



Town of Alden
Planning Board
3311 Wende Road
Alden, New York 14004
www.alden.erie.gov

Michael DeWitt, Chairman

Meeting No. 6 Regular Planning Board Meeting Tuesday, September 9, 2025

The regular meeting of the Alden Planning Board was held in the Alden Town Hall at 3311 Wende Rd., Alden, NY 14004 on Tuesday, September 9, 2025, at 6:00 p.m. in Chairman DeWitt Board called the meeting to order at 6:00 p.m. The roll taken by Secretary, Michaeline White.

Present:

Michael DeWitt, Chairman
Colleen Rogers, Board Member
Robert Meyer, Board Member
Matthew Malecki, Board Member
Kevin Martin, Board Member

Absent:

Robert Meyer, Board Member

Recording Secretary:

Michaeline White

Approval of previous minutes

Meeting July 8, 2025, Motion to approve-Colleen Rogers, Matt Malecki seconded Carried unanimous.

Communications

New Business

Kevin Leary- Subdivision Northwest Cary Rd & Four Rod Road subdividing lot. Northwest of Cary and Four Road.

Request is to create one new lot for a one single family home. An intermittent creek runs through the site, but should not affect the proposed building. Setbacks will all be met. Mike Metzger went on county website, and there was a flood plain that was farmed. Property is clean, there is nothing near the creek and plenty of room.

Motion was made to approve-Matt Malecki made motion to approve, Colleen Rogers seconded the motion, carried unanimous.

Recommended Town Board approval.

Northeastern Alliance Re Development

Erie County Home site -11580 Walden Ave

Present-Pat Fitzgerald with Hodgson and Russ on behalf of client, Zak Duey of Hodgson and Russ, Ben Perkins from Hayes (contractor), Luke Rich, Ryan Rich - ownership group.

The property is being acquired from Erie County and was the site of the former Erie County Home and Infirmary. As part of the purchase agreement the SEQR process was undertaken by Erie County, who issued a negative declaration. The purchase contract was signed September 9, 2025, after an aging requirement was met.

The applicant is requesting preliminary and final site plan approval together.

The plan is to subdivide existing parcel into four separate parcels. Parcel D is where new facility will be. Parcel C will remain undisturbed and is open space with wetlands. Parcel B is being retained by Erie County for use as their vehicle maintenance facility. Parcel A will stand alone located west of the County parcel and not contiguous to the other parcels owned by the applicant. The only portion of development we are discussing in this application is Parcel D and the proposed new structure.

The applicant is approaching the property in this manner due to the Development team not sure what they will do with existing structures and their numerous issues. The applicant plans to undertake its own environmental analysis of the existing buildings. They are aware there is a significant amount of asbestos, and the county has maintained it to an extent throughout the years. The condition of the landscaping around the existing structures has been talked about. The new development will be a Cannabis Cultivation processing distribution facility growing cannabis and processing it for shipment. There will be no retail sales, and there is no public access. It will be fully secured with fencing and have security on site.

Per the architect the property is flat and drops off the East side to Ellicott creek. The plan is for storm water to drain via a swale to Ellicott Creek. The plan is to use the existing Home Road off of Walden for access to the new development. The proposed new building will be a single story building. The primary building entrance will be on the South side. Deliveries will be received on the North side. The entire facility will be fenced for security. Traffic generated by the facility will be light, thirty-five staff members per shift for two shifts, with one truck per day. There will be sixty-three regular parking spaces and three handicapped spaces.

The existing utilities on the site are a complex spider web, some still active and some inactive. There will be new utilities installed. The proposed floor plan showed that three quarters of the building is to be used for cultivation. There is also space for processing and employees use (locker rooms, break room etc.).

Mike DeWitt addressed if there would be an odor from the plants, the facility will be equipped with charcoaled filtered, recycled and tightly controlled. No outdoor in or out. Recycling and repurposing air. It is more of a laboratory than a greenhouse.

Mike DeWitt commented on the proposed building elevations, stating that while right now you cannot see the proposed building, if the existing buildings are demolished you would be able to see the South elevation. He would like to see architectural elements added to the south elevation of the building to make it less stark. The applicant stated that they want to keep it inconspicuous and they do not want people knowing what they are doing. The applicant said that landscaping would be an alternative to address the

issue. The PUD zoning requires that any changes to the site after approval of the preliminary site plan would require them to come back for a site plan approval for the existing structure, and they would consider a condition on the issue at that point. If the existing buildings did come down there would have to be extensive amount of landscaping.

Matt Malecki requested that the new metal building have 25% - 30% alternate materials to improve the property appearance. If this is a large metal building. Landscaping would be done so it could not be seen from the street.

