

## Town of Eden - Planning Board Minutes

February 7, 2024 7:00 pm

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### MEMBERS PRESENT:

Brian Reed, Chairman  
Andy Romanowski  
Mark Timblin  
Katrina Schmitt-Ruof  
Joe Eppolito  
Dan Buchanan  
Frank Meyer, DDS

**EXCUSED:** Andy Tarasek

**OTHERS:** Code Enforcement Officer – Dave Rice  
Town Council – Susan Wilhelm, Vincent Vacco  
Applicant – JT Forness, Laing-Gro Fertilizer

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

**Dr. Meyer made a motion to approve the minutes from the October 4, 2023 meeting. Seconded by Mr. Romanowski; Motion approved unanimously.**

### **Pre-Submission for New Accessory Building for Storage at 8639 Depot Street**

TJ Forness, Operations Manager at Laing-Gro Fertilizer Inc., presented plans to the board:

Laing-Gro Fertilizer is looking to modernize and update to keep up with demand. As the company grows, larger tanks and more area are needed. This project will give us a newer, more modernized liquid holding area that is also safer. We will have a sump pump and drainage so anything that leaks or spills will go into the underground holding tank, allowing us to pump it out and recycle it. We do currently have this process in place, but it needs to be pumped every month and put into plastic storage containers. As our equipment gets bigger, we end up blocking the driveway which is also our thru-way for farmers who come for fertilizer – sometimes 30 to 40 farmers per day. It is also harder for bigger trucks to get into. It's not cost effective to rebuild and redo what is currently there as we need bigger tanks. This will also add additional storage. 98% of our chemicals need to be stored above 35 degrees. This puts us in a bit of a pinch at the end of the year because currently everything needs to be palletized and stored in the back warehouse. This will also allow for load out of our own machinery as well as flush and clean. There will be a 4' high concrete wall that would hold the amount of liquid if a tank were to have a spill/leak/damage. There will be a 7' fence on top of that.

Mr. Forness was asked the following questions by the board (*his answers are in italics*):

- **Will the fencing be chain link fence?** *Yes. This will add additional safety to our liquid storage area.*

- **Is the spill prevention control a modification or update?** *Update for 1,000 gallons or larger. There will also be drains and grates in our loading area. These can hold 8,500 gallons. Our spill prevention plan follows all DEC regulations. Materials are not hazardous or flammable.*
- **Is current spill prevention control external?** *Yes – the current spill control is set on a pad.*
- **Are you relocating the old ones?** *Yes – some of them - we currently have two 20,000-gallon tanks. As a precaution we will be replacing those and adding two additional, adding approximately 30,000 gallons of capacity.*
- **The sump drain goes to the underground tank? And will the new spill prevention go there as well?** *Yes – everything will go to the same tank. It's all fertilizer so it can be combined. We will actually be able to recycle it this way. When we do burn downs, we will take it and spread on the farmer's fields.*
- **Will tanks be craned in?** *Yes – we will have a company come in and set foundation with specs. They will be properly leveled.*
- **Will you be filling through the underground tanks?** *There will be a pumping station on the outside for rail cars coming up alongside the building and also a pump inside for tractor trailers that come in. It will be pretty much two way so we can load out from the inside of the covered area and fill our tanks from the same spot.*
- **What are tanks lined with?** *I wouldn't know that part. I know the grate part will be concrete and there will also be a wash pad that will wash into the tank. It's also going to be sloped to the center drain. The dyke outside will also be pitched toward the front corner.*
- **The existing buildings have steel vertical siding. Are you planning to do the same for the new building – same color etc.?** *Yes – same color. We will also be working with the Eden Community Foundation to put greenery on the corner to make that area more presentable. We just acquired that lot recently.*
- **Will the parking area be compacted gravel?** *Yes – we maintain that all year. We have draggers and keep it level. We are currently working on estimates for the Eden Community Foundation for trees and may put in a bench. We plan to leave that asphalt driveway as is and put up a split rail fence.*
- **How will this affect the truck traffic?** *The traffic flow will improve, allowing for larger loading capacity and it will permit entering and exiting on both Hemlock and Green Streets.*
- **Are you tapping into existing water on site and will there be backflow protection?** *Mr. Forness was unsure. Dave Rice advised that, in discussing with Jim Hannon (Engineer), he was made aware that they will utilize the existing sewer and water taps and will put in back flow protection.*
- **Will there be lighting?** *Yes – there will be security lighting and cameras on the building.*
- **Will the vinyl inserts on the fencing match existing color scheme?** *I am not sure.*
- **Will underground tank have capacity to hold all possible leakage/spillage?** *Tank will hold just over two times the volume of the biggest storage tank.*

Mr. Rice advised the list of needed area variances:

<b>Code</b>	<b>Required</b>	<b>Proposed</b>
Front Yard Setback (Depot Street)	0' to 20'	25'
Second Front Yard (Hemlock Road)	0' to 20'	South Side 276' +/-
Building Stories	Minimum 2 stories	The enclosed is 1 story The west side are tanks w/ spill containment
Building Transparency	40% transparent between 3' and 10' above grade	0% due to tanks and spill containment
Building Exteriors	No vertical metal siding	Vertical metal siding like other buildings on site

After listening to Mr. Forness' description of the Laing-Gro plans and reviewing potential variances needed to meet MU district code outlined by Dave Rice, the Planning Board has no objections to the five items listed on the Zoning Board of Appeals docket for 2/15/24. This area was previously zoned Light Industrial, and the Planning Board supports this project and feels that it matches the concept and the look of all other buildings on the property and surrounding properties.

Pending the final ruling of the Zoning Board of Appeals, Laing-Gro Fertilizer Inc. may return to the March Planning Board meeting with the following:

- Site Plan Review application along with \$5,000 escrow
- Final Full Site Plans to include:
  - Lighting Plan / Cut sheets for lighting / Photometrics
  - Type of vinyl inserts on fencing
  - Shrubbery/greenery plan

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

The next meeting is tentatively scheduled for March 6, 2024 at 7:00 pm.

Respectfully submitted,  
Shelly Griebel, Secretary