards using this type of fence. Mr. Strabel stated the previous fence had barb wire so this will blend in better.

Mr. Strabel asked what the distance is from the south fence to the center road. He explained the Fire Marshal will need to know in case an emergency vehicle is needed to extract someone from the field. He added having the access on the south end inside the fence provided more accessibility to the entire site.

Mr. Strabel was asked to comment as the Fire Marshal while that vacancy is being filled. Discussion followed if there is 20 ft. from the fence to the solar modules providing enough clearance to get four wheelers back there in case of an emergency. Mr. Oberst stated the 20 ft. is shown on Plan Sheet 202.

Chairman McAllister asked for clarification whether the overall site shrunk due to 20 percent fewer panels because of more efficient panels. Ms. Rodriguez explained the northern fence line may have been pulled in, but more efficient panels tend to be larger so for the most part the site remains static.

Mr. Strabel questioned increasing the stabilized entrance as a condition of tonight's approval due to his experience with the solar farm on Lake Road and the mud bath that resulted with an inadequate stabilized entrance. The amount of traffic that exists with construction was a major issue. NYSDOT was contacted and fines were issued for the bad condition of the state roads. NYSDEC was also contacted.

Ms. Rodriguez agreed with the request to lengthen the stabilized entrance as a condition of tonight's approval.

In addition to extending the stabilized entrance, Mr. Strabel would also like to request tire shakers if additional cleaning is required. Mr. Oberst stated the plans call for a 50 ft. stabilized entrance. Mr. Strabel would like to request a 100 ft. stabilized entrance. SWPPP inspections were discussed.

The Clerk confirmed with Mr. Oberst that the Full EAF submitted with the original plan approval is satisfactory for this project of lesser environmental significance.

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Moved by Mr. Minor, seconded by Mr. Rickman, that the Wolf Solar Farm Amended Site Plan be accepted for review.

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

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Wolf Solar Farm Amended Site Plan, located at 7484 Fourth Section Road, which was accepted for review on September 12, 2022, and

WHEREAS, the Planning Board has reviewed the Site Plan – Permit A, Full Environmental Assessment Form, and comments of the Town Engineer,

WHEREAS, the Planning Board on April 26, 2021, 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 Planning Board determines the Wolf Solar Farm Amended Site Plan is appropriate in the interest of the public health, safety and general welfare, and no undesirable change will be produced in the character of the neighborhood or no detriment to nearby properties will be created.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the public hearing be waived and the Wolf Solar Farm Amended Site Plan be granted final approval, contingent upon the stabilized construction entrance be 100 ft. in length, if additional measures are required by all agencies due to a muddy site that the applicant will provide tire shakers and other apparatus as needed, comply with the Building Department’s requirements for any temporary employee construction parking, all required signatures are obtained, and the Chairman be authorized to sign the mylar.

Discussion: Mr. Minor confirmed with Ms. Rodriguez that the two modifications proposed are changes to the fence and the driveway. Mr. Strabel asked if the temporary employee construction parking will be moved closer to the road and four wheelers used to get to the site. Ms. Rodriguez explained the temporary employee construction parking is proposed back at the site itself by the southern fence line. Mr. Strabel stated parking for 25 vehicles is needed. If the temporary employee construction parking lot is built closer to the road, a new amended site plan would be required. Discussion took place how to show the temporary employee construction parking on the plan. The Board agreed to make the location of the temporary employee construction parking part of this resolution as a condition.

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

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Mantisi Solar Farm Amended Site Plan. 7397 Fourth Section Road. 082.02-1-22.

Lauren Rodriguez, LaBella Associates, addressed the Board. She explained the proposed changes for the Mantisi Solar Farm are the exact same changes proposed for the Wolf Solar Farm.

Mr. Strabel commented this parcel has wetlands.

Ms. Rodriguez added on the original Mantisi plan, the access road goes north and south to reach the inverters. The updated plan shows the north and south access is shorter due to a pad and access being removed. Also, the same change for the fence is proposed, an 8 ft. high chain link to an 8 ft. high agricultural fence. Panels will be less due to more efficient panels installed.

Chairman McAllister asked if the more efficient panels will create greater electrical output. Mr. Strabel added the panels are limited by what National Grid will accept. Ms. Rodriguez agreed.

Mr. Strabel asked if there is any wording on the site plan for drilling under the wetlands to not step in them or specifically drive through them. Discussion took place. Ms. Rodriguez stated there is no specific wording on the plan.

Mr. Oberst added it should be noted on the ACOE permit. Ms. Rodriguez agreed that the permit will ensure no disturbance of the wetlands. Mr. Oberst added there is a wetland note on Plan Sheet, C201.

