

Town of Eden - Planning Board Minutes

December 7, 2022 7:00 pm

MEMBERS Bill Mahoney, Chairman

PRESENT: Marc Timblin

Joe Eppolito

Brian Reed

Andy Romanowski

EXCUSED: Dave Brodzinski

Andy Tarasek

Frank Meyer, DDS

Bill Zittel

OTHERS: Town Council - Susan Wilhelm & Rich Ventry

Code Enforcement Officer – Dave Rice

Eden Dairy Queen – Eric & Nikki Gawron

Convenience Store Proposal – Eric & Nikki Gawron

Mr. Mahoney called the meeting to order at 7:00pm and asked for comments on the November minutes.

Mr. Reed made a motion to approve the minutes from the November 2, 2022 meeting. Seconded by Mr. Eppolito; Motion approved unanimously.

Dairy Queen – Site Plan review at 8380 N. Main Street

Mr. and Mrs. Gawron, owners of Dairy Queen, informed the board of their updates to the site plan. The undersized parking space has been removed, the location for the planters have been added, the sign measurements have been added and the cut sheets with lighting details have been provided. Board members discussed the LED light strip around the perimeter of the building and agreed it should be considered accent lighting. Mr. Eppolito asked about sidewalks at the front of the building. Mr. Gawron noted that there are no sidewalks in front of Dairy Queen and the two neighboring businesses to the south. There is black top from the parking lot to the road. Mr. Timblin requested a correction be made to the note section on the site plan regarding the undersized parking space. The note should read, “the parking space has been removed”. Mr. Mahoney read the following resolution declaring lead agency:

WHEREAS, the Eden Planning Board has received a Site Plan from Gawron Group, Eden Dairy Queen, (hereafter “developer”) for alterations of the property at 8380 N. Main Street in the Town of Eden (hereinafter “project”), and

WHEREAS, based upon the review by CPL Team, it was determined that the proposed project be declared 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.

Board members completed parts 2 and 3 of the Short Environmental Assessment Form. They concluded with a determination of non-significance. Mr. Mahoney read the following resolution:

This project is an Unlisted Action under the SEQR process. As part of this process, The Planning Board carefully reviewed this project, comparing it to all the listed “Criteria” for determination of significance set forth in SEQR Regulations (6NYCRR 617.7). Based upon the foregoing, the Town of Eden Planning Board concludes that the proposed project will not adversely affect the natural resources of the State

and/or health, safety and welfare of the public and is consistent with social and economic considerations. The result of this review is that a Notice of Determination of Non-Significance (Negative Declaration) is hereby RESOLVED for the proposed Dairy Queen updates and alterations as follows:

WHEREAS, the Town of Eden Planning Board has reviewed the plans and information submitted by the applicant including a Short Environmental Assessment Form (EAF) – Part 1, 2 and 3 and found them to be in compliance with the applicable standards; and

WHEREAS, the Town of Eden Planning Board has found no item of significant impact to the Town of Eden and that the project is in accordance with all zoning and plans for the development of the Town; NOW, THEREFORE BE IT RESOLVED, that the Town of Eden Planning Board hereby issues a Negative Declaration of environmental impact for the development of this project.

Mr. Mahoney motioned to approve the resolutions, seconded by Mr. Romanowski. Motions approved unanimously.

Mr. Mahoney made a motion to approve the updated Dairy Queen site plan and renderings, seconded by Mr. Romanowski. Motion approved unanimously.

Convenience Store & Fuel Facility – Site Plan Review at 8396 N. Main Street

Mr. and Mrs. Gawron, owners of the property, were present to speak about their convenience store proposal. There will be many changes to the façade that includes removing the three service station bays, adding windows, relocating the entrance door, adding an exterior cooler with interior access, as well as repairs to the soffits and fascia. Mr. Reed referenced Mixed Use Code 225-12 and percentage of glass coverage for the façade. The positioning of the building results in two sides facing the street, so both will be considered the façade. Mr. Mahoney stated that the propane and air fill station should be relocated to the rear of the parking lot. Mr. Gawron added that the monopole sign will be removed and replaced with a ground sign. The proposed sign is 32 sq ft which is 2 ft larger than the maximum and he is hoping the board can make an exception for the new sign. Mr. Gawron also presented pictures of the gas pricing signage. The lighting at the gas pumps will remain the same and additional lighting will be added to the rear of the parking lot. The existing jersey barriers will be removed and replaced with a decorative fence. Mr. Gawron asked the board if there were any concerns with the Marathon logo or color scheme, there were no comments made at that time. Mr. Eppolito asked about the handicap parking space and questioned why it wasn't the closest spot to the entrance. Mr. Rice explained that it is not required by code.

Mr. Mahoney summarized the board's feedback:

- find a way to blend the exterior cooler with the existing building (blend colors and textures)
- the façade does include two sides of the building; reference MU Code 225-12
- submit renderings of both fronts including sign dimensions
- full sign submission including any future signage
- show elevations for all 4 sides of the building
- landscaping details including planters

Mr. Mahoney motioned to adjourn the Planning Board meeting at 7:50pm. Seconded by Mr. Reed; Motion approved unanimously.

The next meeting is tentatively scheduled for January 4, 2022 at 7:00 pm.

Respectfully submitted,

Jen Crowe, Secretary