



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, August 11, 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, August 11, 2026, at 6:00 p.m. Acting Chairwoman, Colleen Rogers called the meeting to order at 6:00 p.m. The roll taken by Secretary, Amy Overhoff.

Present:

Matthew Malecki, Board Member
Colleen Rogers, Board Member
Kevin Martin, Board Member

Absent:

Michael DeWitt, Chairman

Additionally Present:

Richard Coburn, Code Enforcement Officer
Michael Metzger, Town Engineer

Representatives from:

United Precious Metals
Buffalo Solar

Recording Secretary:

Amy Overhoff

Approval of previous minutes

Kevin Martin acceptance of Board minutes, Matthew Malecki, Seconded, Carried, Unanimous.

Communication

None.

New Business

United Precious Metals – Town Line Road (Parking lot) – Daniel LaPietro, Representative from United Precious Metals

Richard Colburn, presented the project, the ownership and the purpose of clearing of the parking lot.

Daniel LaPietro, First time intro, addition and parking, west side of TownLine, Adding extension into the lot addition is 2500 sq feet and complete manufacturing. Existing detention and would be extended, rear of the building west.

Matt Malecki, The west side of the building would be the rear of the building and where the parking area is currently located? Additionally, are there any existing neighbors behind and how close are those building structures/wooded areas?

Daniel LaPietro, yes the plan faces north so the parking lot is to the rear of the building and westside. The existing neighbors/facility is 35ft to the nearest property line. The nearest neighbor residential would be opposite on Town Line Rd., a substantial distance from nearest parking.

Matt Malecki, the purpose of this project would be to extend the parking lot for?

Daniel LaPietro, the project is for all be passenger vehicles, 18 wheeler would be the maximum to gain access including emergency vehicles. We wanted to come and introduce the projects, and not get the final approvals, however, more design aspects and drawings would need to be present to finalize.

Mike Metzger, talked it thru with them, wont link up with clearing and less than an acre as of right now. Additionally, it doesn't need to comply with NY State Storm water regulations, but must be local regulations Code 25.10 storms must be met but no State requirements. Put the site on map and provide an updated survey to help visualize. Is it accessible off Town Line Rd?

Daniel LaPietro, yes the clearing project is under an acre at 0.39 acres. We can extend the pond if necessary. Plenty of snow storage just in case and does not extend to Walden Ave. Train tracks are 1 property over. Elevations are provided and extending the factory space, short parking capacity presently and access for large vehicles, it would be good to show everything else.

Colleen Rogers, parking increase if no additional employees?

Daniel LaPietro, we need to increase the parking area to allow for all employees to park in the same designated areas vs. parking on various sides and locations around the building. Additionally allowing access for those larger vehicles/emergency vehicles easier access in the same location.

Kevin Martin, because there will be a new survey completed, can you show the nearest neighbor, southwest corner or townline and Walden heading east, southwest on the corner, need to have that survey to show the existing properties?

Matt Malecki, is there only one existing drive or two drives right now?

Richard, previous plan showed this but need to see how this location and road, discharges, construction entrances, lighting for the employees into the parking area?

Daniel LaPietro, there are two drives right now with gates, however both are electronic and closed to public access. Rear elevation, lighting and making dark sky friendly lighting, however can include additional lighting for employees to provide further safety precautions.

Daniel LaPietro, Any other questions? None.

The board thanks Daniel LaPietro for coming in and explaining the clean up project and looks forward to the remaining site plans for project completion.

No Action is required.

Unfinished Business

Buffalo Solar Project - 12319 Broadway - Present: Buffalo Solar Development Team.

Richard Coburn, where we are in an additional review of the actions and what needs to be done. My office picked up the project from last spring of 2025, with the description of 2025, downsizing of the projects, certain uses of the rays, reconfiguring the lot, parking in rear, better elevation, better landscaping and plans were started and plans were made. Reinstated SEQR back in April of 2026, DEC commented and most recently Erie County was June 25, 2026. Requested lead agency if May 2026 would need to be given notice. Got comments back from DEC/Erie County and DOT. Agricultural data statement and reconfiguration of plans by Daniel Barron and Associates., nothing has been added other than what has been addressed in the prior meeting.

