

Town of Eden - Planning Board Minutes

March 3, 2021 7:00 pm

**Meeting was held in person at the Town Hall Auditorium.
Meeting was also available online through GoToMeeting.**

MEMBERS

PRESENT: William Mahoney, Chairman
Andy Romanowski, Vice Chairman
Frank Meyer, DDS
Joseph Eppolito
Tony Weiss

REMOTELY

PRESENT: Brian Reed
Dave Brodzinski
Bill Zittel
Bethany Fancher-Herbert

OTHERS: Town Engineer – Rick Henry
Town Council - Susan Wilhelm, Richard Ventry
Code Enforcement Officer – Dave Rice
Applicant – Brian & Shannon Milligan
Applicant – Don Schreiber
Nexamp – Alex Curlin
Attorney for Nexamp – Corey Auerbach
Engineer for Nexamp - Christopher Knox, Crawford & Associates

Mr. Mahoney called the meeting to order at 7:00pm

Minutes from last meeting:

Mr. Zittel made a motion to approve the minutes from the February 3, 2021 meeting. Seconded by Mr. Romanowski; Motion approved unanimously.

Brian Milligan – 7611 East Eden Road – Addition to Shop for Commercial Use:

Mr. Milligan is proposing a 50' x 100' addition to his existing shop to provide additional storage for his paving equipment. The Milligans own and operate a growing paving business, and they have equipment stored in multiple locations. The Milligans were granted a use variance by the Zoning Board for the operation of a commercial business and storage of equipment for the business in a residential district. Mr. Mahoney read a resolution declaring the Planning Board as Lead Agency for the Milligan project. **Mr. Romanowski made a motion to approve the resolution, seconded by Mr. Weiss. Motion approved unanimously.**

The Milligans submitted a full site plan and the Short Environmental Assessment Form. Based on the information submitted in the SEAF, **Dr. Meyer made a motion to declare a negative declaration for the proposed project at 7611 East Eden Road, seconded by Mr. Romanowski. Motion approved unanimously.** All board members agreed that a public hearing would not be required for this project.

Mr. Mahoney stated that the site plan submitted was very well done. The board further reviewed and discussed the plans. **Mr. Weiss made a motion to approve the site plan submitted for 7611 East Eden Road, seconded by Dr. Meyer. Motion approved unanimously.**

Schreiber & Winkelman Inc. – Sonnybrook Subdivision Phase III Part 2:

Don Schreiber presented a revised Preliminary Plat for the Sonnybrook Subdivision Phase III Part 2. The originally submitted plans for Phase III included connecting Hillbrook, East Pleasant and Cherry Lane. This submission is requesting that permanent dead ends be placed on each of the roads and the remaining land be subdivided into seven lots. The Town Engineer and Planning Board members reviewed the current proposal. The Town Engineer's comments stated that Erie County Water Authority still needs to review the changes from the original approval since the new proposal is removing the looped water system and dead ending the water lines. Also, this is an entirely new proposal and would not be covered by the previous Stormwater Pollution Prevention Plan (SWPP). Mr. Mahoney stated that the proposed dead-end streets cause conflict with the Town Code. Mainly, the code states that the maximum length of dead-end, permanent, public roads must not serve more than 14 families. Based on the current proposal, Hillbrook would serve 28 families, East Pleasant would serve 15 families and Cherry Lane would serve 7 families. Mr. Mahoney asked if Mr. Schreiber would consider connecting Hillbrook and East Pleasant. This would solve the dead-end problem, leaving just one dead-end at Cherry Lane. Mr. Schreiber stated that the cost of infrastructure is just too high and you can't make any money that way. If the town wants to pay a portion of it, then maybe it could happen. Board members, the Town Engineer and Mr. Schreiber further discussed the cost of infrastructure to include sidewalks, gutters, sewer and water. Mr. Schreiber feels that he can sell larger lots (as shown in this proposal) much easier than the smaller lots (shown in the original proposal). Mr. Mahoney read a portion of the Town's Comprehensive Plan which clearly states this area is to be densely populated. This is consistent with the original submission from 2008. Mr. Schreiber repeated that he does not wish to invest in the cost of infrastructure and engineering fees. Mr. Mahoney asked Mr. Ventry if the Town Board would consider helping with the cost of the roads. Mr. Ventry replied that he could definitely discuss it with the other Town Board members and see what their thoughts are. Mr. Mahoney stated that we are trying to come up with a viable solution that will work for everyone. Mr. Romanowski asked Mr. Henry if he had any knowledge or information on potential options from other municipalities. Mr. Henry responded that he would look into it and see if he could provide some suggestions. Mr. Mahoney asked Mr. Schreiber if he would be willing to meet with the Town Board and Town Engineer to discuss possible solutions that could work for everyone. Mr. Schreiber said he would. Mr. Mahoney stated that this decision has been tabled pending further discussion with the applicant, the Town Board and the Town Engineer.

Nexamp/Eden Solar – 7601 Sisson Hwy – Proposed Solar Farm:

The Planning Board received the latest response letter and revised Draft Environmental Impact Study (DEIS) from Nexamp on February 17, 2021. Mr. Henry, Town Engineer, stated that Nexamp did a nice job comparing appraisals of vacant land. It would have been beneficial to include residential comparisons as well. Mr. Mahoney commented on the lack of detail that still remains in reference to the viable life of the project. There needs to be measurable milestones, an end date, a specific number of years of viable life for this project. The applicant has not researched other vacant land in town (non-farmland), as requested. The board reviewed commitment dates for submitting their feedback to the Town Engineer. The deadline to respond to the applicant is March 16, 2021, the response will include the town engineer's and planning board comments.

Tyler Gallman – 2235 Carpenter Road Pond Permit:

Additional documents were submitted for the proposed pond, to include an updated site plan and a letter from the applicant stating that the pond will be used for agricultural irrigation. The pond will also be used as a dry hydrant for fire protection in the area. Board members reviewed the additional information that was submitted by Erie County Soil and Water. **Mr. Mahoney made a motion to approve the pond permit at 2235 Carpenter Road, seconded by Mr. Romanowski. Motion approved unanimously.**

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

The next meeting is tentatively scheduled for April 7, 2021 at 7:00 pm.

Respectfully submitted,
Jen Crowe, Secretary
Town of Eden Planning Board