

February 14, 2024  
Town of Erin Board Meeting

Councilmember Shutts called the regular meeting of the Erin Town Board to order on this date at 6:31 PM.

He then asked the Clerk to call the roll.

MEMBERS PRESENT: William VanRiper, Jr., Alan Hughson, Michael Shutts.

MEMBERS EXCUSED: Randy Evans, Dawn Schmidt.

PUBLIC PRESENT: Lucy Mastrontonia-Haar, Jeff Welsh, Charlene Bell, Gary Ratchford, Pat Lindblad, Harold Spencer.

PUBLIC PRESENT ON ZOOM: Paul Saunders, Halie Saunders, Barbara Martin.

Councilmember Shutts welcomed everyone and the Pledge of Allegiance was recited.

A motion was made by M. Shutts and seconded by W. VanRiper, Jr. to pay the audited bills as they appear on the General Fund Abstract 2, #15-29 totaling \$6,642.15; and the Street Lighting Fund Abstract 2, #24, totaling \$381.40; and the Highway Find Abstract 2, #11-28 totaling \$33,819.30.

Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts. Nays: None.

A motion was made by A. Hughson and seconded by W. VanRiper, Jr. to dispense with the reading of the minutes from the regular Board Meeting on December 13, 2023, Public Hearing for Local Law No. 1 of 2024 on January 10, 2024, Year End, Organizational and regular Board meeting on January 18, 2024 and approve the minutes.

Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts. Nays: None.

COMMUNICATIONS

- Chemung County's Spring Household Hazardous Waste Collection event will be Saturday, May 18, 2024 for Chemung County residents only (no businesses). Pre-registration is required by calling Cornell Cooperative Extension at 607-734-4453, Wednesday, April 24<sup>th</sup> – Wednesday, May 15<sup>th</sup> from 9:00 am to noon and 1:00-4:00 pm. No electronics will be accepted.

AGENDA FOR THE TOWN OF ERIN BOARD MEETING FEBRUARY 14, 2024;

1. RESOLUTION 20-2024 LEAD AGENCY DESIGNATION & NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE DECLARATION FOR CHARLENE BELL
2. RESOLUTION 21-2024 SPECIAL PERMIT CHARLENE BELL
3. RESOLUTION 22-2024 NOTING 2023 JUSTICE RECORDS HAVE BEEN DULY EXAMINED

RESOLUTION 20-2024

Lead Agency Designation and Negative Declaration of Environmental Significance Declaration

Resolution By: W. VanRiper, Jr.

Seconded By: A. Hughson

Whereas; The proposed action involves a special permit request from Charlene Bell, to place

a wholesale plant nursery on property located 127 Fairview Road tax map parcel no 52.00-24.and

Whereas; A Short Environmental Assessment Form, Part 1 was submitted by Charlene Bell, the applicant, along with application materials, and

Whereas; in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law. and

Whereas; The Erin Town Board has reviewed the Short Environmental Assessment Form (SEAF) for the action dated as submitted by The Town of Erin Planning Board. And  
Whereas; The Erin Town Board as Lead Agency, has determined that the proposed action described will not have a significant effect on the environment and is a Type 2 action.

Now Therefore Be It Resolved, that the Erin Town Board adopts the findings and conclusions relating to probable environmental effects contained within the attached SEAF and Negative Declaration and authorizes the Responsible Officer of the Town Board of the Town of Erin is hereby authorized and directed to take such further steps as might be necessary to discharge the Lead Agency's responsibilities on this action. 617.7 State Environmental Quality Review (SEQR) Negative Declaration Notice of Determination of Nonsignificance  
Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts. Nays: None.

#### RESOLUTION 21-2024

Special Permit Charlene Bell

Resolution By: A. Hughson

Seconded By: W. VanRiper, Jr.

Whereas; Charlene Bell has requested a special permit for a wholesale plant nursery on property she owns located at 127 Fairview Road tax map parcel no 52.00-24, as an accessory use of said property. And

Whereas; The Town of Erin Planning Board has reviewed said permit and finds that it is an appropriate use of said property and it will not change the character of the neighborhood recommends The Erin Town Board approves the special permit; and Be it

Whereas; Said permit was reviewed by the Chemung County Planning board and found that the project has no county wide impact and was left for local determination; be it resolved that; a special permit shall be granted/denied for a wholesale plant nursery located at 127 Fairview Road tax map parcel no 52.00-24.

Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts. Nays: None.

#### RESOLUTION 22-2024

RESOLUTION NOTING 2023 JUSTICE RECORDS HAVE BEEN DULY EXAMINED

Resolution By: A. Hughson

Seconded By: W. VanRiper, Jr.

