

## Town of Eden - Planning Board Minutes

June 7, 2023 7:00 pm

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### **MEMBERS PRESENT:**

Brian Reed  
Andy Romanowski  
Joe Eppolito  
Marc Timblin  
Andy Tarasek

### **EXCUSED:** Frank Meyer, DDS

Bill Zittel  
Katrina Schmitt-Ruof

### **OTHERS:** Code Enforcement Officer – Dave Rice

Applicant – Melissa Singer Dumars  
Architect – Erica Abbondanzieri  
Applicant – Jeff Walker  
Engineer – Jim Hannon

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

**Mr. Tarasek made a motion to approve the minutes from the May 3, 2023 meeting. Seconded by Mr. Eppolito; Motion approved unanimously.**

### **Pre-Submission for proposed Farm-to-Table Catered Dinners at 9411 Sandrock Road**

Melissa Singer Dumars introduced herself and her architect Erica Abbondanzieri to the board. Ms. Singer Dumars explained her passion for farming and educating people about where their food comes from. She is utilizing the no-till farm method in an effort to preserve and improve the condition of the soil on her property. She further explained her relationship with local caterers that she has used to prepare meals off-site using her homegrown produce. These caterers are licensed through New York State's Food and Drug Administration and The State Liquor Authority. Ms. Singer Dumars noted that she wishes to host approximately 10 events per season using various local caterers and wineries. These would be ticketed events where presale tickets would be sold in order to attend an event. Each event would have a different theme with a set menu using whatever produce is in season; there will be no ordering from a menu. The maximum number of people attending each event would be 40-50 (including catering staff). Ms. Singer Dumars was asked if there will be wine sold on site. She responded that she would only allow for what is permitted by law.

Mr. Reed explained that she would need to apply for a Special Use Permit and then follow the Site Plan Review process. The SUP will need to be renewed annually with the Town Board. A site plan will need to be created and submitted to the Planning Board along with a Site Plan Review application. Mr. Rice explained the fees for the Special Use Permit application and for the Site Plan Review application. Mr. Reed referenced the comment letter from the Town Engineer. The applicant should provide proof of compliance from the Department of Health and NYS Liquor Authority. Once proper permitting has been established, the applicant can focus on the site plan. At a minimum, the site plan should include parking, driveway location, lighting, hours of operation,

restrooms and number of guests. All comments from the Town Engineer should be addressed, a copy of the engineer's letter was provided for the applicant.

### **Site Plan Review for Miniature Golf Course at 8178 N. Main Street**

Mr. Walker introduced himself to the board along with his engineer Jim Hannon. Mr. Hannon explained that this presentation is a concept plan. Mr. Walker wishes to expand his business by adding a 9-hole miniature golf course to the southwest corner of the property. His goal is to add to the dinner and ice cream experience.

Mr. Reed reminded the board that Mr. Walker's son attended the March Planning Board meeting and the setbacks of the course were the main concern. The Zoning Code requires a 50' setback for all golf courses. Mr. Walker feels that a miniature golf course should not have the same setback requirements as a regular golf course, they are not comparable. Mr. Reed noted that this area is zoned Mixed Use which includes business and residential uses. Adding a mini golf course will increase the noise levels at the property line. Mr. Walker responded that he already has a playground near the property line and adding mini golf would be at the same noise level as the playground.

Mr. Walker was asked if he could relocate the course to any other area of the property. He explained that he cannot, the garbage dumpster is at the rear of the property and the parking lot is in the front. Mr. Walker was also asked about lighting. He stated that all lighting would be downward-lit and low wattage. The mini golf course would not operate past 10:00pm. Board members asked about landscaping and types and sizes of screening. Mr. Walker responded that there is none at this time. Mr. Reed suggested that he review Chapter 225-12 (B) of the Mixed-Use Code with his engineer. Mr. Walker added that he has a successful business and he wants to continue to build his business. Adding a gorgeous mini golf course will enhance the beauty of the property and the business. He questioned why he was able to build a \$125,000 pavilion 11' from the property line, but can't build a mini golf course within 50' of the property line.

Mr. Hannon asked the board about procedures for site plan approval and the next steps. Mr. Reed explained that the board will have to deny the site plan as presented due to inadequate setbacks. The applicant can then choose to apply for an area variance with the Zoning Board of Appeals. Mr. Reed added that all Town Engineer comments should be addressed, a copy of the engineer's letter was provided for the applicant.

Board members and Mr. Rice further discussed the occupancy load as well as restrooms and number of parking spaces. Occupancy load limits are based on the square footage of open space in addition to the amount of available seating. Occupancy load levels effect the number of restrooms and parking spaces needed. Mr. Walker explained that his goal is to get the existing customers to stay and play golf after eating dinner. He doesn't feel that he will be bringing in additional customers just to play golf. He further explained that he currently has 33 parking spaces plus on-street parking available. Mr. Reed stated that any future site plan submitted needs to include detailed landscaping/screening plans, hours of operation and parking accommodations. The drainage easement and existing swale should also be noted on the site plan. The final number of parking spaces needed is determined by the Planning Board.

**Mr. Reed made a motion to deny the site plan as presented due to inadequate setbacks. In addition, any future site plans must include screening, hours of operation and parking accommodations. All comments from the Town Engineer must be addressed. Seconded by Mr. Timblin; Motion approved unanimously.**

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

The next meeting is tentatively scheduled for July 11, 2023 at 7:00 pm.

Respectfully submitted,  
Jen Crowe, Secretary