

**TOWN OF SWEDEN
Planning Board Minutes
July 10, 2023**

A regular meeting of the Town of Sweden Planning Board was held on Monday, July 10, 2023, at the Sweden Town Park, 4761 Redman Road, Brockport, New York, commencing at 7 p.m.

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

Absent: James Oberst, P.E., MRB, Town Engineer (excused).

Also present: Nat O. Lester, III, Planning Board Counsel; Mike Green; Gary and Dottie Coia; Elizabeth Petty; Jeanne Derefinko; Pat Leonard; Helene and Nelson Kibler; Dottie Scott.

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 June 12, 2023, be approved.

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

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

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

The Public Hearing began at 7:02 p.m.

Chairman McAllister waived the reading of the legal notice.

1665 Covell Road Subdivision and Site Plan – Lot 2.

Chairman McAllister asked if there was anyone present with questions, comments, or concerns. Is the engineer present? The Clerk stated Mr. Green was representing the project. An authorization letter was received from Ms. Stacey Territo, property owner, giving permission to Mr. Green to seek subdivision and site plan approval.

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Elizabeth Petty, 1746 Covell Road – Ms. Petty explained that she considers Covell Road to be rural, and she is not sure that having a house behind the existing house is rural and that there are issues with wells on Covell Road. Years ago, there was a big issue with wells drying up and the neighbors were hoping to get public water on Covell Road. How will the addition of another well affect the veins of the water table? Also, some of the septic systems in the area are raised systems and she is not sure how many acres are required for that type of septic system. To summarize, she has concerns with well water since it has been said that public water will not be available in the near future, most likely not in her lifetime. There are Covell residents that have to bring water on site. A new well will make this situation worse. What is the plan for the remaining acres behind Lot 2? Another new home is concerning as far as the quality and quantity of well water. What is the minimum acreage for a raised septic system? Will Lot 1 retain the required acreage now that an additional property is proposed? Chairman McAllister explained the Town Engineer and the County will review her concerns in order to make sure the plan meets code.

Pat Leonard, 1651 Covell Road – Ms. Leonard stated her concern is with well water. She has run out of water at her property. A new home was built and now another new home is being proposed. She is disappointed that the Town would allow that when public water has not been made available to Covell Road residents. Covell residents petitioned the Town in 2016 and 2019; there is no question that Covell Road residents want and need public water with over 90 percent approval.

Nelson Kibler, 1580 Covell Road – Mr. Kibler stated he had two wells on his property, and one went dry about three years ago and that was his good well which was 65 ft. deep. Now he is relying on the secondary well. Mr. Kibler brings water in from the Town. Mr. Kibler stated he used the primary well for 25 years before it dried up. He feels something happened three to four years ago. Water is definitely an issue. He also wants to know what the minimum acreage requirement is. The County requirement years ago was five acres, but it has been changed to approximately two acres.

Jeanne Derefinko, 1640 Covell Road – Ms. Derefinko wanted to know if the County has approved the plan. Is the plan before us already approved? Mr. Hale stated the County approved the septic system type/design, but the site plan has not been approved by the Planning Board. The Clerk gave Ms. Derefinko a copy of the site plan to review at her request.

Ms. Petty asked Mr. Green why he wanted to build a house behind the existing house. Mr. Green summarized that his parents lived in Florida and lost everything due to a hurricane and had no place to live. He is giving his parents two acres from his property to build a house. They were long time residents of Brockport before they moved to Florida. Ms. Petty asked if an in-law addition to the existing home was considered. Mr. Green stated he would not be able to meet the requirements. Ms. Petty understood but wanted Mr. Green to understand their concerns too.

Mr. Green stated his intentions are to build one more house for his parents but nothing else in the back lot. It will stay forever wild. The concern of the residents is that the new house will decrease the already limited water supply. Mr. Green hopes to install the new well far back on the property. The residents felt the distance of the well does not matter.

Chairman McAllister asked if there were any more questions, concerns, or comments.

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Ms. Leonard asked what the requirements are for minimum acreage, for a raised bed septic system. The Clerk stated 150,000 sq. ft. or 3.5 acres.

Chairman McAllister asked if there were any other questions. There were none.

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

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

The public hearing ended at 7:20 p.m.

Chairman McAllister thanked the residents for their input.

Coia Subdivision. 158/144 Ladue Road. 113.02-1-16.2/16.1

Mr. Coia addressed the Board. He explained he owns both lots and is proposing to combine them into one lot. The Board reviewed the subdivision plat.

Moved by Mr. Strabel, seconded by Mr. Rickman, that the Coia Subdivision 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 Public Hearing will be August 7, 2023.

1665 Covell Road Subdivision and Site Plan – Lot 2.

The Clerk explained she received comments via an email from the Town Engineer. It was determined that the proposed septic system is a raised bed system and will require 260 ft. of frontage at the house and 3.5 acres for approval. Mr. Green will have to move the rear property line farther back for more acreage and apply for an area variance for the width of the property or show a perc test for an inground septic system at a new location on his property.

Mr. Green stated he is confident that farther back on the property, he will be able to complete a perc test for an inground septic system as an option. His other option is to make an application for an area variance.

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Mr. Minor asked the Clerk to restate the requirements Mr. Green must meet in order to obtain approval. The Clerk reiterated for a modified septic system and well, a minimum of 3.5 acres and 260 ft. frontage or width at the house are required.

Chairman McAllister explained that if mineral deposits are found at a certain height even though the test results show it perked well, a modified raised system would be required, which is most likely what happened on Lot 2. Mr. Green added that the location of the house may have to be moved over a little more to the middle to meet the revised acreage requirement. That distance is to be determined. The total acreage of the lot is approximately seven acres.

Mr. Minor asked if there was anything else that needed to be reviewed. Mr. Green needs to decide which option he plans to pursue. If it is an area variance, an application must be made to the Zoning Board of Appeals and another hearing will take place.

Move by Mr. Hale, seconded by Mr. Minor, that the 1665 Covell Road Subdivision and Site Plan - Lot 2 be tabled until the next meeting, August 7, 2023.

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

Classy Chassy (Splash) Car Wash Amended Site Plan/Special Use Permit. 4653 Lake Road.

Chairman McAllister explained that contingent approval has expired, and the applicant has no desire at this time to continue review of this project.

Moved by Mr. Minor, seconded by Mr. Sharpe, that the Classy Chassy (Splash) Car Wash Amended Site Plan and Special Use Permit application be rescinded without prejudice.

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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OTHER - Five Sons Winery

The Clerk explained to the Board that she and the Building Inspector answered questions from two people interested in purchasing Five Sons Winery with the goal of expanding the winery by adding an event space to the existing building. They wanted to know what processes are required to be followed.

The Board agreed an amended site plan approval and SEQR review would be required. Discussion followed. The Clerk will advise the prospective buyers.

The meeting was adjourned on motion at 7:55 p.m.

Respectfully submitted,
Phyllis Brudz – Planning Board Clerk