

TOWN OF SWEDEN
Planning Board Minutes
December 8, 2025

A regular meeting of the Town of Sweden Planning Board was held on Monday, December 8, 2025, at the Sweden Town Offices, 18 State Street, Brockport, New York, commencing at 7 p.m.

Members Present

- Richard Dollard
- David Hale
- Mark Horschel
- Craig McAllister
- Matthew Minor
- Wayne Rickman

Member Absent

- Pete Sharpe

Also Present

- Nat O. Lester, III, Planning Counsel
- James Oberst, P.E., MRB, Town Engineer
- Kris Schultz, Schultz Associates
- Tucker Velepec, LandTech
- Gordon Innes, Encompass Services
- Joseph Innes
- Steve Licciardello
- Robert Laviano
- Bruce Bay
- Martin Molinari

Also Absent

- Robert LaPoint, Residential Building Inspector - Excused

Call to Order

Chairperson McAllister called the meeting to order at 7 p.m. and led the Pledge of Allegiance. Correspondence was distributed to Board members for review.

Approval of Minutes

Minutes of November 24, 2025, will be approved at the January 12, 2026, meeting.

Public Hearings

Motion: Moved by Mr. Dollard, seconded by Mr. Horschel, to adjourn the regular meeting to the public hearing at 7:03 p.m.

Vote: Unanimous – Aye (6-0)

Motion carried.

Chairperson McAllister waived the reading of the legal notice.

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Woloshyn Subdivision and Site Plan. Redman Road. 098.02-1-34.

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

Innes Subdivision. Reed Road. 114.01-1-7.115.

Gordon Innes, Encompass Services addressed the Board and the public. He presented a color-coded subdivision plat for ease of reading. The Zoning Board of Appeals (ZBA) granted a variance for two 30 ft. ROWs from Reed Road instead of a 60 ft. ROW per lot and reciprocating easements for subject parcel. The 60 ft. ROW is shown split in two, approximately 30 ft. each road frontage.

Mr. Gordon Innes stated he has addressed the Town Engineer's review comments. The federal wetlands are shown on the plat. Mr. Fisher, owner of subject property, can access the property through his Town of Ogden parcel, but that does not satisfy the Town of Sweden lot requirement for 60 ft. of ROW to a dedicated road per lot.

Chairperson McAllister asked if there was anyone from the public with questions or comments.

Martin Molinari, 530 Reed Road – His property, ±83 acres, in the Town of Ogden is just east of the subject property. He was confused that the variance was approved because of his concern at the ZBA hearing that the subject line between his property and Mr. Fisher's is still open as no survey stake was put in the ground to show the Sweden Ogden TL Road boundary line.

Mr. Molinari continued that the land was divided 51 years ago when it was purchased. Mr. Molinari's land was to the east and Mr. Fisher's land to the west with a wide hedgerow located along the boundary line. Over the years the hedgerow has shrunk and with no survey stake, it's hard to determine where the boundary line is to ensure there is 60 ft. Chairperson McAllister referred to the survey map prepared. Mr. Molinari has viewed the plat but would like to see a stake/pin put in the ground to confirm there is 60 ft. from his immediate neighbor to the west to the stake.

Mr. Gordon Innes stated he may have misspoken during the ZBA hearing in that he isn't going to stake the boundary line until the ZBA grants the variance; if the variance isn't granted, there is no subdivision approval necessary.

Mr. Horschel confirmed with Mr. Gordon Innes that the deeds on file have been reviewed and the buried pin was found, mapped, and recorded on the Sweden Ogden TL Road; marked on the plan as a half inch rebar. Mr. Innes apologized for any confusion and stated when he goes out again, he will stake the buried pin to be a good neighbor.

Mr. Molinari stated he still did not understand because when his neighbor to the west, Mr. Bay, purchased his property in 1988/89, the distance shown on Mr. Bay's property map from his lot line to Mr. Molinari's was less than 50 ft. and the reason for his questioning the 60 ft. distance.

Mr. Minor confirmed with Mr. Molinari that he has never had a survey done for his property; no stakes were put in the ground when he bought the property.

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Mr. Gordon Innes explained the subject property has been subdivided four times. Mr. Bay's subdivision in 1988/89 shows 60 ft. remaining lands, which checks out with the recorded maps at the County and subject deeds from 1974.

Mr. Minor confirmed with Mr. Gordon Innes that 60 ft. is to the west of the Sweden Ogden Town Line Road. Mr. Molinari explained the property line has been disputed between him and Mr. Fisher for 51 years. Mr. Molinari pointed out there is a stake at the northeast corner of the property, but a stake has never been put in on the southeast corner.

