

Town of Eden - Planning Board Minutes

March 6, 2024 7:00 pm

MEMBERS PRESENT:

Brian Reed, Chairman
Andy Romanowski
Marc Timblin
Katrina Schmitt-Ruof
Joe Eppolito
Dan Buchanan
Frank Meyer, DDS
Andy Tarasek
Jennifer Crowe

OTHERS: Code Enforcement Officer – Dave Rice
Town Council – Susan Wilhelm
Applicant – Tom Schreiner, Laing-Gro Fertilizer Inc.
Jim Hannon, Hannon Engineering PC

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

Mr. Eppolito made a motion to approve the minutes from the February 7, 2024 meeting. Seconded by Mr. Romanowski; Motion approved unanimously.

Mr. Reed welcomed new alternate board member Jennifer Crowe.

Laing-Gro Fertilizer Inc., Site Plan Review for New Accessory Building at 8639 Depot Street

Mr. Reed read the following resolution declaring Lead Agency Status for Site Plan Review at 8639 Depot Street:

WHEREAS, the Eden Planning Board has received a Site Plan from Laing-Gro Fertilizer Inc., for a new accessory building at 8639 Depot Street 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 Dr. Meyer; Motion approved unanimously.

Mr. Reed noted that the applicant has completed and submitted part 1 of the Short Environmental Assessment Form, **attached to these minutes**. Board members completed parts 2 and 3 of the Short Environmental Assessment Form, **attached to these minutes**. They concluded with a determination of non-significance. Mr. Reed read the following resolution:

This project is an Unlisted Action under the SEQR process. As part of this process, the Planning Board reviewed this project 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 accessory structure for Laing-Gro Fertilizer Inc as follows:

WHEREAS, the Town of Eden Planning Board has reviewed the plan and information submitted by the applicant including a Short Environmental Assessment Form (EAF) – Part 1 and subsequent review of Parts 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; approved zoning variances 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. Tarasek; Motion approved unanimously.

Mr. Reed asked representatives for Laing-Gro for any updates to the site plan. Mr. Hannon noted the following updates:

- Laing-Gro Fertilizer attended the Zoning Board of Appeals hearing on February 15, 2024, receiving approval for (5) area variances related to the MU1 zoning district.
- The Board has been provided with an Engineering Report and updated site plan that include:
 - A lighting site plan with cut sheets and photometrics.
 - Updates to landscaping plan to include (3) Red Maple trees at the corner of Green and Depot Streets as well as Juniper evergreen shrubs where the fence is not continuous.
 - Straightening of the containment dike to run parallel with the center line of Depot Street, changing the geometry by a small margin.
 - The vinyl slats in the fence will also match building as much as possible.

The board continued to discuss the site plan. Mr. Eppolito noted that the area behind the building is only 10' away from the nearest property owner. Mr. Rice stated that Code requires only 5'.

Mr. Eppolito expressed concern about tractor trailers being able to make the turn through the loading zone. Mr. Schreiner noted that tractor trailers are able to do it now with current fencing. He does not anticipate any issues in the future.

Mr. Reed read the decision of the Zoning Board of Appeals from February 15, 2024 into the record:

The Board discussed the considerations it must review for variances and noted: (1) the flexibility suggested in the MU Code for application of the design standards in the evolving development of Eden's valued historic forms; (2) the non-substantial nature of most of the requested variances, and their lack of impact on the character of the neighborhood, and the lack of alternative space solutions at the property; and (3) the property's historic contributions supporting Eden agriculture beginning in 1882.

Based on these factors, Mr. Neureuter made a motion to approve the variance requests at 8639 Depot Street, seconded by Ms. Kent. Motion approved unanimously.

Ms. Schmitt-Ruof made a motion to approve the site plan for the new accessory building at 8639 Depot Street. Motion seconded by Mr. Romanowski; Motion approved unanimously. Site plan is approved.

The next meeting is tentatively scheduled for April 3, 2024 at 7:00 pm.

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

Respectfully submitted,
Shelly Griebel, Secretary