

JULY 9, 2025
Town of Erin Board Meeting

Supervisor Schmidt called the regular meeting of the Erin Town Board to order on this date at 6:39 PM. She then asked the Clerk to call the roll.

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

MEMBERS EXCUSED: Randy Evans.

PUBLIC PRESENT: Mark Margeson, Harold & Maureen Spencer, Joe & Cindy Frega, Shane Rumsey, Karen McClean, Glenn Dody, Adam & Becky Dolaway, Dan Delorme.

Supervisor Schmidt welcomed everyone and the Pledge of Allegiance was recited.

A motion was made by M. Shutts and seconded by A. Hughson to pay the audited bills as they appear on the General Fund Abstract 7, #107-124 totaling \$12,759.39; and the Highway Find Abstract 7, #100-111 totaling \$46,416.08; and the Street Lighting Fund Abstract 7, #118, totaling \$152.23.

Motion Carried: Ayes: W. VanRiper, Jr., A. Hughson, M. Shutts, D. Schmidt. 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 public hearing and regular Board meeting on June 11, 2025 and approve the minutes.

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

COMMUNICATIONS

- Chemung County's Fall Household Hazardous Waste Collection event will be Saturday, October 11, 2025 for Chemung County residents only (no businesses). Pre-registration is required by calling Cornell Cooperative Extension at 607-734-4453, Wednesday, September 17th – Wednesday, October 7th from 9:00 am to noon and 1:00-4:00 pm. No electronics will be accepted.
- The Town of Horseheads has a public hearing on August 13, 2025 regarding a solar moratorium.

Dan Delorme spoke about commercial solar. Residential solar has a hard stop as of December 31st for federal incentives. As long as commercial solar starts before July 4, 2026, the project will be locked in for full eligibility and bonus depreciations, with no placed-in-service deadline. If the project doesn't start before July 4, 2026, it can still qualify for credits, but only if it is placed in service by the end of 2027. Spoke about the school districts proposing solar farms, the cost of electricity, the electric grids, and the increases that are coming in the next few years.

AGENDA FOR THE TOWN OF ERIN BOARD MEETING JULY 9, 2025;

1. RESOLUTION 34-2025 LEAD AGENCY DESIGNATION AND NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE DECLARATION FOR DARIN AND KAREN BENJAMIN
2. RESOLUTION 35-2025 FOR SPECIAL PERMIT FOR SUBDIVISION ZONING DISTRICT AR-1 DISTRICT (AGRICULTURAL-RESIDENTAL) FOR DARIN AND KAREN BENJAMIN

RESOLUTION 34-2025

Lead Agency Designation and Negative Declaration of Environmental Significance Declaration for Darin and Karen Benjamin

Resolution By: W. VanRiper, Jr.

Seconded By: M. Shutts

Whereas; The proposed action involves a special permit request from Darin and Karen Benjamin to subdivide a 14.5-acre parcel land into 2 lots a 5-acre lot and 9.5-acre lot where Benjamin's home is located. LOCATION: 42 Becky Lane, Erin, NY, tax map parcel no. 52.00-2-10.121. and

Whereas; the 14.5-acre lot abuts both Becky Lane and State RT 223, the 5 acres to be sectioned off adjoins State Rt 223.

Whereas; A Short Environmental Assessment Form, Part 1 was submitted by Darin Benjamin, 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, D. Schmidt. Nays: None.

RESOLUTION 35-2025

Resolution for Special Permit for Subdivision Zoning District AR-1 District (Agricultural-Residential) for Darin and Karen Benjamin

Resolution By: M. Shutts

Seconded By: W. VanRiper, Jr.

WHEREAS, the Town of Erin received an application from Karen and Darin Benjamin for a Special Permit to subdivide a 14.5-acre parcel land into 2 lots a 5-acre lot and 9.5-acre lot where Benjamin's home is located. LOCATION: 42 Becky Lane, Erin, NY, tax map parcel no. 52.00-2-10.121. and

WHEREAS, the 14.5-acre lot abuts both Becky Lane and State RT 223, the 5 acres to be sectioned off adjoins State Rt 223.