Chairperson McAllister appreciated his set of circumstances and stated a property line can be disputed any time. Mr. Molinari asked what happens when his property is surveyed and it shows the distance is incorrect; what recourse does he have?

Counsel Lester stated it was mentioned to Mr. Molinari at the ZBA hearing that neither the ZBA nor Planning Board is the proper venue for determining property lines; it would be a court of law. This Board doesn't have the authority to determine boundary line disputes. The Board is acting on a map that has been presented by a surveyor. He explained if Mr. Molinari has a boundary line dispute, he will have to hire a surveyor and perhaps legal counsel to go to court to dispute the property line. A judge will settle the dispute.

Mr. Molinari continued to express his concerns. Chairperson McAllister stated he understands Mr. Molinari's set of circumstances, but there is nothing this Board can do to resolve his issues. He requested a motion to close the public hearing.

Motion: Moved by Mr. Rickman, seconded by Mr. Dollard, to adjourn the public hearing to the regular meeting at 7:20 p.m.

Vote: Unanimous – Aye (6-0)

Motion carried.

Woloshyn Subdivision and Site Plan. Redman Road. 098.02-1-34.

The Board continued review of this application.

Chairperson McAllister asked Mr. Velepec if he had added angles and bearings on the subdivision plat as requested. Mr. Velepec thought he added them but they were not shown. Chairperson McAllister requested angles and bearings be added on the subdivision plat prior to its being signed.

The Board reviewed the site plan. Chairperson McAllister requested that the distances from the existing structures to the lot lines on the second parcel be added to the plan. Mr. Velepec agreed. He confirmed with Chairperson McAllister that both parcels require subdivision approval.

Chairperson McAllister asked the Town Engineer for an update. Mr. Oberst stated most items were addressed. He asked if the Fire Marshal had reviewed the plan to determine if there was a need for a bump out. The driveway length is approximately 300 ft. and there is a turnaround at the house. The Clerk will confirm with the Fire Marshal.

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Mr. Minor confirmed with Mr. Oberst that a driveway 250 ft. or longer is required to have a pull off area, 20 ft. by 50 ft. at the middle of the driveway and shown on the plan.

Chairperson confirmed with Mr. Velepec that the proposed barn cannot be used for animals as it doesn't have 100 ft. setback from all property lines. Mr. Velepec will advise the applicant.

Mr. Minor confirmed with Mr. Velepec that the property will be serviced by public water.

Mr. Oberst received revised plans today and he is all set.

Resolution

Moved by Mr. Hale, seconded by Mr. Horschel,

WHEREAS, the Town of Sweden Planning Board has received an application for the Woloshyn Subdivision and Site Plan, located at Redman Road, which was accepted for review on November 10, 2025, and

WHEREAS, a public hearing was held by the Planning Board on December 8, 2025, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Short Environmental Assessment Form, and the comments of the Town Engineer, Highway Superintendent, and Environmental Conservation Board,

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 Woloshyn 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 Woloshyn Subdivision be granted final approval, contingent upon that angles and bearings and setbacks from the existing structures to the lot lines are added to the subdivision plat, receipt of all required signatures, and the Chairperson be authorized to sign the mylar.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Woloshyn Site Plan be approved, contingent upon receipt of satisfactory comments from the Fire Marshal, receipt of all required signatures, and the Chairperson be authorized to sign.

Discussion: The Clerk confirmed with the Board that the Fire Marshal comments should be part of the site plan approval. Mr. Minor asked that the resolution state receipt of satisfactory comments from the Fire Marshal. The Board agreed.

Vote: Unanimous – Aye (6-0)

Motion carried.

Innes Subdivision. Reed Road.114.01-1-7.115.

Chairperson McAllister stated that the ZBA requested a review by MCDRC be completed prior to granting a variance. Mr. Gordon Innes stated MCDRC's report was not complete as all agencies did not respond. MCDRC hopes to be done no later than December 16, 2025. The ZBA reconvenes again on December 18, 2025.

Mr. Gordon Innes is requesting the Planning Board grant approval tonight contingent upon receiving satisfactory comments from MCDRC and the granting of the area variance by the ZBA.

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Chairperson McAllister explained there is an additional issue to address, which is how the two 30 ft. easements are split on the 60 ft. strip.

Mr. Gordon Innes stated the way the easements are shown is for the farmer to avoid a mapped wetland area to have access to the upper fields, same as how he does now. The 30 ft. easement to the east to the remaining lands is for future site development.

Chairperson McAllister stated the 60 ft. has to go all the way to the second lot or remaining lands. Mr. Gordon Innes did not understand that the 60 ft. had to be maintained for the whole property and not just at the road. Chairperson McAllister stated prior to approval from the Planning Board, the easements will have to be reviewed by Counsel Lester and the plat show one 60 ft. strip.