Mike Metzger did note that in the letter that was sent that the PUD zoning requirements are more of a rezone of the parcel, whole parcel into multiple uses. In this situation a PUD makes sense versus sectioning off each individual parcel or retaining multiple zoning classifications on the same parcel. In this situation if a PUD were done allowing the uses that are outlined in the application and site plan application, it will all be part of that process that would be approved assuming by the Town Board.

Mike Metzger addressed unique zoning classification that we have in the code, most town's PUD codes are geared toward residential projects. Our code gives us ability to utilize it for larger scale projects such as this one as the code is applicable to commercial and industrial projects. The minimal land area has to be at least 100 acres, and this is 150 acres. There are only a handful of dimensional requirements in plan unit development.

The presented preliminary site plan has the layout, it shows the building, the parking areas, storm water drainage, utilities and the other items required for a preliminary plan. There are no specific dimensional requirements in setbacks. Parking requirements in the Code are not applicable to a PUD. The Town reviews the preliminary site plan the applicant has submitted, determines whether they are comfortable with it and, if so, the town can approve the preliminary site plan and the rezoning is based upon that preliminary site plan. The preliminary site plan becomes the blueprint on how the project will develop. From that point forward the final site plan has to match the preliminary site plan, perfectly to be in compliance with the rezoning that was applied to it. If a parcel is approved as a PUD the applicant does not have frontage requirements. Since the applicant does not know what they want to do with the existing structures, PUD would give flexibility as the existing buildings cannot just be knocked down, the owner would have to present a plan to the Planning Board and amend the preliminary site plan.

A new environmental review process would be needed for any future changes to the site as those were not identified within the negative declaration issued by Erie County.

Mike Metzger recommended that the applicant provide a separate drawing that is entitled "preliminary site plan" that will show the development area and the building retained by the County. Also, the balance of the property would be identified in some way, and not be developed. That way we have a document that is the preliminary site plan, when something different is easily identified and modified.

Jennifer Strong asked if Building B that the County will retain is part of the PUD?

Building B would be shown in the PUD. County has authority to do what they want under the law.

Kevin Martin asked Does Parcel D get classified as a PUD. The answer is "yes".

Matt Malecki questioned once the lots are set as a PUD, any other subdivision would have to come back to Planning Board?

Pat answered that once the County transfers that land it is subject to the approved PUD. The applicant wants the subdivision of the property as they have investors are involved in the cannabis project that do not want to be subject to potential environmental issues associated with the existing structures and property. They want to protect their investment.

Matt Malecki asked what we are doing within the front of the existing buildings.

Ryan Rich- They want to make it look as nice as possible, they are trying to figure out what they want to do with the existing buildings in front. The first priority is development of Parcel D. They will landscape in front to make it look nice and secure the property.

Mike Dewitt asked what the timeline was for a plan for the existing front buildings.

Ryan Rich responded that their timeline for when they decide how they will proceed. They have 4 or 5 things to do to the existing buildings to secure them. Their priority is generating cashflow from the cannabis operation going. They also need to review the asbestos study from 15 years ago as there is a significant amount of clean up required. A phased approach. Is needed.

Hodgson & Russ stated that they have FOILED the DEC records and there were multiple spills on the site. They want to determine if they can use Brownfield tax credits for the redevelopment of the existing building site and that process will take several years.

Mike Metzger explained that the applicant will need a wetlands permit freshwater permit, but there are no concerns for any issues with that process. The internal road is 60 ft from designated wetlands, and anything within a 100 ft of wetlands needs a permit. Since the property is already developed inside the buffer zone The applicant stated that that will not be an issue.

Mike Dewitt addressed the impact of lighting to the street and neighboring homes on the NE of property. The applicant stated that the lighting will be minimal for egress and for security and shielded from neighboring properties by the extensive woodlands.

Colleen Rogers made a motion to recommend to the Town Board

1. Approved Preliminary site plan
2. Recommend zone as a PUD
3. Final site plan

Mike Dewitt recommended a condition that Town Board approval be subject to Mike Metzger's review before the Town Board approves it and a timeline for handling existing buildings. Whatever the Town Board is comfortable with.

Colleen Rogers motion to approve, Matt Malecki seconded, *Carried. Unanimous.*

Unfinished Business

Town Board Meeting Reports

None

Special Meeting Report

None

Suggestions from members, consultant, and Building Inspector

None

Monthly property progression review

None

Next meeting

Tuesday, October 14, 2025

***A motion was made to adjourn the meeting at 7:04 p.m. by Matt Malecki, Bob Meyer, seconded, Carried. Unanimous.*