

**Town of Eden
Planning Board Minutes
October 4, 2017**

MEMBERS PRESENT:

Andrew Romanowski – Vice Chair
Bill Zittel
Brian Reed
Dr. Kevin O’Gorman, M.D.

MEMBERS ABSENT:

Dr. Frank Meyer, D.D.S.
Tony Weiss
Bill Mahoney
David Johnson

GUESTS:

Richard Ventry – Town Council member
Susan Wilhelm – Town Council member
Mr. Robert Hornberger – storage facility
Mr. Paul Paolucci – storage facility
David Rice – Town of Eden Fire Inspector/Asst. Code Enforcement Officer

Vice -Chairman Andrew Romanowski called the October 4, 2017 Planning Board meeting to order at 7:02 p.m. Brian Reed will be an acting member tonight due to the absence of a few members. Andrew asked for a motion to approve the April 2017 minutes as printed and distributed. Bill Zittel made a motion, Dr. O’Gorman seconded, hearing no further comments or corrections – Vote: all “Ayes” motion carried.

NEW & UNFINISHED BUSINESS:

1: Hornberger – Indoor Storage Pre-Submission Conference

Mr. Hornberger was asked what he would like to propose to do at 8800 S. Main Street. I originally had an indoor storage business in 2010 with a Special Use Permit from the Town of Eden. Due to being kicked out because a mattress business moving in I am proposing to start up my indoor storage business again. I do not want to have any outdoor storage in fact I send business to Mr. Schreiber’s self- storage facility next door. This is a seasonal business October thru May, and there is no work allowed on any vehicle during the time of storage and I also ask that they disconnect all batteries. If someone needs to get in to the building they call Paul my building assistant and he will meet the client there to let them in. We will only be using 1/3 of the building for our storage. Mr. David Rice met us at the site and went over Fire Codes for our proposed use. His suggestion was to install a **Dial Out Alarm** system and I agree to do that for the safety reasons.

Andrew Romanowski read comments and recommendations from the building department - Jesse Baker, Code Enforcement Officer and David Rice, Fire Inspector and Assist. Code Enforcement Officer.

See attached – Fire/Code Enforcement

Greg Keyser, Town Engineer from GHD also had comments and recommendations to the board, which Andrew Romanowski read to the board.

See Attached – GHD

Mr. Romanowksi summarized Mr. Hornberger’s Indoor Storage application :

- Will install Dial Out Alarm
- Proposing only using 1/3 of building
- No exterior storage

Mr. Romanowski asked the board if they had any issues with granting Mr. Hornberger a Waiver of Site Plan, and there were no objections. There will be no changes to the building or site. Under SEQRA this is an unlisted action.

David Rice, Fire Inspector added that if the owner changes the classification of the building to one use then it would alleviate many fire codes. The applicant agreed and David Rice said he would call the owner, Nicholas Galati and explain this situation to him. This building should go from manufacturing to just storage, one use. If Mr. Galati agrees to change the classification of the building we will have him file for a “Change of Classification” thru the building department so he can get a Certificate of Occupancy.

Vice- Chair Andrew Romanowski asked for a motion on the table to recommend to the Town Board for the Special Use Permit:

- 1. Waiver of Site Plan**
- 2. No exterior storage allowed**

EDEN BUILDING DEPARTMENT

2795 East Church Street
Eden, New York 14057

JESSE L. BAKER

Code Enforcement Officer
(716) 992-3576

To: Eden Planning Board

Date: September 18, 2017

Re: Hornberger – 8800 S. Main Street – Indoor Storage Facility

I met with Mr. Hornberger on Friday, September 15, 2017. Mr. Hornberger stated that nothing will be changed from the last time he was issued a Special Use Permit, for his indoor storage business. I would like to recommend:

1. Eden Planning Board waive the Site Plan Review, there will be no changes to the site.
2. The need for a dial alarm at the site (as requested from the Town of Eden Fire Inspector)
3. Change the classification of WHOLE building to Storage. I will call owner and notify him on that recommendation.
4. Require that there be 2 inspections during the time of the SUP. These will be conducted by the Building Dept. and will be a walk-through of inside and outside of the areas within the SUP. When, the inspection takes place is the discretion of the Building Dept.