Chairperson McAllister confirmed with Mr. Gordon Innes that the subject property does not have access to Euler Road; the landowner does, but not the property.

The subdivision plat will have to be revised for the ZBA meeting on December 18, 2025.

Mr. Horschel confirmed with Mr. Gordon Innes that there are NYS DEC Informational Freshwater Wetlands, non-regulatory, on the property. Any future site development will require delineation of the wetlands. The farmer wants the easements shown as is.

Motion: Moved by Mr. Hale, seconded by Mr. Rickman, that the Innes Subdivision be tabled.
Vote: Unanimous – Aye (6-0)
Motion carried.

Highlands of Sweden. Transit Way.

Kris Schultz, Schultz Associates, addressed the Board. He responded to the Town Engineer's review comments. Mr. Pat Laber from his office addressed most of the comments; nothing major left that cannot be addressed.

Mr. Schultz is requesting contingent approval based on receiving all necessary signatures and letter of credit. Chairperson McAllister stated one outstanding item is the traffic analysis report. Mr. Schultz stated it has been submitted and being looked at by the Town Engineer.

Mr. Oberst stated he is having a third-party review completed; it should be done by the end of the month. Chairperson McAllister would like to see actual counts from the baseline as there have been a lot of new developments since Wal-Mart and Lowe's. He was surprised the traffic engineer left out baseline numbers. Mr. Schultz stated he hired the traffic engineer per the Planning Board and Town Engineer's directive. He would be happy to provide any additional information once it is reviewed.

Mr. Schultz doesn't see the need to come back to meetings every two weeks when it can all be worked out with a contingent final approval. He is being paid to come to meetings and the project is not moving forward.

Chairperson McAllister asked Mr. Oberst if he was comfortable with contingent approval. He would like to have the baseline numbers looked at with all the Phase 1 and Phase 2 numbers from the Villas at Brandon Woods for a cumulative report.

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Mr. Schultz stated that if any offsite improvements need to be done, he would be happy to come back. He is fairly confident that the person who completed the traffic study did the other traffic studies and didn't see any triggers.

Mr. Oberst explained that the main question with the traffic is what the threshold is at and at what point does some type of traffic calming or something else have to be looked at to discourage the cut-through traffic at Talamora Trail. Mr. Schultz stated Talamora Trail has a lot of curves and stops, it's not going to be a desirable way to get to Rte. 31. He thinks the way people will get to Rte. 31 is head north to Transit to the traffic light.

Mr. Schultz stated again he is interested in his client not having to pay for him coming to meetings if the project is not moving forward. He is happy to provide any additional information to satisfy the concerns of this Board and the Town Engineer. This is a nice site for this type of development.

Mr. Oberst asked if there were any outstanding issues with the Highway Superintendent. Mr. Schultz stated all of Mr. Ingraham's concerns were addressed. If any new concerns come up, they will be taken care of. This is the same for the Fire Marshal; additional fire hydrants were added in the back. His clients asked if fire hydrants attached to the face of the building could be installed instead of in the back so they are not exposed to plows and other maintenance issues. Mr. Schultz stated there are still some small matters to be worked out but nothing from a planning standpoint.

Resolution

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

WHEREAS, the Town of Sweden Planning Board has received an application for subdivision and site plan approval of the Highlands of Sweden, located at Wood Trace and Transit Way, which was accepted for review on September 22, 2025, and

WHEREAS, a public hearing was held by the Planning Board on October 27, 2025, and all persons wishing to be heard were heard, and

WHEREAS, the Planning Board has reviewed the Project Information Form, Full Environmental Assessment Form, and the comments of the Town Engineer, Environmental Conservation Board, Fire Marshal, Brockport Fire Department, 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 pursuant to the SEQRA regulations [6 NYCRR §617.6 (b)], and determines that the Highlands of Sweden 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 Highlands of Sweden Subdivision be granted final approval, contingent upon receiving all required signatures, and the Chairperson be authorized to sign the mylar.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Highlands of Sweden Site Plan be approved, contingent upon the satisfactory completion of the traffic analysis and receipt of all required signatures, and the Chairperson be authorized to sign.

Discussion: Mr. Dollard requested the wording be changed to satisfactory completion.

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Vote: Chairperson McAllister – Aye
Mr. Dollard – Aye
Mr. Hale – Aye
Mr. Horschel – Aye
Mr. Minor – Nay
Mr. Rickman – Aye

Motion carried.

Adjournment

Motion: Moved by Mr. Hale, seconded by Mr. Rickman, to adjourn the meeting at 7:45 p.m.

Vote: Unanimous – Aye (6-0)

Motion carried.

Respectfully submitted,
Phyllis Brudz – Planning Board Clerk