

Town of Eaton
Planning Board Meeting
Tuesday, July 28, 2025, 7:00 PM
Town of Eaton Court Room
Cedar Street,

Present: Paul Rhyde, Denise Lodor-Morris, Aaron DeLand, Mike Johnston

Absent: James Crowell, Clerk Robertson was late by 15 minutes

Others Present: The audience count was recorded as 14 audience members in attendance

7:15 PM Chairperson Paul Rhyde calls the meeting to order.
The Board and audience recite the Pledge of Allegiance.

Edwin Abbott, Special Use Permit, 2831 Roberts Road, Tax Map # 134-1-10.32

The Abbotts wish to place a doublewide manufactured home on their property. According to Town of Eaton Zoning Law Article 4 Section 120-10C2 they need to acquire a Special Use Permit to do so. The applicant has not provided a site plan for the Board to see the placement of the house in relation to the property and the wetland. The Chairman opened the public hearing. There is no plot plan in the file. The applicant has brought survey maps.

Motion to open the public hearing on the Abbotts application

Motion: Aaron DeLand

Second: Denise Lodor-Morris

Vote: Aye- 4 Nay - 0

Adopted: YES

The county review mentions that there was not a site plan included. The clerk will meet and work with the applicant to get a site plan in by next meeting. This application will be first on the August agenda. There is discussion of the setbacks, and other dimensions. There is no well or septic on the property. There is already a pole barn on the property; the codes officer said that it does not need a variance due to the age of the pole barn. There was no correspondence received about this project. There is no one else here to speak about this application.

Motion to Table the Abbotts application until a site plan can be obtained.

Motion: Aaron DeLand

Second: Denise Lodor-Morris

Vote: Aye- 4 Nay - 0

Adopted: YES

**Tim Yousey, Special Use Permit and Minor Subdivision, Public Hearing, 4739
Route 20, Tax Map # 110-1-6.211**

The applicant wishes to make a line change on his property as well as build a garage and lean-to. He requires a special Use Permit to do so. The applicant has brought in a site plan for the board to review. It shows all of the setbacks. If this building is approved he would like to add the other lots into this property. The measurements are as follows taking .52 acres. He is hoping to increase the lot size of lot #1; that would make lot 2 a non-conforming lot; he would need a variance. The Board explains what the ZBA does. He does have 90 acres, so he asks if there is a way to do it without going through all of this. They consult the map again and look at the larger parcel. He is looking for a relatively flat piece with access to the power and septic.

The Chairman consults the Towns Zoning Law about flag lots (subdivision law, Section 165-30-l). Access to the lot (driveway or right of way) needs to be at least 25 feet wide and no longer than 500 feet. The applicant states that it is 45 feet wide. His electric pole is 500 feet from the road. He was hoping to push it back. The applicant should meet with codes about moving the structure. He asks about the next meeting and the variance process. A Board member falsely states that he can get started and then go to the ZBA. That is to be determined by Codes. There has been no correspondence regarding this application. The Chairman Waives the SEQRA review in favor of making the ZBA lead agency on this application. If the ZBA approves he does not have to return to the Planning Board.

Motion to give conditional approval based on approval with possible conditions from the Zoning Board of Appeals making lot #2 nonconforming.

Motion: Mike Johnston

Second: Denise Lodor-Morris

Vote: Aye- 4 Nay - 0

Adopted: YES

The applicant is encouraged to talk to the Codes Officer and is reminded that he needs to make an application to the ZBA for a variance.

Motion to Close the Public Hearing on the Yousey applications.

Motion: Denise Lodor-Morris

Second: Aaron DeLand

Vote: Aye- 4 Nay - 0

Adopted: YES

Ron Millback, Special Use Permit, Public Hearing, 5355 State Route 20, Tax Map # 112-2-15.2

Mr. Millback wishes to build offices for his business along Route 20. According to the Town of Eaton Land Use Law 120-10-C6 a Special Use Permit is needed.

