

MINUTES

**WORK SESSION MEETING – EDEN TOWN BOARD
2795 EAST CHURCH STREET
EDEN, NEW YORK
JULY 25, 2001
7:30 P.M.**

TOWN BOARD MEMBERS PRESENT:

GLENN R. NELLIS	-	SUPERVISOR
EDWARD C. KRYCIA, JR.	-	COUNCILMAN (Deputy Supervisor)
MARY LOU PEW	-	COUNCILWOMAN
VINCENT V. VACCO	-	COUNCILMAN (<i>Absent</i>)
GEORGE F. ZITTEL	-	COUNCILMAN

OTHERS PRESENT:

Mary Jo Hultquist	-	Town Clerk
DianaRae Walker	-	Deputy Town Clerk
Anna Knack	-	Administrative Assistant

Call To Order:

Supervisor Nellis called the Work Session of the Eden Town Board to order at 7:39 P.M.

Pledge of Allegiance:

Supervisor Nellis led the assembly in the Pledge of Allegiance to the flag followed by a moment of silence.

Supervisor Nellis requested to add three items to the agenda, they were as follows:

2B.) Special Use Permit Request Referral to Planning Board – Dennis Brawdy
of
3260 N. Boston Road to house four farm workers in a camper type trailer.

4.) Eden Fire Hall Boiler

Executive Session

New and Unfinished Business:

1.) Resolution on Streetscape Plan

Supervisor Nellis read the following Resolution, which was moved by Councilman Krycia:

MOTION was made by Councilman Krycia to approve the adoption of the following resolution:

**RESOLUTION
ON STREETScape
STATE DEPARTMENT OF TRANSPORTATION**

WHEREAS, the Eden Town Board unanimously passed a new comprehensive plan on October 11, 2000 after a several year process and with extensive public input; and

WHEREAS, the Town of Eden has begun the process of implementing our comprehensive plan; and

WHEREAS, part of the implementation of this plan includes the revitalization of the Eden Hamlet; including pedestrian/bicycle access, access management, streetscape design/aesthetics, parking, neo-urbanist type planning ideas, and providing focal points in the Hamlet; and

WHEREAS, the County of Erie through it's "Guiding Principles for Countywide Land Use Planning", has identified the Eden Hamlet as a rural service center of countywide significance; and

WHEREAS, the Eden Hamlet is centered around the New York State Route 62 corridor; and

WHEREAS, the Town of Eden through its Hamlet Revitalization Committee has drafted a Route 62 zoning overlay, taking into consideration some preliminary comments from New York State DOT landscape architects, and has worked with the DOT on establishing sidewalks, traffic light at Schoolview, and other improvements in the Hamlet; and

WHEREAS, the Town of Eden would like to continue the revitalization of this important regional service and business center, and to expand our working relationship with the NYSDOT,

NOW, THEREFORE BE IT RESOLVED, that the Eden Town Board hereby formally requests the assistance of the NYSDOT with establishing a streetscape design for the Hamlet, consistent with the goals and objectives of our comprehensive plan.

Seconded by Councilwoman Pew; all "Ayes"; Motion carried

2A.) Special Use Permit Request Referral to Planning Board – Temporary migrant worker trailer – Gerald Mammoser – 3940 Hardt Road, Eden

Supervisor Nellis stated that a letter was received from Gerald Mammoser of 3940 Hardt Road requesting a Special Use Permit for a temporary migrant worker trailer to be located on his property. A copy of the letter is on file in the Town Clerk's office.

MOTION was made by Councilman Zittel to refer Gerald Mammoser's request for a Special Use Permit to the Eden Planning Board for review and recommendations back to the Town Board; seconded by Councilwoman Pew; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

2.B) Special Use Permit Request Referral to Planning Board – Dennis Brawdy of 3260 North Boston Road to house four farm workers in a camper type trailer

Supervisor Nellis read a letter that was received from Dennis Brawdy of 3260 North Boston Road requesting a Special Use Permit to house four farm workers in a camper type trailer located on the rear of his property at 3260 North Boston Road. A copy of the letter is on file in the Town Clerk's office.

MOTION was made by Councilwoman Pew to refer Dennis Brawdy's request for a Special Use Permit to the Eden Planning Board for review and recommendations back to the Town Board; seconded by Councilman Krycia; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

3.) Decision – Proposed Local Law No. 7-2001 – Amendment to Fee Schedule

Supervisor Nellis stated that a Public Hearing was held July 11, 2001 pertaining to Proposed Local Law No. 7-2001 Amendment to Fee Schedule, which would amend in Section 3 of the Town of Eden Standard Schedule of Fees under "A. Residential" and after the fees for Swimming Pool Permit to add "Pond Permit" with a fee of \$150.00 (includes site plan review by Planning Board) and under "C. Subdivision Fees, (1) Application and Review Fees", increase the application fee for "Property Splits" from \$25.00 to \$150.00.

MOTION was made by Councilman Krycia to accept Proposed Local Law No. 7-2001; seconded by Councilwoman Pew. Before being put to vote, Supervisor Nellis stated that it was his understanding that once adopted it would become Local Law No. 6-2001. The Motion was then put to vote; All – "Ayes"; Opposed? – None; Abstain? – None; Motion carried.