Mr. Strabel noted that there is a more substantial staging area for this solar farm than the Wolf Solar Farm. Is it intended that some of the staging area is for temporary employee construction parking? Ms. Rodriguez stated that is generally how it is used, but this solar farm has a larger array, and more space is needed to store more materials.

Ms. Strabel stated that construction will go through the wetlands to get to the grid at Fourth Section Road. Ms. Rodriguez agreed and added anyone entering for construction will access the site off West Sweden Road.

Mr. Oberst suggested that the developer install 4 ft. construction fencing to delineate the wetlands and prevent contractors from disturbing the wetlands.

Moved by Mr. Minor, seconded by Mr. Rickman, that the Mantisi Solar Farm Amended Site Plan be accepted for review.

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

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Mantsi Solar Farm Amended Site Plan, located at 7397 Fourth Section Road, which was accepted for review on September 12, 2022, and

WHEREAS, the Planning Board has reviewed the Site Plan – Permit A, Full Environmental Assessment Form, and comments of the Town Engineer,

WHEREAS, the Planning Board on April 26, 2021, 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 Planning Board determines the Mantsi Solar Farm Amended Site Plan is appropriate in the interest of the public health, safety and general welfare, and no undesirable change will be produced in the character of the neighborhood or no detriment to nearby properties will be created.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the public hearing be waived and the Mantsi Solar Farm Amended Site Plan be granted final approval, contingent upon the stabilized construction entrance be 100 ft. in length, if additional measures are required by all agencies due to a muddy site that the applicant will provide tire shakers and other apparatus as needed, the wetlands will be clearly identified by installation of temporary construction fencing so not to be tracked in, comply with the Building Department's requirements for any temporary employee construction parking, all required signatures are obtained, and the Chairman be authorized to sign the mylar.

Discussion: Mr. Oberst confirmed with Mr. Strabel he is requesting temporary construction fencing for the wetlands.

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

Vantyne Amended Site Plan. 1201 Euler Road. 114.04-1-2.13.

Pat Laber, Schultz Associates, addressed the Board. Mr. Laber asked Mr. Oberst if he was contacted by Mr. Matt Tuttle from his office today to see if all outstanding matters have been taken care of.

Mr. Oberst stated he only received Mr. Tuttle's response letter dated August 8 addressing most of the review comments. Mr. Oberst has not received a SWPPP to date and is not sure if the wetlands have been delineated. Mr. Laber stated the DEC has been contacted to request a delineation, but that could take a long time. Mr. Laber added looking at the current plan the 100 ft. buffer is far away from the construction site. He asked for clarification if a delineation is required.

Mr. Oberst stated that Mr. Tuttle was going to have someone walk the site to get a proximity to the wetland. Mr. Laber stated it has been difficult to get someone since Mr. Gene Pellet passed away.

Mr. Oberst confirmed with Mr. Laber that a wetland delineation is still required, either by the NYSDEC or a private land biologist. Also required is the SWPPP.

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Mr. Oberst clarified that details regarding the construction entrance should be included in the SWPPP and on the plans.

Moved by Mr. Hale, seconded by Mr. Dollard, that the Vantyne Site Plan be tabled until the next meeting.

Discussion: Mr. Laber will ask Mr. Tuttle to let the Clerk know the status of the wetland delineation and move forward from there. Mr. Dollard asked how long the driveway is and what is the turnaround requirement. The driveway is just over 500 ft., 14 ft. wide, and has a passing area.

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

OTHER

Update to The Brock Amended Site Plan. 4599 Redman Road. 068.03-1-13.001.

Brittany Murphy, SWBR, addressed the Board. The plan was presented a couple of months ago and there is a small addition that has been updated on the plan since then. The client has requested six parking spaces be added near the front entrance or upper left corner of the building. The only way to access the front of the building from the parking lot is to park farther down on the sides and walk to the front door. With no parking at the front of the building, it is inconvenient for people dropping people off or for short-term parking. Mr. Strabel confirmed with Ms. Murphy that one of the parking spaces will be handicap accessible. Mr. Oberst requested a recessed curb for the handicap space. Mr. Strabel also confirmed with Ms. Murphy that parking spaces are required to be 10 ft. by 20 ft.

Ms. Murphy stated she will adjust the parking spaces by adding one ft. to each and include a handicap space. All utilities are remaining the same and the sidewalk is existing. A little portion of the island will be removed for the turnaround. Mr. Oberst is okay with the proposed changes.

Mr. Minor asked that the parking spaces be labeled on the plan as 10 ft. by 20 ft. Mr. Minor asked if it is all pavement now. Ms. Murphy stated it is plant bed and grass. Mr. Minor asked that all zoning statistics be updated as necessary, and they meet requirements.

The Board agreed with the proposed changes as stated above. Ms. Murphy will update the plans prior to Mr. Oberst' and the Board's signing.

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

Respectfully submitted,
Phyllis Brudz – Planning Board Clerk