

**TOWN OF EDEN
PLANNING BOARD MINUTES
OCTOBER 29TH, 2013**

MEMBERS PRESENT:

**MARK AGLE – CHAIRMAN
ANDREW ROMANOWSKI
FRANK MEYER, D.D.S.
JUANITA MAJEWSKI
BILL ZITTEL
TONY WEISS
DAVE JOHNSON
KEVIN O’GORMAN M.D.**

MEMBERS NOT-PRESENT:

BILL MAHONEY

GUESTS:

**MARK CAVACOLI – CRA INFRASTRUCTURE & ENGINEERING
MEAGAN COGGINS – CAMP WHISKERS
CARLIN CAMPBELL – MERIDIA COMMUNITY CREDIT UNION
SCOTT HENRY – EDEN BUILDING INSPECTOR
MICHAEL HOFFMAN – MERIDIA COMMUNITY CREDIT UNION
JOSEPH BULLISTER - MERIDIA COMMUNITY CREDIT UNION
GREGORY KEYSER – CRA INFRASTRUCTURE & ENGINEERING
EDWARD KRYCIA – EDEN TOWN COUNCILMEMBER**

Chairman Agle called the October 29th, 2013 meeting to order at 7:04pm and asked the board if there were any changes to the September 24, 2013 minutes as printed. Bill Zittel made a motion to approve the minutes seconded by Juanita Majewski all “ayes” motion approved.

NEW AND UNFINISHED BUSINESS:

1. CAMP WHISKERS

Mark Agle went over all the steps that Camp Whiskers has had to follow since applying for an animal kennel permit. First off, a Special Use Permit (SUP) is needed from the Town Board, an area variance is needed from the Zoning Board, and a Final Site Plan Approval is

needed from the Planning Board. This board has reviewed the site plan and made a recommendation to the Town Board for their review when considering the SUP. The Public Hearing was held on October 22, 2013 by the Town Board and comments were heard from residents. There was no action taken by the Town Board at that time because requisite 30-day SEQRA review period had not yet run its course (expires October 26th) and thus the Town Board could not make a declaration under SEQRA. A public Hearing was held at the October 24th Zoning Board meeting and the necessary area variance was granted. The Town Board will have the SUP for Camp Whiskers on their meeting agenda for November 13, 2013 as the SEQRA review period will have expired by that time. Assuming things go as planned; the Town Board may make a Negative Declaration and act on the SUP. The Planning Board will then be able to give Final Site Plan Approval at our next meeting to be scheduled for November 19, 2013 (see schedule change below).

2. MERIDIA COMMUNITY CREDIT UNION

Mark explained that the 30-day SEQRA review period has run its course and expired with no adverse agency comments being received. Carlin Campbell then presented the Board members a set of plans with certain pages numbers circled in red pen indicating some proposed minor revisions. Carlin explained that, in an effort to trim some project costs, there were three proposed changes to the plans: 1. All curbing originally depicted as concrete shall now be asphalt, except in the area of the adjoining sidewalk; 2. all but two of the originally planned light standards around the perimeter of the parking area will be replaced with directional heads mounted on the four sides of the building to illuminate the driving surface thus eliminating much of the underground wiring and several of the standards themselves, and; 3. the landscape configuration will be kept the same as originally planned but the revisions show the species substitutions proposed for some of the plantings. Mark Agle asked the Board members if anyone considered any of these depicted revisions as being material in nature form what was originally reviewed and no one had any objections to the proposed revisions. Mark Cavacoli (Town of Eden Engineer) said that they were very satisfied with the revisions as presented. The town engineer felt very comfortable having the Planning Board making a Negative Declaration under SEQRA.

Negative Declaration – was read by Mark Agle (see attached)

[There was an amendment to the document read: correcting the address to 8252 N. Main Street]

SEQRA Determination of Significance
Resolution Declaring a Negative Declaration

Name of Action: Meridia Community Credit Union

WHEREAS, the Town of Eden Planning Board is in receipt of a Site Plan application submitted by PW Campbell Contracting Co. for property located at 8252 North Main Street in the Town of Eden; and

WHEREAS, the action involves a minor 1-lot subdivision and the construction of a 1,506 square foot bank with 14 parking spaces on a 0.82 acre parcel; and

WHEREAS, the project is defined as an unlisted action; and

WHEREAS, the Planning Board (the "Board") has declared lead agency status with respect to the Project; and

WHEREAS, the Project was duly referred to the Erie County Department of Planning pursuant to General Municipal Law § 239-m, and no response was received on such planning referral; and

WHEREAS, the Board has reviewed the Project including the Environmental Assessment Form, the various engineering reports and all other materials submitted in connection with this proposed action; and

WHEREAS, the Board has taken a "hard look" at all potentially adverse environmental impacts pursuant to SEQRA;

NOW, THEREFORE, be it resolved by the Board that

Based upon the Board's thorough and careful review of the Project and Project application materials, including the Environmental Assessment Form and all other materials submitted in connection therewith, the Board hereby determines that the Project will not result in any significant environmental impacts and hereby issues a negative declaration for the Project pursuant to SEQRA.