BE IT RESOLVED that the 2023 Justice records have been duly examined and fines collected and turned over to proper Town officials.

Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts. Nays: None.

## COMMITTEE REPORTS

Town Attorney- Sent a draft copy of the solar law for review.

Planning Board-Deda Cedar- Jack Cook from Southern Tier Planning has submitted the Comprehensive Plan to the County and will be on the February 22<sup>nd</sup> agenda along with the Low's special permit for the campground on Greenbush Road. The Comprehensive Plan will need an SEQR and a letter needs to go out to all neighboring towns. Deda drafted a letter for the Town Clerk to send out from the Town Board. She will email it to the Clerk. They have 30 days to respond if they want to be lead agency. The laws and the Comp Plan will not all be turned in together due to the amount of work still needed to be done on Local Law No. 10 of 1992.

Parks, Recreation and Senior Committee-Deda Cedar- The Easter egg hunt is March 23<sup>rd</sup> at 1:00 pm at the Fire Station. Looking for someone to be the Easter Bunny. They have the outfit. The next Park and Recreation Meeting will be March 5<sup>th</sup> at 6:30 pm. It is open to the public. The next senior luncheon is March 6<sup>th</sup> at noon. The senior group is a program sponsored by the Town. Bylaws were put in place at the last meeting. A copy of the bylaws was handed out to the Board members. The only issue some people had was, in the bylaws, it states that main officers need to be Town of Erin residents. Working on a trip July 20<sup>th</sup> to see the Seneca Indians Powwow at the casino. They have a bus reserved, not sure of the cost. The bus needs to be  $\frac{3}{4}$  full in order to go. There is a process on how to get on the trip. There are new officers for the senior group. Gary Ratchford and Kathy Broom are co-chairs for President, Pat Lindblad is the Secretary and Roger Smith is the Treasurer. The senior dance had about 30 people and they would like to do something similar again. It brought in \$87.00 in donations. There is about \$600.00 in their checking account. The Office of the Aging will be at the next senior meeting to discuss online scams. There will be an emergency preparedness class at the fire station on March 28<sup>th</sup> at 6:00 pm. It is put on by the National Guard. It is open to the first 50 people that sign up online. More information will be posted as it is received.

Code Enforcement-John McCracken- He has been reviewing plans on a couple new houses that will be started in the spring. He received a package on the proposed gravel pit. He spoke with DEC and nothing has been issued at this point. Also reached out to the engineers, they were in town yesterday, but could not stay for the meeting tonight. Spoke briefly with the town attorney and she said there isn't much the town can do because there are no regulations and no special permit is required. According to the paperwork he received, he believes that every resident will have a noise receptor identification on their property that will be monitored, but he will reach out to DEC to get clarification. He was told that the planned schedule of operation was Monday-Friday 7:00 am to 5:00 pm and Saturday 7:00 am to noon. A resident said that the Saturday hours were taken off the table. The operator wants to work with the neighbors. Talked about acreage and the different phases. He will continue to ask questions and get answers regarding the gravel pit.

Highway Superintendent-Steve Tyler- They have been plowing and cindering roads, repairing equipment, and cutting trees as needed. They have also been hauling anit-skid and item 4 gravel for road work in the spring. Truck #4 is back from the repair shop. The truck didn't make the noise so they could not see where it was coming from to know what to repair. They checked over what they could and they have been using it since it has been back and it hasn't made the noise again.

Buildings & Grounds- Councilmember VanRiper, Jr. – The project is not quite done. Waiting on a couple diffusers that needed to be ordered. The insulation has been done. Also waiting on a quote for new flooring and elevations regarding the front entryway of the Town Hall.

County Representatives-Mark Margeson- Was not at meeting.

Supervisor -Dawn Schmidt- No report.

## HEARING OF THE PUBLIC

Lucy Mastrontonia Haar- 1116 Jackson Creek Rd.-Concerned the noises from the gravel pit will affect her miniature donkey. Also asked if there will be anyone monitoring the air quality before and after the project is started. She was told DEC will be responsible for that.

Deda Cedar- Thanked the Highway Department for helping out an elderly resident.

Jeff Welsh-1131 Jackson Creek Rd.-Asked if special permits would be required in the future for gravel pits.

A discussion was had on updating Local Law No. 10 of 1992 where the special use permit for mines is covered, the length of time Local Laws take to write/pass, what options may be available, what is governed by DEC.

With no further comments from the public Councilmember Shutts closed this portion of the meeting.

A motion was made by W. VanRiper, Jr. and seconded by A. Hughson to adjourn the meeting at 7:16 PM. Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts. Nays: None.