Jesse L. Baker
Code Enforcement Officer, Town of Eden



October 3, 2017

Reference No. 11124993

Original Sent Via Email

Town of Eden Planning Board
Town of Eden
2795 East Church Street
Eden, New York 14057

Dear Planning Board Members:

**Re: Pre-submission Conference
8800 South Main Street**

On behalf of the Town of Eden, GHD has completed a review of the pre-submission conference questionnaire for the above-referenced address. It is our understanding the applicant is seeking a special use permit to allow the existing facility to be used for the indoor storage of cars, boats and recreational vehicles. The property is zoned General Industrial and is situated within the Industrial Economic Development area of the hamlet overlay district. We offer the following comments:

1. Site Plan Approval – The applicant is proposing a change of use to the existing building and site plan review is required in accordance with hamlet overlay district regulations. However, §225-30E of the Town Code allows site plan waivers for proposed projects which meet certain criteria. The Town Building Department has recommended a site plan waiver and we agree with this recommendation for the following reasons:
 - The proposed change of use does not involve the construction of any additions or accessory structures, which will result in physical changes to the site.
 - The proposed use constitutes a minor change of use that involves the indoor storage of vehicles and does not require additional parking.
2. State Environmental Quality Review (SEQR) – Operation of an indoor storage business as a special use does not appear to meet the definition of any Type 1 or Type 2 action under SEQR. Therefore, it is recommended the project be classified as an unlisted action and be evaluated for potential impacts by the Town Board before the special use permit is approved.
3. County Planning Referral – The proposed change of use occurs on property located within 500 feet of New York State Route 62 (South Main Street). County planning referral is required for special permit approval in accordance with §239m of the General Municipal Law.



Feel free to contact us with any questions you may have.

Yours truly,

GHD

A handwritten signature in black ink that reads 'Gregory D. Keyser'. The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Gregory D. Keyser
Environmental Planner

GDK/jac/PlanningBoard1

cc: Town of Eden Town Board
Town of Eden Building Department
Michael J. Quinn, P.E. – GHD

- 3. Dial out alarm installed by applicant – must meet current fire codes**
- 4. Change of classification needed for whole building to just storage – owner agrees in writing with a permit**

Motion by Bill Zittel; Seconded by Dr. O’Gorman all “Ayes” motion approved.

Vice Chairman Romanowski told the applicant that this board will send our recommendation to the Town Board. I understand you have a Public Hearing scheduled for November 8, 2017. This is part of the Town Board’s review plus Erie County Environment and Planning will also receive this information for their review.

2: Planning board vacancy

The Eden Planning board has a position to fulfill from Juanita Majewski’s resignation. At our last meeting in April we discussed Brian Reed taking over Juanita’s term. Due to many absent members at that meeting we tabled that vote. Now, it is October and I believe this board should recommend Brian Reed to the Town Board to fill this term. He has already been interviewed and Brian has an excellent attendance record plus he is an asset to this board.

- Brian Reed – fulfill a vacant term until December 31, 2019.

Andrew Romanowski made a motion to approve the Brian Reed to fulfill Juanita Majewski’s term until December 31, 2019. Seconded by Bill Zittel. All “Ayes” motion carried. We will send this recommendation to the Town Board for their vote.

Dr. Kevin O’Gorman’s term is up in December and he has told the board he is also interested in serving another 7-year term. He will have to be interviewed for the position.

Diane has advertised the vacant position and has received two applications so far. We will set up interviews in the near future. Mr. Joseph Eppilitto is a candidate that was interviewed last year and Diane has reached out to him recently he is still interested in the position. The board did not feel it would

be right to have Mr. Eppilitto become an alternate member for 2 months then have to be reinstated again for another term, so it was decided to hold off on the alternate position until a later date.

REPORTS: November Planning Board meeting: we will go over Schedule of fees – all the information is in Octobers packet – this will be used for required training hours.

ANNOUNCEMENTS: NONE

Bill Zittel made the motion to adjourn the meeting at 7:47p.m. Seconded by Brian Reed . All “Ayes” motion carried.

The next meeting is tentatively scheduled for November 1, 2017 at 7:00 p.m.

Respectfully submitted,
Diane Herzog