

**TOWN OF SWEDEN
Zoning Board of Appeals
Minutes – December 18, 2025**

A reconvened meeting of the Zoning Board of Appeals (ZBA) of the Town of Sweden was held at the Sweden Town Offices, 18 State Street, Brockport, New York on December 18, 2025, commencing at 6 p.m.

Members present: Robert Carges, Stacey Costello; Kevin M. Johnson; Pauline Johnson; Mark Sealy.

Also present: Nat O. Lester, III, ZBA Counsel, Gordon Innes, Encompass Services, Joseph Innes, Bruce Bay, Martin Molinari.

Chairperson Carges called the meeting to order at 6 p.m. and asked everyone to say the Pledge of Allegiance.

Innes Area Variance. Reed Road. 114.04-1-7.5.

Chairperson Carges continued that review comments were received from MCDRC which didn't pertain to the ZBA application at this time.

Gordon Innes, Encompass Services, addressed the Board. He agreed with Chairperson Carges that most of the DRC review comments weren't applicable. He reached out to some of the agencies and they agreed. For example, the DEC stated a permit wasn't needed for the wetlands because the application was for subdivision approval, no development. The ACOE stated the wetlands will have to be delineated when the site is developed. The DOH stated that because there is no proposed development, utilities would not have to be shown on the plat. MCDOT had no comments regarding the easements and the way the road frontage is shown.

Mr. Gordon Innes stated the Planning Board requested the easement be shown as a continuous 60 ft. strip to the back of the property. He referenced the plat showing that the Planning Board changes were made, and that there are three easements shown: one granted to Joe Innes, two granted to the farmer and remaining lands with reciprocal agreements to the road. Mr. Innes confirmed that the road frontage for the 60 ft. strip is 63.3 ft. due to it not being perpendicular to the road.

Mrs. Pauline Johnson asked how Mr. Fisher accesses his house. Mr. Joseph Innes stated he accesses it through Euler Road which is located in Ogden. He added there are no proposed improvements to the remaining lands.

Mr. Joseph Innes stated the 60 ft. strip is the only way Mr. Fisher can access the remaining lands from the Town of Sweden and it will satisfy the ROW requirements should the remaining lands be sold.

Chairperson Carges asked if there were any other questions from the Board. There were none.

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Moved by Member Sealy, seconded by Member Kevin Johnson, that the public hearing be closed.

Vote Chairperson Carges – Aye
 Member Costello - Aye
 Member Kevin Johnson – Aye
 Member Pauline Johnson - Aye
 Member Sealy – Aye

Motion carried.

Member Pauline Johnson offers the following resolution and moves for its adoption:
The Applicant, Joseph Innes, is proposing to subdivide a 43.8 ± acre parcel of land, tax account number 114.04-1-7.115 into two lots – "Lot 1" and "Remaining Lands."

The Sweden Zoning Board of Appeals declares itself Lead Agency for the environmental review of this application pursuant to the SEQRA Regulations (6 NYCRR§617.6 9b) and determines that the proposed variance is an unlisted action, which will not have a significant impact on the environment, which constitutes a negative declaration.

Seconded By Member Kevin Johnson, and duly put to a vote, which resulted as follows:

Vote Chairperson Carges – Aye
 Member Costello - Aye
 Member Kevin Johnson – Aye
 Member Pauline Johnson - Aye
 Member Sealy – Aye

Motion carried.

Member Pauline Johnson offers the following resolution and moves for its adoption:
Application of Joseph Innes for two 30 ft ROW area variances "Lot 1" and "Remaining Lands" for access instead of the required 60 ft. ROW per lot for access for the following reasons:

1. The Sweden Planning Board had no issues with this area variance application.
2. The Monroe County Department of Planning and Development reviewed the Zoning Board area variance application pursuant to General Municipal Law Section 239-n and the Planning Board Subdivision application, General Municipal Law Section 239-n. All comments pertain to the subdivision application - there were no issues for the area variance.
3. An undesirable change will not be produced in the character of the neighborhood.
4. The benefit sought by the Applicant cannot be achieved other than an area variance because the property is a flag lot with only 60 feet road frontage.
5. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the R1 -2 One-Family Residential District.
6. The alleged difficulty was not self-created because property is a flag lot with only 60 feet road frontage.

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This variance is granted subject to the following conditions:

- A) Planning Board final subdivision approval with the condition that the shared 60' strip of land continues to the northernly boundary line; and
- B) a reciprocal easement ingress/egress agreement between the subdivided parcels.

Seconded By Member Kevin Johnson, and duly put to a vote, which resulted as follows:

Vote
Chairperson Carges – Aye
Member Costello - Aye
Member Kevin Johnson – Aye
Member Pauline Johnson - Aye
Member Sealy – Aye

Motion carried.

Moved by Member Costello that the minutes of December 4, 2025, be approved.

Seconded by Member Sealy, and duly put to a vote, which resulted as follows:

Vote
Chairperson Carges – Aye
Member Costello – Aye
Member Kevin Johnson – Aye
Member Pauline Johnson – Abstain
Member Sealy – Aye

Motion carried.

Moved by Member Costello to adjourn the meeting.

Seconded by Member Kevin Johnson, and duly put to a vote, which resulted as follows:

Vote
Chairperson Carges – Aye
Member Costello – Aye
Member Kevin Johnson – Aye
Member Pauline Johnson – Aye
Member Sealy – Aye

Motion carried.

Respectfully submitted,
Phyllis Brudz
Zoning Board of Appeals Clerk