

Town of Eden - Planning Board Minutes

April 5, 2023 7:00 pm

MEMBERS Brian Reed, Chairman

PRESENT: Joe Eppolito
Marc Timblin
Katrina Schmitt-Ruof
Frank Meyer, DDS
Bill Zittel
Andy Romanowski

EXCUSED: Andy Tarasek

OTHERS: Code Enforcement Officer – Dave Rice
Hawk’s Landing Frisbee Golf – Doug Opiela, Mary Opiela, Andy Desmond

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

Mr. Eppolito made a motion to approve the minutes from the March 1, 2023 meeting. Seconded by Mr. Zittel; Motion approved unanimously.

Hawk’s Landing Frisbee Golf Course, Site Plan Review for Course Expansion at 9198 Sauer Road

Mr. Reed read the following resolution declaring Lead Agency Status for Site Plan Review at 9198 Sauer Road:

WHEREAS, the Eden Planning Board has received a Site Plan from Doug Opiela, Tribal Flyers Frisbee Golf, for course expansion at 9198 Sauer Road in the Town of Eden, and

WHEREAS, based upon the review by the Planning Board, it was determined that the proposed project be declared an Unlisted Action under 6 NYCRR Part 617 (SEQR), with a coordinated review notifying involved agencies.

WHEREAS, no correspondence has been received from the Army Corps of Engineers.

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

Mr. Romanowski motioned to approve the resolution, seconded by Mr. Timblin. Motion approved unanimously.

Mr. Reed stated that the applicant has completed and submitted part 1 of the Full Environmental Assessment Form, **attached to these minutes**. Board members reviewed part 1 and completed part 2 of the Long EAF, **attached to these minutes**. Mr. Reed recapped the concerns noted at the public hearing. Mr. Reed noted that during the site plan review process, there has been a number of references to the 50’ buffer at the property line. Mr. Reed stated that this area is technically NOT a buffer, according to Town Code, it is a setback; the same

idea as a setback for constructing an accessory building. The property owner is still able to utilize this area of his property. Board members completed part 3 of the Long EAF, **discussion points attached to these minutes.** Mr. Reed 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 Frisbee Golf Course Expansion as follows:

WHEREAS, the Town of Eden Planning Board has reviewed the plans and information submitted by the applicant including a Long 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.

A motion was made by Mr. Eppolito to approve the resolution, seconded by Mr. Timblin. Motion approved unanimously.

The board continued to discuss the site plan and added the following conditions:

Screening-

- Add additional screening on the rear course to holes 2, 5, 6 and 10 at the areas that are at risk for discs to cross the property line.
- At hole #12 on the rear course, add additional screening or redirect the fairway further away from the property line.
- Add additional screening to the front course on the north and south property line to completely screen the entire playing area of holes 5 and 13.
- Screening must be 6’ tall and up during all play times
- Screening must be maintained and in good condition

Signage-

- “No trespassing” and “No Disc Retrieval” signs must be hung at all neighboring property lines. Each sign of the same message should be no more than 100’ apart.
- Signs must be maintained and kept in good order

Restrooms-

- A second restroom will be added to the eastern side of the new parking lot to accommodate players on the rear course

Disc Retrieval-

- Maintain message on the scorecard that informs players not to retrieve discs if they cross the property line

Hours of Operation-

- 8:00am – 10:00pm 7 days of the week. These hours follow the lighting code and the course is compliant with current setbacks.

Pets-

- Players cannot bring their pets to the property

Mr. Rice noted that all Town Codes and local laws must be followed. He added that commercial camping is not a permitted use and the golf course is required to comply with the Town Noise Ordinance. Any trespassing concerns should be addressed with the Police Chief. Mr. Reed added that concerns with outdoor burning should be addressed with the DEC.

Mr. Desmond asked about glow-in-the-dark golf on the front course. He added that Mr. Opiela has accommodated every request from the Planning Board. Board members discussed the request, including the option of a temporary “trial period” on the front course. Mr. Rice noted that this is not a Special Use Permit, so the board can only apply conditions, not restrictions. Board members further discussed and concluded with adding the condition of provide additional screening on the neighboring property lines to fully screen holes 5 and 13 on the front course for glow-in-the-dark golf.

Mr. Reed stated that Ms. Schmitt-Ruof, alternate member, will be voting tonight as Mr. Tarasek was unable to attend tonight’s meeting.

Mr. Timblin made a motion to approve the site plan for course expansion with conditions, and allow for glow-in-the-dark golf on both the existing course and the expanded course. Motion seconded by Mr. Eppolito.

Discussion as follows- Dr. Meyer stated there should be more restrictions in place. Ms. Schmitt-Ruof stated that glow-in-the-dark golf should only be permitted on the weekends.

Voting- Ayes: Mr. Reed, Mr. Romanowski, Mr. Zittel, Mr. Eppolito and Mr. Timblin; Opposed: Dr. Meyer, Ms. Schmitt-Ruof. Motion carried.

Mr. Reed informed Mr. Opiela that an updated site plan with the conditions met will need to be provided to the Town. Mr. Rice added that he will follow up with the applicant and provide Mr. Reed with the updated site plan as soon as he receives it.

Mr. Romanowski motioned to adjourn the Planning Board meeting, seconded by Dr. Meyer; Motion approved unanimously.

The next meeting is tentatively scheduled for May 3, 2023 at 7:00 pm.

Respectfully submitted,
Jen Crowe, Secretary