

**TOWN OF SWEDEN  
Planning Board Minutes  
November 25, 2024**

A regular meeting of the Town of Sweden Planning Board was held on Monday, November 25, 2024, at the Sweden Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members present: Craig McAllister; Richard Dollard; David Hale; Mark Horschel; Mathew Minor; Wayne Rickman; Peter Sharpe.

Also present: Nat O. Lester, III, Planning Counsel; James Oberst, P.E., MRB, Town Engineer; Kris Schultz, Schultz Associates; John and Kathy Harter; Hayden Woods and Randy Bebout - Boehler Engineering.

Chairperson 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. Rickman, seconded by Mr. Minor, that the minutes of October 28, 2024, be approved.

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale – Absent  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe – Abstain

Moved by Mr. Sharpe, seconded by Mr. Minor, that the minutes of November 18, 2024, be approved.

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale – Absent  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe – Aye

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

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale – Absent  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe - Aye

The public hearing began at 7:04 p.m.

Chairperson McAllister waived the reading of the legal notice.

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**Harter-Kellogg Subdivision. 6363 and 6387 Lake Road. 113.04-1-5.113 and 113.04-1-5.112.**

Kris Schultz, Schultz Associates, addressed the Board. He is the engineer for the project and would be happy to answer any questions. It is a straightforward subdivision where one neighbor is selling property to the next-door neighbor. Mr. Schultz explained that the back portion of the Harter's property will be merged with the property to the south. No improvements are proposed.

Mr. Hale arrived.

Chairperson McAllister asked if there were any questions, comments, or concerns. There were none.

Moved by Mr. Minor, seconded by Mr. Dollard, to adjourn the public hearing to the regular meeting.

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale - Aye  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe - Aye

The public hearing ended at 7:07 p.m.

The Board continued review of the project. Chairperson McAllister asked for a project review status from Mr. Oberst. Mr. Oberst received a comment letter on November 14, 2024, from Schultz Associates, which addressed all comments.

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

WHEREAS, the Town of Sweden Planning Board has received an application for approval of the Harter-Kellogg Subdivision, located at 6363 Lake Road, which was accepted for review on October 28, 2024, and

WHEREAS, a public hearing was held by the Planning Board on November 25, 2024, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form, Agricultural Data Statement, 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 pursuant to the SEQRA Regulations [6 NYCRR §617.6 (b)], and determines that the Harter-Kellogg Subdivision is an unlisted action, which will not have a significant impact on the environment and grants the Harter-Kellogg Subdivision Preliminary Approval, and

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NOW, THEREFORE, BE IT FURTHER RESOLVED, that the final hearing be waived and the Harter-Kellogg Subdivision be granted final approval, contingent upon obtaining all required signatures, and the Chairperson be authorized to sign the mylar.

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale – Aye  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe – Aye

**Simone’s Properties, LLC Site Plan. 4740 Lake Road. 083.08-8-1.12.**

Kris Schultz, Schultz Associates, addressed the Board. He explained the project was before the Board informally a few months ago to discuss possible options for orienting the building. The consensus was to put the parking lot out front. The Town Board rezoned the property to MR-1. The project will need to go before the Zoning Board of Appeals for three area variances as the lot does not have the required area, depth, and rear setback.

The proposed development is for a single building with six units, sufficient parking plus a couple extra, and access located as far away from Lake Road as possible. Applicant is proposing fencing along the south side to shield tenants from the parking lot to the south.

Chairperson McAllister asked Planning Counsel Lester if the required front and rear setbacks could be reversed as the Planning Board requested the 50 ft. setback from Crestview Drive as the front of the building faces Crestview, and the rear setback would be 20 ft. Planning Counsel Lester stated that would be determined by the Zoning Board of Appeals. The minutes will serve as correspondence to the Zoning Board of Appeals that the Board agreed it would like to see the 50 ft. setback as the front setback and the 20 ft. setback as the rear setback so there would be better visibility at the corner.

Chairperson McAllister confirmed with Mr. Schultz that the greenspace requirement has been met, and that the area between the property line and edge of road is all Town property.

Mr. Horschel asked if there was a required setback for the fence. Mr. Schultz stated the fence should be installed within the property line.

Moved by Mr. Minor, seconded by Mr. Hale, that Simone’s Properties, LLC, Site Plan be accepted for review.

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale – Aye  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe – Aye

The public hearing will be January 13, 2025.

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Mr. Minor asked if there is a landscaping plan included in the application submission. Mr. Schultz stated yes, utility and grading too. Mr. Oberst asked if stormwater management is proposed for this project. Mr. Schultz stated no due to the size of the lot.

**OTHER**

**The Highlands of Sweden – Nathaniel Poole Trail**

Mr. Schultz presented a potential future project that he will be submitting a concept plan at a future meeting. Plan copies were distributed. The potential project property is west of the Villas at Brandon Woods and is owned by Mr. Hogan. The property is part of the original Transit Way development.

The property is zoned B-1. There is a cemetery behind it and Goodwill in front of it. Density allows for a good number of lots. The applicant is proposing four 26-unit, three story apartment buildings with built in garages and balconies. These are very nice-looking buildings, popular all over the state. On the other side of the road, 10-unit apartment buildings are proposed with garages. Townhomes are proposed to transition from the townhomes at Brandon Woods. All apartment buildings and townhomes would be for lease. All utilities are at the site and the regional detention facility to the north has been sized appropriately for the proposed development.