4.) Eden Fire Hall Boiler

Supervisor Nellis stated that a letter was received from William Laing, Eden Fire Chief stating that he has provided an estimate to repair the boiler for the fire hall to replace the controls and maintenance at a cost of \$686.00. To replace the boiler system with a new more efficient one would cost \$14,474.00, a quote received from Duffett Plumbing & Heating dated January 12, 2000. Copies of the letters are on file in the Town Clerk's office.

MOTION was made by Councilman Zittel to approve the expenditure of \$686.00 to repair the boiler at the Eden Fire Hall; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

A brief discussion ensued pertaining to hold a regular meeting on August 15, 2001 instead of the regular scheduled August 22, 2001 to hold the public hearings pertaining to the Special Use Permit requests that were referred to the Eden Planning Board tonight.

MOTION was made by Councilman Zittel for a regular meeting to be held on August 15, 2001 instead of August 22, 2001; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilwoman Pew to schedule two public hearings for August 15, 2001 at 7:30 P.M. for Special Use Permit request from Gerald Mammoser of 3940 Hardt Road for a temporary migrant worker trailer and at 7:45 P.M. for a Special Use Permit request from Dennis Brawdy of 3260 North Boston Road to house four farm workers in a camper type trailer; seconded by Councilman Zittel; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Hearing of Visitors:

Ruth Szalasny of 3048 Belknap Road
Wilbert Smutz of 3094 East Church Street

Supervisor's Report:

Supervisor Nellis reported that an E-Government meeting is scheduled for Tuesday, July 31, 2001 from 10:00 A.M – 12:00 P.M in the Town Hall auditorium.

Supervisor Nellis noted that it was 8:00 P.M. and requested a brief recess.

MOTION was made by Councilman Krycia to recess the Work Session of the Eden Town Board; seconded by Councilman Zittel; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

MOTION was made by Councilman Krycia to close the Work Session of the Eden Town Board to go into public hearing; seconded by Councilman Zittel; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis closed the Work Session of the Eden Town Board at 8:05 P.M.

**8:00 P.M.
Public Hearing**

Request for a Special Use Permit from Karen Sawicki to operate a “Curves for Women” health and fitness facility in portion of a building located at 8698 South Main Street, Eden, owned by Trevor Industries.

Supervisor Nellis stated that the purpose of the public hearing is to hear any comments that individuals might have pertaining to the request. The Eden Planning Board has reviewed the request and has made a recommendation to the Town Board for approval of the Special Use Permit request from Karen Sawicki. Supervisor Nellis then asked if there were any comments.

Michael Sawicki of 3016 Paxon Road clarified that the request for the Special Use Permit is from the corporation, Alden Woman’s Fitness, not Mrs. Sawicki. She is the President of “Curves for Women”. Councilman Krycia noted that it is listed properly on the legal paperwork.

Charlene Edwards of 2734 Hemlock Road expressed concerns regarding the parking and requested that parking not be permitted on Hemlock Road because of the children. Mrs. Edwards also expressed a concern of lighting.

Supervisor Nellis stated that the Planning Board did look at parking and that there are 20 spaces total available. Mr. Sawicki stated regarding the lighting that the sign would not be lit at night.

Michael Bolo of 9998 Clarksburg Road stated that as an interested citizen that the Town should be encouraged with a new business coming into town.

There were no further comments.

MOTION was made by Councilman Zittel to close the public hearing; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis closed the public hearing at 8:10 P.M.

MOTION was made by Councilman Krycia to re-open the Work Session of the Eden Town Board; seconded by Councilman Zittel; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis re-opened the Work Session of the Eden Town Board at 8:10P.M.

Supervisor Nellis noted that all the items had been covered on the agenda and stated that with recommendations received from the Eden Planning Board asked the Town Board members if they were ready to act on the Special Use Permit for “Curves for Women”.

MOTION was made by Councilman Krycia to approve the Special Use Permit from Karen Sawicki to operate a “Curves for Women” health and fitness facility in a portion o a building located at 8698 South Main Street owned by Trevor Industries; seconded by Councilman Zittel. Before being put to vote Councilman Zittel inquired when would “Curves for Women” is scheduled to open. Mrs. Sawicki replied September 17, 2001. The Motion was then put to vote; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Councilwoman Pew welcomed “Curves for Women” to the Town of Eden and asked Mrs. Sawicki permission to add “Curves for Women” on the Town of Eden website. Mrs. Sawicki felt that would be great and would provide Councilwoman Pew information.

Adjournment:

MOTION was made by Councilman Zittel to adjourn the Work Session of the Eden Town Board and go into Executive Session; seconded by Councilwoman Pew; All – “Ayes”; Opposed? – None; Abstain? – None; Motion carried.

Supervisor Nellis adjourned the Work Session of the Eden Town Board at 8:13P.M.

Executive Session:

Supervisor Nellis adjourned the Executive Session of the Eden Town Board at 8:45 P.M.

Respectfully submitted by,

Mary Jo Hultquist
Town Clerk