

**TOWN OF SWEDEN
Planning Board Minutes
September 27, 2021**

A regular meeting of the Town of Sweden Planning Board was held on Monday, September 27, 2021, at the Sweden Town Courtroom, 18 State Street, Brockport, New York, commencing at 7 p.m.

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

Also present: Nat O. Lester, III, Planning Board Counsel; James Oberst, P.E., Town Engineer; Kris Schultz, Schultz Associates; John Clarke, DDS Companies; Brian and Kristi Henner; Joe and Lori Maher; 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.

Correspondence was passed to members for review.

Moved by Mr. Dollard, seconded by Mr. Strabel, that the minutes of September 13, 2021, be approved.

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

Bentley Brothers, Inc. Amended Site Plan. 5605 Brockport-Spencerport Road. 084.02-1-36.

Mr. Kris Schultz addressed the Board. He explained his clients are proposing to surround the west portion of their property with a 6 ft. chain-link fence. The fence would run from the northwest corner of the recently built barn to the road, staying 10 ft. off the front property line, across the front, and back to the southwest corner of the barn. Their second request is for an additional paved hard surface display area opposite what is there now and is shown as a hatched area on the plan. Both requests do not impact lot grading.

Mr. Strabel asked if the makeshift loading dock is staying in place. Mr. Shultz confirmed it is and suggested to his client looking at the portable loading dock Tractor Supply has on Latta Road.

Moved by Mr. Rickman, seconded by Mr. Strabel, that the Bentley Brothers, Inc. 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

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Brandon Woods Resubdivision Section 1 – Lot R-119.

Mr. Kris Schultz addressed the Board. This is the second to the last submittal of this type for Brandon Woods Section 1. Section 1 was designed to have several potential floor plans to choose from. Building blocks were created to make sure there was correct spacing. The plan before the Board shows the as constructed footprint for resubdivision approval. This also cleans up the area all around the footprint. The remaining balance of land gets carried over to the Homeowner's Association.

Moved by Mr. Strabel, seconded by Mr. Dollard, that the Brandon Woods Resubdivision Section 1 – Lot R-119 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 Town Engineer stated he has no concerns with the review of this application.

Moved by Mr. Strabel, seconded by Mr. Dollard,

WHEREAS, the Town of Sweden Planning Board has received an application for resubdivision approval of the Villas at Brandon Woods – Lot R-119 located at 22 Wood Trace, which was accepted for review on September 27, 2021, and

WHEREAS, the Town of Sweden Planning Board has reviewed the comments from the Town Engineer, and

WHEREAS, the Town of Sweden Planning Board acknowledges that the Town Board, through a consolidated review, completed an environmental review of the Villas at Brandon Woods, Section I, Subdivision and Site Plan, and granted a negative declaration of significant environmental impact on April 24, 2007,

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board grants preliminary approval to the resubdivision,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final public hearing be waived, and the Villas at Brandon Woods – Lot R-119 Resubdivision be granted final approval, and the Chairman be authorized to sign the mylar.

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

Henner Subdivision and Site Plan – 2 Lots. 6620 Redman Road. 113.04-1-5.8.

Mr. John Clarke, DDS, addressed the Board. He apologized that he is a new face for this project as the other two engineers, Mr. Steiner and Mr. Krueger, had conflicts with tonight's meeting.

Mr. Clarke referenced the updated plans distributed to the Board. The plans reflect the issue of the area variance granted to the 70 plus acre property in January 2021. Lot 2 has been removed, and therefore, adheres to the recently approved area variance.

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Chairman McAllister asked if the Town Engineer is ready to sign. Mr. Oberst stated he is because the second lot has been removed and there are no more issues with access to Lot 2. No further comments.

Mr. Minor asked if Planning Counsel Lester had a chance to review the liber and page notion on the plan for the ingress/egress easement. Counsel Lester stated there was no need to review as the area variance was granted for use of the easement to Redman Road. The liber and page reference the original easement to the property when Redman Road was abandoned.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Henner Subdivision and Site Plan, located at 6620 Redman Road, which was accepted for review on July 12, 2021, and

WHEREAS, a public hearing was held by the Planning Board on August 9, 2021, 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, Fire Marshal, Environmental Conservation Board, Highway Superintendent, 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 the Henner 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 Subdivision be granted final approval, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the site plan be approved contingent upon the emergency vehicle turnaround distance is labeled on the plan every 500 ft., all required signatures are obtained, and the Chairman be authorized to sign the mylar.

Discussion: Mr. Dollard referenced the Fire Marshal's comments that the emergency vehicle turnaround is at 320 ft. and per fire code needs to be at 500 ft. and every 500 ft. after.

This is not shown on the plan. Mr. Clarke agreed to label the distance of the emergency vehicle turnaround every 500 ft. on the plan.

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

Bentley Brothers, Inc. Amended Site Plan. 5605 Brockport-Spencerport Road. 084.02-1-36.

Chairman McAllister continued review of this application. He asked the Town Engineer if he had any concerns with the additional display area. Mr. Oberst had an opportunity to review the plans on Friday and has no further comments.

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Moved by Mr. Strabel, seconded by Mr. Sharpe,

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Bentley Brothers, Inc. Amended Site Plan, located at 5605 Brockport-Spencerport Road, which was accepted for review on September 27, 2021, and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form, and comment 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 Bentley Brothers, Inc. 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 Bentley Brothers, Inc. 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 Bentley Brothers, Inc. Amended Site Plan be granted final approval, contingent upon all required signatures obtained, and the Chairman be authorized to sign the mylar.

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

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

Chairman McAllister continued review of this application. He asked the Town Engineer if he is ready to sign the plans?

Mr. Oberst stated yes; however, he mentioned that a note be added to the plans stating a culvert is to be installed under the driveway. Mr. Strabel asked should critical elevation points be identified and confirmed in the field? Mr. Oberst stated yes. Mr. Schultz stated spot elevations will be shown on the plan.

Mr. Oberst stated as-built drawings are required to verify spot elevations.

Mr. Hale explained Mr. Minor’s motion to reject the project from the last meeting is now off the table. Discussion followed as to the next step.

Moved by Mr. Minor, seconded by Mr. Sharpe, to reject the Maier Subdivision and Site Plan – 2 Lots.
Discussion: None

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

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

WHEREAS, the Town of Sweden Planning Board has received an application for subdivision and site plan approval of the Maier Subdivision – 2 Lots, located at 2819 Colby Street, which was accepted for review on August 9, 2021, and

WHEREAS, a public hearing was held by the Planning Board on September 13, 2021, 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, Monroe County Planning and Development, 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 and determines that the Maier Subdivision and Site Plan – 2 Lots are unlisted actions, which will not have a significant impact on the environment, and that the subdivision be granted Preliminary Approval,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final hearing be waived, the Maier Subdivision and Site Plan – 2 Lots be approved contingent upon the SWPPP being submitted for review and approval, a copy of the wetland delineation report is received, all required signatures, and the Chairman be authorized to sign the mylar.

Discussion: The following conditions were added:

- Flag and verify grade elevations during construction along the west property line between Wetland B and the intermittent tributary.
- Culvert installed under driveway in the general location of Wetland B.
- Note added to plan that an as-built survey is required by the Building Department prior to the issuance of a certificate of occupancy.

Mr. Dollard asked if Counsel Lester was set with the review of all easements. Counsel Lester stated he gave Mr. Schultz some legal documents tonight and everything is in order.

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

The meeting was adjourned on motion at 7:30 p.m.

Respectfully submitted,
Phyllis Brudz - Planning Board Clerk