

**TOWN OF SWEDEN  
Planning Board Minutes  
February 23, 2026**

A regular meeting of the Town of Sweden Planning Board was held on Monday, February 23, 2026, 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
- Peter Sharpe

**Also Present**

- Nat O. Lester, III, Planning Counsel
- Robert LaPoint, Residential Building Inspector
- Jerry Glogowski
- Jeff Davis, Barclay Damon
- Kris Schultz, Schultz Associates
- Kimberly Drew

**Also Absent**

- James Oberst, P.E., MRB, Town Engineer - 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**

**Motion:** Moved by Mr. Hale, seconded by Mr. Dollard, that the minutes of January 26, 2026, be approved.

**Vote:** Unanimous – Aye (7-0)

**Motion carried.**

**Public Hearing**

**Motion:** Moved by Mr. Hale, seconded by Mr. Rickman, to adjourn the regular meeting to the public hearing at 7:01 p.m.

**Vote:** Unanimous – Aye (7-0)

**Motion carried.**

Chairperson McAllister waived the reading of the legal notice.

**Ladue Estates Resubdivision Lots 2 and 4. 1186/1188 Ladue Road. 112.02-1-14.4/14.2.**

Chairperson McAllister asked if there was anyone from the public with questions, comments, or questions. There were none.

**TOWN OF SWEDEN**  
**Planning Board Minutes**  
**February 23, 2026**

**Motion:** Moved by Mr. Rickman, seconded by Mr. Hale, to adjourn the public hearing to the regular meeting at 7:02 p.m.

**Vote:** Unanimous – Aye (7-0)

**Motion carried.**

**Brockport Community Solar LLC Subdivision, Site Plan, Special Use Permit. 3995 Sweden Walker Road. 069.02-2-11.1**

Kris Schultz, Schultz Associates, addressed the Board. He explained the proposed solar farm is located at 3995 Sweden Walker Road on ±130 acres; footprint of the solar farm is less than 17 acres.

Mr. Hale confirmed with Mr. Schultz that the parcel would be taken out of agricultural use. The intent is not to rezone the whole ±130 acres, but rather the acreage that will be used for the solar farm. Mr. Schultz stated the solar farm is shown on two sheets with the first sheet showing the footprint that will be used for the solar farm. The second sheet shows the connecting portion extending to the frontage.

The application is for site plan approval, not subdivision, as property lines are not being created. The area of the solar farm would only be a portion of the entire property. Chairperson McAllister confirmed with Mr. Schultz that subdivision approval for the entire lot would be required and the map filed with the county to obtain site plan approval to verify that required setbacks are met from the lot lines. Mr. Schultz added that no variances would be needed.

**Motion:** Moved by Mr. Hale, seconded by Mr. Dollard, that the Brockport Community Solar LLC Subdivision, Site Plan and Special Use Permit, be accepted for review.

**Discussion:** Mr. Schultz asked what the timeline would be to schedule a public hearing? Chairperson McAllister stated that before the project could receive any Planning Board approvals, the Town Board must grant the rezoning. Mr. Hale confirmed with Chairperson McAllister that National Grid will be spending a significant amount of money to ensure that sufficient power capacity will be available. Chairperson McAllister stated the public hearing will most likely be scheduled approximately 60 days out because he is not sure if the applicant has made an official application for rezoning to the Town Board. Mr. Schultz will make sure one has been submitted if it has not been completed. Mr. Schultz also confirmed with Chairperson McAllister that SEQRA review will be completed with the incentive zoning approval by the Town Board.

**Vote:** Unanimous – Aye (7-0)

**Motion carried.**

**Ladue Estates Resubdivision Lots 2 and 4. 1186/1188 Ladue Road. 112.02-1-14.4/14.2.**

The Board continued review of this application. Mr. Glogowski stated angles, bearings, and location map were added to the updated plat as requested at the last meeting.

Chairperson McAllister confirmed with the Clerk that the Town Engineer was satisfied with this application and that no further review was required. The Clerk added that the Fire Marshal, Building Inspector, and Highway Superintendent had no comments.

