



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

Michael DeWitt, Chairman

Meeting No. 4 Regular Planning Board Meeting Tuesday, May 12, 2026

The regular meeting of the Alden Planning Board was held in the Alden Town Hall at 3311 Wende Rd., Alden, NY 14004 on Tuesday, May 12, 2026, at 6:00 p.m. Chairman DeWitt Board called the meeting to order at 6:00 p.m. The roll taken by Secretary, Amy Overhoff.

Present:

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

In attendance: Richard Coburn- Building Inspector/CEO, Applicant for 11630 Genesee St.

Recording Secretary:

Amy Overhoff

Approval of previous minutes

Colleen Rogers acceptance of Board minutes, Matthew Malecki Seconded, Carried, Unanimous.

Communication

None.

New Business

11630 Genesee Street – minor subdivision,

Matt Malecki, Would this be combining parcels or land locked? Joined with another SBL or 3 separate parcels and will have to merge into one parcel?

Applicant, would like to merge into one if at all possible?

Mike- It looks like 3 separate parcels but technically can be combined and would propose them all be combined into one parcel. There is a provision of the code that covers adjacent lots under the common ownership, and should be considered under one lot. However, no one has gone through an combine lots that are like that but I believe that's part of the code.

Rick Coburn- Can I put in my input? When you go to build, there would be setbacks due to lot lines. However, because of ownership of the lots, you have rights to do with it what you see fit until you need to utilize or build upon it. The application does describe that this would be considered one lot upon completion of the approval process.

The board reviewed the plans and surveys completed by the applicant.

Matt Malecki, the ownership is all one until it split and now technically it one lot and now building under 190 footage?

Applicant, the frontage is on N Millgrove at 468ft and 202ft on Genesee St.

Colleen Rogers motion to approve, Matthew Malecki Seconded, Carried, Unanimous.

The Board/Richard Coburn explains the approval process with the Town Board and when the next Board meeting would be so the Attorney has time to write resolutions.

Unfinished Business

Buffalo Solar Project - The continuation of the discussion to include Richard Coburn and see how it is going.

Richard Coburn-

Addressing comments from Mike Metzger on the solar farm on decommissioning plan and site components. None of the documents were sent w/ the referrals. Complex understanding that the purpose was outdoor storage however, was not the purpose per the customer.

Another question brought up was about the delay in the application process and this was changed with respect to the NYSERDA (New York State Energy Research and Development Authority) grant funding process. Explains the hold up and wait to see determination for grant prior to moving forward or would not be considered if they began construction prior to receiving the grant funds.

Additionally, there was a possibility of another Solar array across the street from Broadway, however, no formal applications were received on a new solar farm across Broadway and the former Building Inspector had no record of any plans or applications for this plan either.

Kevin Martin, there had been discussions but no formal application of the potential solar farm and were potentially blocking Buffalo Solar from finishing their application due to the conflict?

Rick Coburn- Correct there was no applications to my knowledge however, Buffalo Solar group was under the impression this separate entity had the first right of refusal of access to offload into the grid which could impact their proposal for the usage of the grid. Buffalo Solar, downsized the offloading and the sizing of the building by 25-30% to create a net zero building, so as to not overpower the grid. Between the geothermal, battery storage, and the array are hoping to not grab power from anything. They are not considering including a Battery Energy Storage System (BESS) though which can be as large as a warehouse facility. The whole point is to have a battery storage to help run the facility and that's the only purpose. NEC(National Electrical Code)/NFPA(National Fire Protection Association) set the standards to get approvals in the engineering designs etc. Buffalo Solar, received a new energy code for accessory uses vs. personal usage of the energy.

Rick Coburn, a previous Town of Cheektowaga board got sued because they allowed for the applicant to have hope that approvals would come if they jumped through hoops to get all the applications/regulations, etc. However they denied the final application with no legit reasoning behind the denial, you are liable for a lawsuit.

There must be a condition that the applicant can't/won't meet, based on the good of the community and the applicant denies or refuses to meet that condition, even variances. The board can't deny an applicant based on feelings or choices, specifically if the whole board denies it without reasoning.

Matt Malecki, voices concerns on decommissioning plans to know what it is the plan for this? Prior to getting the final approval of the board they should work on this plan.

Rick Coburn, they are working on a decommissioning plan to include in the application. There was not a notice given to Buffalo Solar for this information to be provided. There was nothing I saw in minutes or otherwise that included this question and a response from the applicant to include this information provided. Additionally they saw the mitigation noise, odor, and utilizing the guideline, Matt provided to help address these decommissioning plans of the array.

Matt Malecki, they were asked in the previous year to provide that in their application process.

Colleen Rogers, is there going to be battery storage on the plans? An additional concern is the tax benefits for the town on this will not be utilized due to a potential tax break on the property.

Rick Coburn, The laws are written to get a benefit to gain something in the community and assessed and evaluated. However, for the tax breaks, owners don't want to be taxed on the full valuation of the project when nothing has been completed other than approval of the plans. Which is why the tax break with the PILOT(Payment in Lieu of Taxes) is used to help get to the full tax assessment over the years agreed upon without being burdened with the total cost of something that isn't completed.

Need an electric permit, inspections, etc. still have to get a third party. We need plumbing permits, electric inspection, just make sure there is a plan in place for permits, etc.

Matt Malecki, Could there be a potential surety bond? The board needs to know plans for the hazardous waste removed so the community/Town is not stuck with the hazardous waste at the end.

Kevin Martin, Buffalo Solar needs to have extra security to make sure the Town and community doesn't end up with something we can't get rid of after a short period of time.

Discussion was had on the training aspects of the Solar facility and how that will be included in the process but how certifications are given to electricians and other professionals in this training? Additionally explanations on what exactly will be used for training and how the facility will be utilized besides the storage of the panels and set up of other solar sites.

Rick Coburn, explained the different permits that aren't required, no inspection/warranty and NYS auditing questioning to make sure it's legit etc. Explaining the process of the approvals for the codes v. permits/applications.

Matthew Malecki, What about the letter from the county? It was an agricultural form from Erie County to say this is not a good use of soil due to farming for Alden.

Rick Coburn, Never heard of that County aging report until recently, but interesting that the Town of Alden is stating nothing can be done anymore.

Kevin Martin, Department of State initiative to preserve farm lands for generations to come and to help to keep and to do nothing with the land, even though it's not farmed at all. Then put a layer of Zoning on the land and NYS helps to say NO. However no revenue is being generated or usage of the lands just to preserve the property.

Discussion by the board and Richard on Erie County's zoning of Alden and other surrounding communities for limiting the usage of the land and preservation of farming.

Matt Malecki, Code 365, 24d 6:4cf, C1/C2 districts are not permitting if butting up against R1, R2, but not RA. Through the RA, is an R1 on the property, don't know how that makes any sense? The back of the property is RA that touches R1 adjacent. Is that allowable? Because this butts to RA land it is allowable to be butting up to C1.

Richard Coburn, is that allowable? I am unclear exactly what that will be allowable based on the code.

Discussion on fencing of the solar arrays and seeing how/what would be the most appealing to the community so it doesn't become an eyesore.

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, June 9, 2026

***A motion was made to adjourn the meeting at 6:45 p.m. by Kevin Martin, Colleen Rogers, seconded, Carried. Unanimous.*