

## Town of Eden - Planning Board Minutes

September 1, 2021 7:00 pm

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- MEMBERS** William Mahoney, Chairman
- PRESENT** Andy Romanowski, Vice Chairman  
Brian Reed  
Bill Zittel
- EXCUSED:** Dave Brodzinski  
Joseph Eppolito  
Frank Meyer, DDS  
Bethany Fancher-Herbert
- OTHERS:** Town Council - Susan Wilhelm, Richard Ventry  
Code Enforcement Officer – Dave Rice  
Applicant – Doug & Mary O’Piela  
Contractor for O’Piela – Andy Desmond  
Residents – Joe & Kristen Pinker  
Resident - Shannon Stetzko

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 July 7, 2021 meeting. Seconded by Mr. Reed; Motion approved unanimously.**

### **Doug & Mary O’Piela of Hawk’s Landing Disc Golf Course – Pre-submission:**

Mr. O’Piela stated that business is growing and they are interested in expanding their frisbee golf course. They would like to build a second course at the back of the property and they are looking for guidance from the Planning Board. Mr. O’Piela shared a copy of the original site plan for the existing course that was approved in 2010. The current course is 18 holes on 10 acres, there are 30 acres left undeveloped. The expansion would include another 18-hole course with 36 baskets; 18 mini size and 18 regular size. Mr. Mahoney noted that the disc golf course is a use by right in Rural Residential and asked about the number of customers that play on average per day, as well as how long it takes to complete the course. Mr. O’Piela replied they have up to 100 people come through on a busy day and the course takes 2 – 2 ½ hours to complete. Most groups that come through are 4 people per team.

The O’Pielas do have a certificate of occupancy to operate the course from 2011. Recently, they learned that the baskets on the north side are less than 50’ from the property line. The original site plan specified a 50’ buffer at the property line. The O’Pielas have moved some of the baskets and added netting to the area in an attempt to prevent discs landing on the neighboring property. The O’Pielas are aware of the additional baskets that need to be relocated. They are working with the town of Eden code officer to ensure the property is in compliance with the site plan that was approved. Mrs. O’Piela noted they have been doing business for more than ten years without any problems until now. This is a growing sport and we work with multiple state and county parks. We are planning to develop the back part of the property as a long course.

Mr. Romanowski asked about the wetlands at the rear of the property. Mr. Desmond replied that they have been in contact with the DEC and the Army Corp of Engineers.

Mr. Mahoney read a portion of the Planning Board minutes from 2010. The original site plan in 2010 was approved for daytime play only; 8:00am until dusk. The O’Pielas were promoting some glow in the dark events with light up baskets using glow in the dark discs. They recently put these events on hold because of the problems with the neighboring property.

Mr. Pinker expressed his frustration with the neighboring properties operation and the cost of attorneys that he had to hire in order to force the O’Pielas to follow the rules as set by the Planning Board in 2010. The Pinkers and Ms. Stetzko have filed a number of complaints with the Town Code Enforcement Officer and Police Department. They have had multiple experiences with trespassing issues; people coming onto their property to retrieve discs, urinating on their property and profanity. In addition, the O’Pielas added restrooms and a clubhouse which were not included in the original site plan. Mr. Mahoney noted this is not a public hearing. This is a preliminary conversation about the next steps. A public hearing will take place if a site plan is submitted. Mr. Mahoney encouraged the neighbors to talk to each other, come to an agreement on what works best for everyone.

Mr. Mahoney explained next steps for the O’Pielas. A preliminary site plan and SEQR will need to be submitted. The site plan should include the 50’ buffer, parking, the clubhouse and the restrooms. This is a viable business, don’t ruin it. Add proper buffers and netting or screening where needed. Hire an engineer, follow the code and do it right.

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

The next meeting is tentatively scheduled for October 6, 2021 at 7:00 pm.

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