WHEREAS, the property is located in the AR-1 District (Agricultural-Residential). As defined by Local Law No 10-1992 and WHEREAS, this special permit application was referred to the Planning Board to make a recommendation on;

WHEREAS, the Town of Erin Planning Board held a public hearing on the Special Permit application on May 19, 2025 at which time the public was permitted to provide comments; and WHEREAS, no speakers provided comments and

WHEREAS, and The Town of Erin Planning Board recommends approval of the subdivision. and

WHEREAS, the application was submitted to the Chemung County Planning Board pursuant to General Municipal Law § 239-m on June 11, 2025 and

WHEREAS, on June 26, 2025 the Chemung County Planning Board reviewed the application and found that there is no significant county wide impact; leaving the subdivision to local determination with the following recommendations 1. A residential driveway permit will be required if the property owner wants to access the property from Breesport Rd. 2. The property owner should get a subdivision survey; be it

RESOLVED; that the Erin Town Board grants/denies the Special Permit of Karin and Darin Benjamin to subdivide, 42 Becky Lane, Erin NY for the purpose of gifting the 5-acre parcel to one of their children for a residential purpose; be it

Further Resolved that 1. A residential driveway permit will be obtained and 2 A subdivision survey; before a permit is granted.

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

COMMITTEE REPORTS

Town Attorney- No report.

Planning Board-Deda Cedar- They are still working on definitions for campgrounds. Want to make it permittable that they can have them on a recreational lot with 1-2 campers. Trying to come to a mutual agreement by the next meeting. They are down two (2) alternates and unsure of one member's long-term status due to a family illness.

Parks, Recreation and Senior Committee-Deda Cedar- Sewing classes are going okay due to it being summer. Gary is looking for an outdoor movie. There will be a fall craft fair at the fire station on 11/8. The town wide rummage sales will be 8/16 and will include Breesport and Sullivanville. They can always use volunteers for the food bank. They usually serve about 200 people. North Chemung food bank gets anything that is leftover. The next Park meeting is 8/5 at 6:30 pm at the Town Hall and all are welcome.

Joe Frega - Wood Fest report – It was a rainy, cold, windy weekend, but they had a relatively good turnout despite the weather. The post report was turned in and they will have the numbers at the next meeting. Joe is working on the walking trails and suggests pea gravel. He will put together a proposal and will talk to Council Member VanRiper, Jr.

Deda Cedar- Senior Group – They had 21 people at the 7/2 meeting. There were about 40 people at the joint picnic with Van Etten at Park Station. They played bingo after. They are planning a Halloween train ride in October, wearing costumes and having a party on the bus. The Hiawatha paddlewheel riverboat trip went well.

Code Enforcement-John McCracken- He has issued a couple of 911 numbers and new house builds. The Town needs to look into tiny homes. The Town zoning says 760 square feet for a residential home, but there is an actual code in NYS for tiny homes. So, because right now we do not have the states permission to overrule the code, we have to allow them. He looked into it because he has a couple that is interested in a tiny home. There are a couple people on Greenbush that are applying for special permits for their campers. DEC reached out to him about a few of the campers on South Greenbush. Within the next two (2) weeks there will be about 15 campers posted "Do Not Occupy". They have been cited before, but he was told no one was living in them; however, DEC confirmed people are living in the campers. If they are found in the camper once it is posted they will be arrested for trespassing. It is getting out of hand. Erin Estates is looking much better. He has a list of tenants on each lot so they can be held accountable. He will be moving over to Crestwood next. It was sold again and he has had no contact with the new owner.

