

Town of Eden - Planning Board Minutes

Eden Town Hall - 7:00 PM

October 7, 2020

MEMBERS William Mahoney, Chairman
PRESENT Frank Meyer, DDS
Bill Zittel
Dave Brodzinski
EXCUSED: Brian Reed
Andy Romanowski
Joe Eppolito
Bethany Fancher-Herbert
ABSENT: Tony Weiss
OTHERS: Rick Henry – Town Engineer
Dave Rice – Code Enforcement Officer
Jeff Walker – Rayzor’s Dawg House
Doug Scheu – Architect for Rayzor’s
Dave & Sue Engle – Neighbor of Rayzor’s

Mr. Mahoney called the meeting to order at 7:00pm. For the record, Dave Brodzinski will be acting as a full capacity planning Board member tonight, rather than an alternate.

Minutes from last meeting

Mr. Zittel made a motion to approve the minutes of the July 1, 2020 meeting. Seconded by Mr. Brodzinski; Motion approved unanimously.

Rayzor’s:

The Building Department received a building permit application and plans for a proposed pavilion at Rayzor’s Dawg House. Mr. Mahoney, Planning Board Chair, Rick Henry, Town Engineer and Dave Rice, Code Enforcement officer, have reviewed the plans and it is possible that a site plan waiver may be appropriate.

Mr. Walker spoke about his hopes to provide a location for people to sit and eat outdoors comfortably. Doug Scheu, Architect for the project, spoke about Mr. Walker’s plans to keep the footprint as small as possible and to match the rustic look of the existing restaurant. The playground will be pushed to the rear of the property to accommodate space for the pavilion. The project would increase his picnic tables from nine to twelve. With this new layout, playground relocated and the pavilion built, they could potentially add two to five parking spots by utilizing the space where the tables are currently located more efficiently. Mr. Rice mentioned that the new code actually requires fewer parking spaces than he currently has. Mr. Mahoney referenced the new MU1 zoning – in theory, this pavilion could be built on the lot line. Mr. Walker is being considerate by building 10’ from the lot line. These plans do include the addition of a 10’ x 18’ walk-in cooler. Mr. Henry stated that the plans do meet current code requirements. Mr. Walker provided letters from neighbors stating their support of the business and adding the pavilion.

Dave and Sue Engle, neighbors to the south, spoke about their concerns of additional noise from televisions and music from within the pavilion. Mr. Scheu stated that all speakers will be inboard – facing the restaurant. There will also be a row of arborvitae planted on the south side of the pavilion to provide a visual and sound buffer.

The Engles continued to express their concerns about the drainage problem they have been experiencing since the restaurant was initially built in 2016. The Engles stated that they have a water problem at the rear of their property. The existing drain pipe, crossing the rear driveway, is too high and causes water to back up at the rear of Engle's property. The board discussed some possible solutions to the water problem. After further discussion, Mr. Walker agreed to create a path for the new pavilion roof water to be directed to a retention area. Mr. Scheu will be able to assist with those plans.

Mr. Mahoney, Mr. Henry and Mr. Rice agreed that a site plan waiver would be granted once the following conditions were met:

They need to capture the additional stormwater off of the Pavilion's roof. This can be done by a horizontal dry well or some other method. Likely out towards the back of the pavilion/property. This is to prevent any increase of water retention along the back of the Engle's property.

They need to ensure that they meet the Town's noise ordinance. The applicant stated that all speakers would be inward facing.

Nexamp Draft EIS:

Mr. Henry covered the path of SEQRA and what the next steps are for the Planning Board. The board discussed their concerns about the lack of details in the DEIS and the number of uncertainties in the draft. Some of the proposed mitigation measures were discussed and it was agreed that the proposed measures were not sufficient. The DEIS needs to have accountable action items with certainty that they are complete and "loopholes" aren't left in the document so the applicant doesn't have to follow through on the identified actions. All members present questioned what is in the best interests of the Town and how to protect agricultural land while maximizing the limited resources from the existing utility companies' infrastructure. Conversation continued on how best to proceed. The board decided to collect all comments and feedback from members, then provide them to the Town engineer for him to draft a response back to Nexamp in accordance with the timeline laid out by the SEQRA process. The next step will be to review the response letter, vote to send it or modify accordingly and then formally respond to the applicant by November 2, 2020.

Mr. Mahoney made a motion to adjourn the Planning Board meeting. Seconded by Mr. Zittel; Motion approved unanimously.

The next meeting is tentatively scheduled for November 4, 2020 at 7:00 pm.

Respectfully submitted,
Jen Crowe