**TOWN OF SWEDEN  
Planning Board Minutes  
February 23, 2026**

**Resolution**

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

**WHEREAS,** the Town of Sweden Planning Board has received an application for approval of the Ladue Estates Resubdivision, Lots 2 and 4, located at 1186 and 1188 Ladue Road, which was accepted for review on January 26, 2026, and

**WHEREAS,** a public hearing was held by the Planning Board on February 23, 2026, 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, Building Department, 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 pursuant to the SEQRA regulations [6 NYCRR §617.6 (b)], and determines that the Ladue Estates Resubdivision, Lots 2 and 4 is an unlisted action, which will not have a significant impact on the environment, and grants the resubdivision preliminary approval, and

**NOW, THEREFORE, BE IT FURTHER RESOLVED,** that the final hearing be waived, and the Ladue Estates Resubdivision, Lots 2 and 4 be granted final approval, contingent upon receiving all required signatures, and the Chairperson be authorized to sign the mylar.

**Vote:** Unanimous – Aye (7-0)

**Motion carried.**

**Sweden Ogden TL Road Subdivision, Site Plan and Special Use Permit.441/411 Sweden Ogden TL Road.099.04-2-2.21**

Jeff Davis, Barclay Damon, addressed the Board. He explained there has been ongoing discussions relative to this application.

Mr. Davis stated that he does not believe subdivision and site plan applications should be required. He explained that this is an eligibility request under federal law for the extension of the tower. Chairperson McAllister stated that while the extension of the tower may be permissible, subdivision and site plan approval are required first under state law.

Mr. Davis has reviewed federal law and federal case decisions which indicate that a nonconforming tower can be extended under an Eligible Facilities Request “EFR,” and that local zoning does not apply. Chairperson McAllister stated he has not seen anything under state law that removes the Planning Board’s authority.

Mr. Hale stated that documentation should be presented to this Board and the Board’s attorney.

Mr. Davis acknowledged this and explained that he frequently deals with situations where a board relies on local town law while federal law governs how the issue must be addressed. He stated this application meets the requirements of federal law and should be approved because it qualifies as an Eligible Facilities Request under Federal Law 6409.

Chairperson McAllister stated that there is an issue with the landowner and SBA. A generator was installed outside the lease area without the owners’ permission. The Planning Board isn’t concerned with lease lines but with lot lines. The lot that the tower is on was never filed with the County as a subdivision, which must be done to obtain site plan approval.

**TOWN OF SWEDEN**  
**Planning Board Minutes**  
**February 23, 2026**

Mr. Jeff Davis stated that the Town approved the tower in 2001 with a 100-foot by 100-foot lease area and a 100-foot tower. At that time, there was no mention of a fall zone, nor was one required. Chairperson McAllister stated that with the proposed extension of the tower a fall zone is now required for site plan approval. Mr. Davis reiterated that the tower is nonconforming and therefore the requirement does not apply.

Chairperson McAllister stated that this is where the issue arises. SBA is not going to obtain the property owners' signature for the generator outside the lease area and the Board can't approve a site plan without the property owners' permission. Mr. Davis reiterated that under federal law, subdivision and site plan approval are not required for this application and stated he will proceed, as necessary.

A motion was made by Mr. Hale and seconded by Mr. Rickman to table the Sweden Ogden TL Road Subdivision, Site Plan, and Special Use Permit application; however, Mr. Hale retracted the motion because the application had never been formally accepted for review due to the absence of the property owners' signatures. The Board agreed.

**OTHER**

**Burger King – Proposed Amended Site Plan**

Chairperson McAllister reviewed the proposed Burger King site changes to the Board which included:

- Replacing existing drive-thru equipment (speaker canopies, menu boards, clearance bars, bollards).
- Addition of a 9 ft. by 15 ft. concrete pad for a future exterior bun freezer.
- Pavement/asphalt rework to comply with ADA code.

The Board agreed an amended site plan would be required.

**Valvoline Oil Change – Proposed at Classy Car Wash Site**

Chairperson McAllister discussed the proximity requirements in the Town Code regarding Valvoline Oil Change facilities relative to plazas or gas stations, noting that the restriction does not apply in this case. Valvoline stores both new and used oil and would need to meet State requirements for storage. The parking requirement would be five spaces per 1,000 square feet.

**Woloshyn Subdivision and Site Plan**

The plat was reviewed by Monroe County Surveyor and determined it was a subdivision. Applicant will need to return with a revised plat for final approval.

**Adjournment**

**Motion:** Moved by Mr. Hale, seconded by Mr. Rickman, to adjourn the meeting at 7:30 p.m.

**Vote:** Unanimous – Aye (7-0)

**Motion carried.**

Respectfully submitted,  
Phyllis Brudz  
Planning Board Clerk