Highway Superintendent-Steve Tyler- Since the last meeting they have been grading roads and putting down dust control when weather permits. They have installed two (2) new driveway pipes on North Greenbush Road. They have replaced a couple of cross pipes on Staples Road. They have had to clean up several trees from storm damage. They put two (2) more coats of stone and oil on the upper section of Langdon Hill Road. Part of the work was warranty work from last year. They put another coat of oil and stone on South Greenbush Road. They will come back to do the warranty work on South Greenbush in August. The two (2) stop signs in town will be installed as soon as NYSEG marks the gas lines. He would like to send a letter of intent to Hornellsville for their plow truck that will be available after the 1st of the year. He does not have a price on it yet.

Joe Frega asked about the detour on Route 223. They dropped signs in the hamlet. The residents are concerned about the increased traffic. Steve was told the detour would be Fairview to Marsh. He will check with them again.

The Board approved Steve's request to send a letter of intent to Hornellsville to purchase the plow truck after the 1st of the year. They will bond for it.

The Board thanked Steve for his time, energy, and commitment. They greatly appreciated his time with the Town.

Buildings & Grounds- Councilman VanRiper, Jr.- Will work on parking lot when it is not raining and when the highway guys are not busy.

County Representatives- Mark Margeson- The sewer project numbers are rising, it is still not complete and it is a user-friendly deal. Suggests people, if they will be affected, get a meter to put on their well to monitor usage or they will be charged 60,000 gallons automatically. Sewer bills are generated once/year. Mark has asked the county executor and the treasure to bill quarterly like the water bills. Nothing has been done about it yet. The Town will not help you get the meters or tell you of any contractors that will install the meters. That is up to the home owners. There is a management group going into the arena, Stemerman Sports, Mark Zimmerman will be taking over the management of the operation of the arena starting the 18th of this month. He has a full year agreement, but at the end of 90 days he has the option to purchase the arena. They are starting to work on the budget. Sales tax revenue is down.

Code Enforcement – John McCracken – Sheesley's is looking to buy property on Park Hill and inject. They will be applying for a special permit. Sheesley's would like to do what they have been doing on Lattabrook Road. Concerns about the aquifer. It would need DEC approval.

Supervisor- Dawn Schmidt- The Sheriff Department sent report for June. There were 47 incident reports, 3 uniform traffic tickets, 4 traffic stops, 1 traffic accident, and 3 misdemeanor arrests. Chemung County 4-H asked for another donation this year.

A motion was made by A. Hughson and seconded W. VanRiper, Jr. to donate \$200.00 to the Chemung County 4-H group.

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

A discussion was had regarding the new Assessor's email regarding her salary decrease. The salary that was set for the budget was set for the previous Assessor, Terie Huseby; and when she retired they had a discussion that the new person coming in would not have the same salary as she did after the number of years' experience, education and certifications. The salary was not immediately reduced, after two (2) months, it was caught and corrected. Supervisor Schmidt is bringing it back to the Board to determine the next steps. The Town of Erin has 1342 properties with minimal new builds and minimal activity. Increases go right back to the residents.

A motion was made by A. Hughson and seconded by W. VanRiper, Jr. to stay with the current/updated salary and have an alternate plan to have an intermunicipal agreement with a neighboring town or shared services with the County if need be.

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

HEARING OF THE PUBLIC

Harold Spencer- If anyone sees a different tractor mowing, it's him. He got a new tractor. Told Steve that is has been a pleasure working with him, treated him fairly, he learned a lot and also forgot a lot and thanked him for everything.

Adam Dolaway – 9 Church St.-Thanked the Board for clarifying the detour and following up. They are worried about the road handling the amount of traffic and the children in the area. Also thanked them for the stop signs that will be installed.

Dan Delorme – 1030 Jackson Creek – He appreciates the line item budget that is available to the public at any time. Also feels the Supervisor position is underpaid. The majority of the work falls on the Supervisor position. The other Board members need to propose that during budget season. Thanked Steve for always answering his call in every storm. Thanked everyone on the Board for all they do for the Town.

With no further comments from the public Supervisor Schmidt closed this portion of the meeting.

A motion was made by W. VanRiper, Jr. and seconded by M. Shutts to adjourn the meeting at 7:37 PM.

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