

MINUTES
Eden Planning Board
April 29, 2014

MEMBERS PRESENT:

Mark Agle
Frank Meyer
Anthony Weiss
Kevin O' Gorman
William Mahoney

MEMBERS ABSENT:

David Johnson
Juanita Majewski
Andrew Romanowski

GUESTS:

Scott Henry (Eden Code Enforcement Officer)
Greg Keyser (Engineer – CRA)
Pat & Yvette O'Brien (classic car sales)
Philip Muck
Glenn Christner (American Legion, design professional)
Ed Krycia, Jr. (Town Council)

Chairman Mark Agle called the April 29, 2014 Planning Board meeting to order at 7:02 p.m. Alternate, Frank Meyer will be a full member tonight due to the absence of three members. Mark asked for a motion to approve the February 2014 minutes as printed and distributed. Anthony Weiss made a motion, Frank Meyer seconded, hearing no further comments or corrections – Vote: all “Ayes” motion carried.

NEW & UNFINISHED BUSINESS:

1: Pre-Submission
Yvette O'Brien used car sales

The O'Brien's are in front of this board tonight for a pre-submission about selling used cars on their property at 8551 North Main Street. Mrs. O'Brien explained to the board that she would like to sell used antique cars. According to the regulations from New York State, all she is required to have is a desk, sign and a license. She stated that Mr. O'Brien already has an office at this location and that she would have her desk in that office and the posts are already on the property

for a sign. They would like to have between 4-6 vehicles for sale at any one time. The Eden Ale House will be opening soon and they do have segregated parking. Also, on this property are the Car Wash, Warehouse and Apartments. Mark Agle explained that this is in the General Business Zone and is a permitted use with in this zone. The requirement for frontage is 150'; the O'Brien has presented the board with a rough draft of a site plan so they could explain their intentions. Mark Agle asked that if they are going to pursue the project that all the parking for all uses be clearly allocated on the Site Plan. Mrs. O'Brien also told the board that she would like to keep this business low volume, by appointment only. She has chosen certain criteria when applying for her license. They have different levels of sales for the year and Mrs. O'Brien has applied for no more that 200 car sales a year. Mr. O'Brien said, "This is a project that he and his son have been doing for quite some time now". They are restoring a couple of vehicles in their warehouse. The O'Brien's were asked if they were going to do any service or repair work and they replied no just intended for car sales.

Scott Henry commented, "This is a change in use and will require a Site Plan". The board agrees that they need to show the display area, customer parking, office parking, location of office, and parameters of Alehouse lot portion, signage per ordinances, the number of vehicles and the access for the car wash. Diane presented the O'Brien's with the Town's Site Plan Checklist and the Short Environmental Assessment form. The deadline for our May meeting is May 13, 2014 and the forms and your site plan need to be do the Town Hall by this date, in order to be on May's agenda for the meeting.

2. Pre-Submission American Legion Alterations Project

Mr. Glenn Christner is in front of the board tonight to discuss the project at the American Legion. The Legion has proposed updating the entrance and moving it towards the back of the building plus some renovations. This project will only require a permit from the Code Enforcement Officer but Mr. Christner would like to get feedback from this board because this is in the Hamlet Overlay district. On the plans, there is a drop off zone that the Legion would like "No Parking" signs placed. Being that this is a public road; the Legion will need to speak with Mr. Ron Maggs, Superintendent of Highways about placing the signs. The Legion will need to confirm the extent of Legion Drive designated for no parking. We will give Mr. Maggs a copy of these plans to review and to give his comments to Mr. Christner. Mr. Christner went on to explain the esthetics that they will be using on the building. He did take all comments from the board into consideration before this is all presented to the Code Enforcement Officer for permit for application.

REPORT: This board sent a memo to the Town Board about having a 6-month moratorium being placed on LED signage in our town. This moratorium

was approved at the most recent Town Board meeting and a Code Review Committee was formed. Bill Mahoney has been asked to participate on this board as a spokesperson for the Planning Board. Bill asked the board for their input to a few questions he had concerning the LED signage regulations the Town currently has. Ed Krycia did agree that the Town's code for LED signage is dated and needs to be addressed. Phil Muck, a member of the Zoning Board said that if the Town is going to revise the code: do it and do it right! All members agreed that there needs to be a text for the meaning of many terms. For example; constant, flashing, artificial light, brightness, colors, acceptable frequency, scrolling etc.... Bill Mahoney will pass the boards concerns and comments to the Code Review Committee meeting.

Mr. Scott Henry approached the board about a letter he received from the Town Board about revised hours. Beginning in February 2014, he had set hours but before Easter, he received another letter informing him of new hours. The Town board included a section pertaining to Mr. Henry not attending Planning or Zoning board meetings anymore. Mr. Henry told the Planning Board that he has been attending these meetings for twenty years now. Mark Agle and the board members favored Mr. Henry attending the Planning Board meetings. This board relies on Mr. Henry's knowledge and expertise on the Towns Code regulations. Mr. Henry has always been a valuable asset at our meetings. A memo will be sent to the Town Board in favor of Mr. Henry attending Planning Board meetings.

Kevin O’Gorman made a motion to recommend the Building Inspector to be present at our meetings we believe this is an important part of the job, Seconded by Tony Weiss: motioned carried, all “ayes”

Kevin O’Gorman said that he has been mulling over sending a letter to the Town Board concerning the Chairman be compensated for his time. He felt it was pertinent that with the education requirements and submittal reviews there are costs now inquired with volunteering. Phil Muck told the board that the Chairman of the Zoning board of appeals does receive a stipend but the reasoning is that Lucille Kaminski, Chairman of the board, has legal requirements she deals with things that cannot be overturned with the courts. Ed Krycia, Town Board member said for Kevin to write a letter to the Town Board and it will be considered at budget time.

Frank Meyer made the motion to adjourn the meeting at 8:20p.m. Seconded by Tony Weiss. All “Ayes” motion carried.

The next meeting is tentatively scheduled for May 27, 2014 at 7:00 p.m.

Respectfully submitted,

Diane Herzog