

## Town of Eden - Planning Board Minutes

June 1, 2022 7:00 pm

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**MEMBERS** Brian Reed

**PRESENT:** Joe Eppolito  
Marc Timblin  
Bill Zittel  
Frank Meyer, DDS  
Andrew Tarasek

**EXCUSED:** Dave Brodzinski  
Andy Romanowski  
William Mahoney, Chairman

**OTHERS:** Town Council – Rich Ventry  
Code Enforcement Officer – Dave Rice  
Alliance Homes – Bill Burke  
Hawks Landing – Douglas and Mary Opiela, Andy  
Neighbors of Hawks Landing – Kristen and Joe Pinker

**Mr. Reed called the meeting to order at 7:01pm. Mr. Reed announced that both alternate members will be acting at full capacity for tonight's meeting.**

**Mr. Zittel made a motion to approve the minutes from the May 4, 2022 meeting. Seconded by Mr. Eppolito; Motion approved unanimously.**

### **Alliance Home- Major Subdivision- 2744 Paxon Road:**

Mr. Burke asking for the Town to declare Lead Agency under SEQR and set a public hearing. At the next meeting seeking preliminary plat approval. Mr. Reed commented on issues with storm water flowing from this area into Oakland. Mr. Burke stated there will be no rear drainage. After the houses are built, the storm water should flow to the front ditches alleviating the water in the back. Mr. Reed asked Mr. Burke to make a comment about drainage in their plan. Mr. Eppolito asked about the status of the Wetlands. Mr. Burke stated they are still waiting on the Army Corp of Engineers, hoping the Wetlands will be declared non-jurisdictional.

Mr. Reed read the following resolution:

**WHEREAS**, the Eden Planning Board has received a Sketch Plat from ARR Holdings LLC / Alliance Homes (hereafter “developer”) for development of property at 2744 Paxon Road in the Town of Eden as a Major Subdivision (hereinafter “Project”), and

**WHEREAS**, the Town of Eden is in receipt of a completed preliminary plat from the developer, and

**WHEREAS**, based upon the preliminary review by CPL Team, it was determined that this project is an unlisted action under 6 NYCRR Part 617 (SEQR),

**NOW, THEREFORE, IT IS RESOLVED**, that the Eden Planning Board does hereby declare itself Lead Agency under SEQR.

**Mr. Zittel made a motion that the Eden Planning Board declares itself Lead Agency under SEQR. Seconded by Dr. Meyer; Motion approved unanimously.**

Mr. Reed, along with Mr. Rice stated that the Town will take the Rec fees instead of the green space.

**Mr. Eppolito made a motion to set the public hearing for the Alliance Home major subdivision on July 6, 2022 at 7pm. Seconded by Mr. Tarasek; Motion approved unanimously.**

**Hawk's Landing Frisbee Golf Course, Douglas and Mary Opiela – 9198 Sauer Road**

Mrs. Opiela stated Hawk's Landing Frisbee Golf Course would like to have a glow in the dark course. Mr. Opiela says he is getting the business up to code. There will be a four foot flood light that shines down on the targets, not the fairways. Mr. Reed asked if the players will be using flashlights. Mr. and Mrs. Opiela answered that black lights will be used to recharge the glow in the dark frisbee in seconds. Mr. Reed states the original site plan was for daytime frisbee golf only and they are back for night golf.

Mr. Opiela is working on issues with the property line, he got a survey and is moving the buffer line back from the property line. Mr. Rice discussed there was a stake showing the property line, it has since been resurveyed. Frisbees at basket 6, closest to the house, will go towards the center of the property instead of toward the neighbors. Mr. and Mrs. Opiela would like to build a privacy fence. Mr. Rice told the owners to put together a thorough plan including the current plan with the new plan and labels. Mrs. Opiela says the fence will alleviate some issues. Mr. Rice would like the Planning Board to see the big picture, a fair visual of the entire plan.

Mr. Pinker, a neighbor to the golf course, points out the owners have deviated from the original plan. According to him, they do not have a 50-foot buffer, the course is only approved for one course and they have two and people are walking on the property line during the game. Also, points out the golf course has a pro shop and bathrooms without permits. Mr. Pinker claims they are playing on the buffer line.

Mr. Rice stated that it is a use by right. Vinyl screening is being put up as a barrier. Mr. Reed states that corrections are being made. The Golf Course will bring in an updated site plan before night golf will be approved. The drawings need to be up to date including the bathrooms on them. **The Planning Board is asking for a proposed site plan with all details including the screening and location of holes.** Mr. Zittel would like to see the location of the holes. Mr. Eppolito wants the plans to show the circles around the baskets. Greenway is a common path of a golf ball, is there a legal definition? Planning board will ask Town Attorney for a definition of greenway pertaining to our code.

Mr. Eppolito points out the fence will be on the property line. Mr. Opiela points out there is twenty-five-foot net up to protect the neighbors. Mrs. Rice states there are some holes in the net. Mr. Opiela agrees that a fence needs to be put up. Mr. Reed repeats a new proposal needs to be presented with hole locations, T-Boxes, Pro shop and bathrooms. The Frisbee Golf Course should move on with the fence permit. Mr. Eppolito asked where the fence will be located. Mrs. Opiela says the fence will be on the North side. The board asked for the Fairway reference, fairway markers, to be indicated on the plan. Dr. Meyer asked what W is on the map. Mr. Rice states it is the wetlands.

Mr. Reed points out Town Code 225-30 will set the guide lines for the site plan. Mr. Pinker says the golf course advertises as two separate sites. Mr. Reed repeats that the golf course is a use by right. Mr. Reed asks if there are two courses. Mr. Rice states that different baskets are used within the property with the same T-Boxes and along the same fairway. The baskets are within the course. Mr. Reed states to combine the original plan and the new plan; along with labeling everything as stated earlier. Then the golf course can come back for approval of night golf. Mr. Zittel asked if it is the same perimeters for all the games. Mr. Rice agreed it is the same perimeters. Mr. Opiela asked if the bathrooms should be on the plan now that they are using ADA

porta potties. Mr. Rice reminded them that hand sanitizer must be available according to the health department. On the plan, future bathrooms can be included.

Mr. Reed reiterates to consider the buffers, talk with neighbors and document the proposals all labeled. Mr. Rice said they can move ahead with the fence.

**Mr. Zittel made a motion to adjourn the Planning Board meeting at 7:40pm. Seconded by Mr. Timblin; Motion approved unanimously.**

The next meeting is tentatively scheduled for July 6, 2022 at 7:00 pm.

Respectfully submitted,  
Marlene Grunder

DRAFT