Mike Metzger, brought the plans in for the Board to review and collaborate on.

Daniel Barron, landscaping, lighting and stormwater pollution prevention plan, 31 parking spaces last time and needed additional parking spaces per recommendation add 2 additional, anywhere specific? Existing grading on the site, to see the drainage analysis, reduce the outflow to the pipe over a part of NY DOT driveway permit, analyze the drainage of how it will drain and make sure it meets the standards of the flow and that the proposed is less of the flow than what's currently existing.

Topographic views of the roads provided, Truck turning template and shows emergency vehicle sizing of a firetruck pulls in with 3 point turn space with access to the delivery bay as well.

General site plan of proposed building and solar panel site and buyer retention areas. These are allowed redirection of rainwater flow and catchment to help understand and help any rainwater get correctly redirected to buyer retentions, talking to Tyler and providing catchment and overflow to help with the DEC requirements and provide the 100 year storm and have an overflow barrel.

Mike Metzger, does it also have an additional barrel for overflow if necessary?

Daniel Barron, It has a 2nd overflow into the retention if necessary but would have to be the storm of all storms for it to surpass the catchment, overflow barrel and the retention.

Matthew Malecki, overflows feed into the buyer retentions? However, how far is the driveway from retention 35ft from nearest property? Paving of this area could cause the pitching into the back into the retention. To protect from residential houses and extend over to help with grading and swallowing back so no water can travel back?

Daniel Barron, it will go into the underdrain and allow for the flow and becomes a 2 ft pond with the detention up to 2ft limits, nothing should go past property lines. We are open to opinions and suggestions for additions, retention ponds and help for flooding. Helping to follow the guidelines and using rainwater catchment to help with the reduction of potential flooding into neighbors.

Kevin Martin, How will this help if there is a blizzard snowmelt?

Daniel Barron, the overflow should always be into the retention and the pipe and the DOT no matter what.

Matthew Malecki, how far space is the 33 easement line to have enough room for snow plowing and what plans are in place?

Daniel Barron, open to the conversation with the drainage easement and help with the snow plowing and especially with the DOT pipe to help approve it. Yes, the drainage will be overflowing into the easement after development will be reasonable to drain into it, the piping ends prior to the easement.

Mike Metzger, will the drainage piping be within that easement? And the piping will end before the easement? Aside from discharging, any grading or anything? Can you provide the grading/drainage site plans? will there be a berm on the NYS DOT access, what's the frontage? And roughly a 3rd is the easement.

Daniel Barron, yes the piping will be within the easement. We will provide the grading/drainage, and as long as there is an approval from the Town. However, no grading/drainage on the easement so they can leave the space open to allow for DOT. The slight berm would be 834 to 837 and tapers off at the end and wouldn't interfere with the easement. 314 ft would be the frontage and easement.

Kevin Martin, would this be an equal cutfill site?

Daniel Barron, We would have to push it to be 6 inches higher to take and shift 2ft, you don't want to modify/disturb the land however, requiring crusher pads and 6 inches for the parking area, if we break the ground in the Fall and seeing how bringing in more fill to disturb the currently in place site plans. It could make sense dispensing on the give and take.

Mike Metzger, the comment letter, one was made by Erie County from the Department of Environment/Planning as it relates to the grading work for the site and because it's in the Agriculture district and NYSEDA involvement? No incentives? No. Read aloud the comment from Erie County, "the site's location is north agricultural district 1, requires adherence to NYS guidelines and continued agricultural lands and hosting the Solar Project and key stages in and listing, based on technical regulations, should consider hiring an individual for review of the construction plans and consistency in the requirements of the NYS." Per Brianna, at Erie County.

Richard Coburn, Tim Germain is now the contact for the County.

Daniel Barron, We saw the letter from DEP, the plan is not to move soil offsite and it is valuable to growing crops and/or reducing the quality of the soil in any way, highly unlikely.

Buffalo Solar Development Team, This is why we provided the decommissioning plan and doesn't it get into the soil or the land. It does involve the nature grade of the site and reducing the fill would help to.

Mike Metzger, does the decommissioning plan address the potential soil contamination? In the Erie County letter, it states that this is a requirement to make certain and won't prevent anything for Buffalo Solar wants to do but rules on how to bring in any additional topsoil and whatever needs to be followed and compliance with the requirements.