Chairperson McAllister commented that the regional detention facility needs to be maintained and cleaned out. He confirmed with Mr. Schultz that the apartment buildings are all sprinkled.

Mr. Schultz stated his clients requested him to share the informal plan with the Board for any initial comments. The proposed development meets required codes and setbacks. Chairperson McAllister asked if the three-story buildings will be over 36 ft. Mr. Schultz stated a variance may be required for that, depending on if the 36 ft. is to the eave or peak. Mr. Oberst confirmed with Mr. Schultz that the dedicated road will continue throughout the development.

**Owens Road Self Storage Subdivision and Site Plan – Phase 1 Extension Request**

Chairperson McAllister explained the easements for the development are being finalized. At this point, they are still within the 60-day timeframe but may run out before it is finalized. Planning Counsel Lester requested a 90-day extension.

Moved by Mr. Minor, seconded by Mr. Hale, that the Owens Road Self Storage Subdivision and Site Plan, Phase 1 conditional approval be extended for 90 days.

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale – Aye  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe – Aye

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**Englerth Acres Site Plan**

Moved by Mr. Minor, seconded by Mr. Hale, that the Englerth Acres Site Plan conditional approval be extended for 60 days.

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale – Aye  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe – Aye

**INFORMAL**

**O'Reilly Auto Enterprises Site Plan. Lake Road. 083.02-1-24**

Hayden Woods, Boehler Engineering, addressed the Board on behalf of O'Reilly Auto Parts. O'Reilly Auto Parts is in the initial stages of potentially developing the property between Aldi's and Country Max.

The proposed building will be 7,400 sq. ft. with approximately thirty parking spaces designed per code. New landscaping, water, sewer, stormwater mitigation, and dark sky compliant lighting are proposed. There will be a screened trash enclosure. The store will connect with Aldi's across the street with two commercial access drives, which will be large enough for a WB60 truck. The store will be open Monday through Sunday.

Mr. Woods stated he is waiting for a survey and geotechnical investigations to formalize the site plan applications and move forward. He is hoping to hear any suggestions, concerns, or questions from the Board tonight. Mr. Woods added that this is going to be the first standalone store in the Rochester market. O'Reilly Auto Parts is excited about it and wants to make it a showcase store for this area.

Chairperson McAllister confirmed with Mr. Woods that the property is zoned B-1 and is compliant. The only issue is with the 200 ft. depth. Chairperson McAllister recalls there was supposed to be a large detention pond on this property and is the reason it was not actively marketed. Mr. Oberst stated that Aldi's has its own pond. Mr. Woods added that a small portion directly to the rear of the property will be used for stormwater management, and the rest of the property in the back will remain vacant. The plan is to disturb less than an acre so full stormwater management is not required.

Chairperson McAllister also mentioned that the dumpster enclosure should be relocated to the back of the property.

Mr. Horschel stated there may be issues pulling out either into the left or right turn lane at the entrance closest to the intersection. Mr. Woods explained the closest entrance to Lake Road is a right in and right out. Mr. Woods is suggesting to his client to make that a right in only access so there would be no left turns. The Board agreed that would be best. The access to the west could then be both an enter and exit access. Mr. Minor suggested that the west access be lined up with Aldi's access as best as possible. Mr. Woods agreed.

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Mr. Oberst asked how many parking stalls are proposed. Mr. Woods stated O'Reilly Auto Parts needs thirty parking spaces, but parking will be code compliant. The building is 7,453 sq. ft. Mr. Minor explained in the past land banked parking has been an option, which shows the required parking spaces available, but not installed until needed. Chairperson McAllister confirmed with Mr. Woods that the frontage will be off Lake Road, and the accesses will be off Duryea Drive. The main door will face Lake Road. A dealer door for trucks will be off Duryea Drive.

The Clerk will email Mr. Woods an example of land banked parking previously approved.

Mr. Oberst explained the five parking spaces per thousand sq. ft. are based on retail space. It was determined that the proposed retail space for O'Reilly Auto Parts is approximately 3,249 sq. ft. or less than 20 parking spaces required. The remaining square footage is for storage.

Mr. Dollard asked how many facilities are in Buffalo. Mr. Woods stated approximately five stores with three of them under construction. O'Reilly Auto Parts is looking to branch out in Orange County. The store in Henrietta was just an infill, which they are trying to get away from and stay with stand-alone stores.

Mr. Woods closed with auto parts stores are doing well now as new cars are so expensive to purchase, owners are investing in their own cars by repairing the vehicles.

The Board looks forward to seeing the project return.

Moved by Mr. Hale, seconded by Mr. Minor, that the meeting be adjourned.

Chairperson McAllister - Aye  
Mr. Dollard - Aye  
Mr. Hale - Aye  
Mr. Horschel - Aye  
Mr. Minor - Aye  
Mr. Rickman - Aye  
Mr. Sharpe - Aye

Respectfully submitted,  
Phyllis Brudz, Planning Board Clerk