REASONS SUPPORTING THE NEGATIVE DECLARATION:

1. Air, Water, Noise, Waste, Erosion, Drainage, Site Disturbance Effects: The Project will not create any adverse change in the existing air quality, water quality or noise levels, nor in solid waste production, nor potential for erosion, nor promote flooding or drainage problems. The Project will produce a minimal disturbance of soil and vegetation during construction, with minimal storm run-off.
2. Aesthetics, Agriculture, Archeology, History, Natural or Cultural Resource, Community or Neighborhood Character: The Project will not adversely affect agricultural, archeological, historical, natural, or cultural resources.

3. Vegetation, Fish, Wildlife, Significant Habitats, Threatened or Endangered Species. No plant or animal life will be adversely permanently affected by the Project.
4. Community Plans, Use of Land or Natural Resources. The Project is in keeping with official community plans and goals and will have no adverse effects on land-use or the use of natural resources by or in the community.
5. Growth, Subsequent Development, etc. The Project is not expected to induce any significant or adverse growth or subsequent development.
6. Long Term, Short Term, Cumulative, or Other Effects. The Project will not have any significant adverse long term, short term, cumulative, or other environmental effects.
7. Critical Environmental Area. The Project will not have an impact on any Critical Environmental Area as designated in 6 NYCRR, subdivision 617.14(g).
8. Public Health and Safety. The Board finds no adverse impacts on the public health.

Minor Subdivision (approval) the subject lot has been reconfigured to include all of the proposed site work and it meets all of the bulk requirements of the zone, so we need to take action on the Minor Subdivision and the Site Plan approval. Kevin O’Gorman asked what happens to the land behind the Credit Union (parent lot). Where is the access? Mark Agle replied that there is still frontage on the other side of the Post Office. Kevin asked if that is enough to build. Mark replied that in this zone it is 100’ minimum frontage to build. Scott replied that if adequate frontage does not exist, or can’t be assembled, the land could not be developed any further. Kevin O’Gorman said that before they box themselves in a corner, is all the land in back is undevelopable unless they can come up with the required frontage, for example, consolidate with the Eden Collision shop or the house to the south to make up enough frontage? Kevin just wanted the Board to be aware that down the road if someone comes in, wants to develop the land in the back, and needs a variance, this Board does recognize that as of now there may not be enough frontage left for legal development of that land without a change in the Code, a variance, or acquiring additional land to meet the frontage minimums.

Minor Sub-division – Motion to approve minor subdivision based upon the surveys submitted was made by Juanita Majewski, seconded by Bill Zittel. Vote: all “ayes”.

Final Site Plan Approval – Motion to approve the Site Plan for Meridia Community Credit Union based upon the submitted and revised plans (per the foregoing discussion) was made by Bill Zittel, seconded by Kevin O’Gorman. Vote: all “ayes”.

REPORTS:

Scott Henry asked the board about LED Signs regulations and wanted the board to research this. We do not have anything in our code about brightness, colors or how many times you can change it before it is not a stationary sign anymore. Maybe we should start thinking about looking at LED type signs if something comes up with a site plan. Mark Agle said that we should get some sample ordinances from other towns that have faced this issue already. Mark Cavacoli also commented that even if the board made any recommendations a couple of years ago, technology is changing so fast that they may already be out dated. Ed Krycia said he would take that as a

recommendation back to the Town Board to revisit LED sign regulations and ordinances.

ANNOUNCEMENTS:

November's meeting will be held on November 19th due to the holiday and this Board will also be hosting a required training seminar for the Planning and Zoning Boards presented by Greg Keyser of CRA that evening immediately following the Planning Board business. There is an Agricultural Training November 7 if anyone needs hours. Juanita Majewski brought up the subject of chapter tests that was given to the board members months ago and Mark Agle said that he has the power to approve any training that he feels that there is documentation. December's 17th meeting will be held one week ahead of our normal scheduled evening due to Christmas Eve and New Year's Eve.

Bill Zittel made a motion to amend the dates of the November and December Planning Board Meetings due to schedule conflicts with the holidays to November 19 and December 17 respectively, seconded by Juanita Majewski, all "ayes".

Greg Keyser gave a brief overview of what he will be presenting to the board the evening of our training class.

ADJOURNMENT:

Bill Zittel made the motion to adjourn the Planning Board Meeting at 7:55pm, seconded by Dr. Frank Meyer, all "ayes".

Next Planning board meeting is scheduled for November 19, 2013 @ 7:00pm.

Respectfully submitted,

Diane Herzog, Secretary Eden Planning Board