Motion to Open the public Hearing for the Millback application.

Motion: Aaron DeLand

Second: Denise Lodor-Morris

Vote: Aye- 4 Nay - 0

Adopted: YES

There are residents that are neighboring this parcel that are concerned and wish to be heard. There have been many rumors about this project. They want to hear what it is about. Mr. Millback asks if the Board wants to look at the site plan first or hear the narrative. There has been no written correspondence about this application. The parcel is off of Route 20, not Clark Road.

A neighbor inquires about water run-off and drainage; he lives nearby and has issues. The Board invites the public up to view the map. The resident come up front and there is everyone talking over each other. Finally, a constituent asks what the applicant wants to do.

Chairman Rhyde states that they must do what they have done in the past and get an engineer to review the plans to make sure that it meets guidelines. There is discussion about the swamp, elevation, the peak of route 20, drainage, doming of the road and run-off. The applicant states that the basic topography of the land will stay the same. They are not clearcutting and the wetlands will remain as is. All the run-off would be directed away from Clark Road. They will be disturbing less than 1 acre of land. They have a separate septic plan the tank is located just off the parking lot. It is a gravity fed system.

A resident has concerns about his well and the proposed septic. The applicant went to the state DEC and located the residents well which is approximately 380 feet away. The resident is concerned that it is downhill and a wetland. A board member states that it needs to be 100 feet away and this is in excess of that.

Another resident addresses some of the rumors and asks the applicant what is fact. Mr. Millback gives his presentation as to why he wishes to build here. He is currently based in Syracuse and is concerned about crime, vandalism and high taxes. They would like to move to a more pastoral location. His family currently lives in Cazenovia and they are looking to relocate the business headquarters closer to home. This is just an office; they are not building houses on site, they are not prefabricating houses. It should be very little impact on the community. This would be their headquarters. In the future he plans to deed a small portion of the property to a friend to build a home. They only plan on developing what is on the site plan at this time plus a curb cut for a new driveway. The parcel is 11.8 acres. The proposed site plan covers about 2 acres.

The Board does want a study by an engineer about the wetlands. The applicant has already requested it. The Board wishes to table this application until the engineer signs off on it.

Someone asks about the size of the parking lot. It is 40'x40'. The building is 2500 sq' it is one story. There will be parking lights but not stadium lights. The Board can control lighting. There has been a traffic study. The applicant asks for clarification about what the Board wants. They want to know the boundaries and that the run-off will not effect the wetlands. They want assurances that it conforms to the new New York State wetlands regulations. It will be a non-permeable driveway. A resident encourages the Board to go to the site and look at it. He has concerns about the vehicles going down 20 very fast. NYSDOT are the ones that need to sign off on the driveway location.

Motion to table the Millback application until an engineer can review the siteplan and give feedback about the wetlands to the Board.

Motion: Paul Rhyde

Second: Aaron DeLand

Vote: Aye- 4 Nay - 0

Adopted: YES

New Energy Equity: Solar, Special Use Permit and Site Plan Review, Preliminary Review, Rocks Road, Tax Map # 112-1-5

This applicant is here just to present some information to the Board about a Solar Project that will be coming before them for approval in the coming months. The Board picks up their binders for this applicant to review. Some facts about the solar project:

- Torey Clark, office in Elmira NY.
- The applicant has sent extra binders for the Board
- Property is owned by Mr. Stevens
- Just over two megawatts
- The Codes officer has been involved
- Working within the current Zoning Law; no variances will be needed
- Nearly all components of the panels are recyclable
- There will be screening, for neighbors, or the road
- It will bring in additional tax revenue

Torey will be back next month for more information.

June minutes were not provided by the clerk; their approval will be on next month's agenda.

Motion to ADJOURN at 8:35pm.

Motion: Denise Lodor-Morris

Second: Paul Rhyde

Vote: Aye- 4 Nay - 0

ADOPTED

Respectfully Submitted by
Elisa E. Robertson
Planning and Zoning Clerk