Daniel Barron, we would get the general landscape plan and recommendation on the plans or any additional comments on anything needed for soil and continuous preservation of the soil. Additionally there are plans for the snow trails in the winter months to help accommodate the snowmobilers and to maintain what is currently in place.

The Buffalo Team is working with the Snow MOB and we will accommodate the travel for the trails to continue and help to keep involvement in the community.

Mike Metzger, solar field going to be fenced?

Daniel Barron, Yes.

Matt Malecki, 15ft from property line and must be 8ft wired chainlink fencing with green mesh screening, and landscape feature to get a screen of the fencing offset. The NYS code allows for the codes for the screening process.

Richard Colburn, how would you keep it appealing and vegetation options to use for allow and recommend, it would be your prerogative and help visually appeal vs. people to view and based on elevation.

Buffalo Solar, this is why we wanted to cut and flatten it and make a clean look and the wave roads and help to allow for additional coverage.

Matthew Malecki, everything would come down to the lower elevation of, 740ft.

Mike Metzger, read the code for screening for the solar array and could have options for architectural features.

Richard Colburn, would Buffalo Solar be based on board recommendation screening?

Kevin Martin, screening there or something more natural?

Buffalo Solar, chainlink fence with green screening. Eric from Buffalo Solar, displayed a photo of the screening and how it will run and allow for protection on the fencing. Have to have control through NYSERDA NEC rule and show how the meshing is applicable and the control per the NYSERDA. Hopefully, this will allow for more protection and reduce potential theft/mischief.

Discussion on the fencing requirements and how the code is written for what can/should be done. Planning Board, what's the interpretation and how would that fencing/berm be applicable. What would need to be inside the property line?

Richard Colburn, Ultimately, the Planning Board would like the green screening and interpretation of the code and what would be more natural in this green space, etc, and would be screening of the array vs. fencing.

Mike Metzger, Zoning Board would have control of the Code and wants an interpretation of the code, applicant can appeal it and request an area variance.

Richard Colburn, fencing/green screening, I think the natural view is the best way and not industrial, to be easy to hide and modify and appeal to get what this board wants and is necessary in addition to the sizing of the array.

Matthew Malecki, the berm can start at the property line but needs to accommodate the 15ft limitation.

Daniel Barron, could that be Richard's decision?

Richard Colburn, I believe the question should be if the local law would be required and make sure it meets the code additionally what's necessary for the community and development.

Daniel Barron, Whatever we can do to streamline the process.
Kevin Martin, we would want to protect it long term.

Colleen Rogers, Additionally, maintenance if the plants die they want replacement/vegetation and allow for everything.

Daniel Barron, We would have a plan to allow for the failing and choosing a good variety of vegetation to help the landscape.

Colleen Rogers, Richard Colburn's decision ultimately for fencing/vegetation.

Daniel Barron, we have the erosion plans, stabilize construction, concrete washout area, SWIP investigation and provide with the grading and how important these projects are.

Kevin, where would extension Swale be located?

Mike Metzger, depends on the grading plans and the Planning Board should be aware of.

Matt Malecki, If they are adding an asphalt/gutter system is going towards the back of the property to get into the retention.

Daniel Barron, Everything will be going towards the back of the property and allowing the drainage. Septic system details, standard and waiting on approvals for Erie County and permitting review, not over 1,000 gal/DAY, architecture drawings of the building.

Mike Metzger, second story mezzanine to correct the second story issue of the ADA compliance.

Daniel Barron, office space review, provides site plans. The board reviews the floor plan and meeting spaces.

Mike Metzger, under 3,000 sq ft area. No accessibility required then and would be able to allow for the mezzanine.

Matt Malecki, 25% of the structure, would we like to see something other than metal and vinyl? In the previous meeting architectural and rock facade design.

Mike Metzger, The Planning Board wants the original plans and the Town Board has the final architectural approvals.

Tyler-Buffalo Solar, shows the architecture of the brick and should be part of the final plans.

Daniel Barron, The roof would help the main constraint of the mezzanine vs. the ceilings. It allows the lighting and flow of rain water.

Mike Metzger, cathedral ceiling and adjust for the lighting of the day. That's a great new feature and allows for not as much artificial lighting.

Matt Malecki, Can you please include the EV charging in the plans in the elevation plan.

Daniel Barron, Absolutely can include EV. Additionally, it shows the Sun elevation and impact and is based on 9ft at the lowest point of the ceiling. Elaborating on the SWIP details, fencing, construction entrance details, swail, is there any specific spot in the water main entrance that the Board recommends?

Mike Metzger, That would be complete up to the engineer. However, inside the building? Where the water entrance must be 150ft from the right away and inside that wall. No sprinklers needed. A private hydrant is in the front and makes sure it's on the planning and design updates.

Matt Malecki, Can a copy of the view of signage design?

Daniel Barron, will provide a concept of the signage.

Mike Metzger, Given they still have remaining updates to do and I have the review/partial review and have them available and make sure they have all the concepts provided to the Board. I would believe we can't provide any approvals.

Colleen Rogers, we would like to go over the review from Mike and make sure we have everything available. What other questions prior to approval?

Mike Metzger, Provided Buffalo Solar with 20 questions in a comment report and have each one addressed with Daniel Barron, The Planning Board and Buffalo Solar.

During the in the engineering report review, NYS DEC 300 setback increased purple map, unfortunately the mapper doesn't have the lines of the drainage and regulated State buffer is still 100ft and will be adjacent to your property and suggest and go to Davey and check, preliminary assessment provided in May of 2025 and lawsuit that led to NYDEC and revised the wetlands.

Matt Malecki, You need 100ft easement and close to where the retention and maintenance of the wetland is.

Kevin Martin, the easement cuts across property so there could be potentially not 100ft.

Mike Metzger, This needs to be looked into and reviewed by NYS/DEC. However, NYS is prosolar and Buffalo Solar can get the permit to allow the 100 ft easement and prelim is okay and could potentially affect your property and confirm. The concern is the adjacent wetland property that must be at least 100ft away from the Solar site.

Daniel Barron, It's not based on our assessment but needs to be confirmed based on the new survey provided by NYS/DEC. If it's a wetland we need confirmation of the wetland area and have the exact mapping.

Richard Colburn, how do you get access to someone else's adjacent property and need to confirm with DEC on if this is applicable?

Daniel Barron, Will need to reach out to DEC and confirm with them on the property and confirm the letter of recommendation.

Mike Metzger, Continued with the comments on the Engineering report.

Colleen Rogers, Any other questions?

Mike Metzger, SEQR won't have an impact on approval of permits. As I pointed out in the Town Board Work Session the previous night, the wrong EAF was sent out vs most recent with the exception of NYDEC as involved agency and Building sent out.

Richard Colburn, The conversation on the soil vs. agricultural data statement through inquiry and addressing it and identified can be mitigated and understanding to usage of the fill and betterment of the site or problem with DEC and could be a sticking point on if the soil would be removed. What I can't direct, from my end and outside the Planning Board and Town Board, from my construct and not finalize site plan. The SEQR is still open. The Planning Board should not be forced to approve the site plans and how this all works. I believe that all these plans would have to be completed in order for all approvals to be achieved. How would Buffalo Solar like approvals/recommendations tonight and would like to know how much further is needed to move forward.

Colleen Rogers, We would hate to not approve this tonight however, this missing information would need to be completed. Would love to hold a special meeting and have all the information prior to approval and the plans.

Mike Metzger, If the Planning Board could get all the plans together prior to the September meeting, they wouldn't be opposed to having a special meeting to approve the plans. Give me all the plans within the week so I have time to review it all and provide it back to you with comments.

Richard Colburn, Can plans be done and have an additional meeting by August 24th?

Matt Malecki, expectations for Planning Board approval: Signage, water pumps, cold storage, elevation views, material on front to match building on drawings, fencing up to Richard Colburn but calls for 8ft fencing with mesh v. foliage, parking of how we would look at it, turnaround for emergency list.

Kevin Martin Motion to Table, Colleen Rogers, Seconded. Carried Unanimous.

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, September 8, 2026

***A motion was made to adjourn the meeting at 8:27 p.m. by Kevin Martin, Colleen Rogers,, seconded, Carried. Unanimous.*