

Colden Planning Board Meeting

July 21, 2026

Planning Board
Members Present: Walt Kammer (Chairman), Paul Idzik, Andy Gow,
George Reinhardt, John Riley, and Cheryl Schenne

Excused: Larry Krzeminski

Also Present: Jesse Hrycik (Town Councilman), Tom Dziulko (Fire
Inspector/Code-Enf. Officer) and Approx. 7 Residents

Walt called the July 21, 2026 Planning Board Meeting to order at 7:02 PM in the courtroom at the Colden Town Hall.

Introductory Comments by Chairman

Walt reviewed the agenda topics to be reviewed and discussed by the PB Members. Walt stated that the Planning Board is an advisory board and privilege of the floor won't be offered this evening.

May 19th Minutes

The Board Members reviewed the May 19, 2026 minutes and Cheryl motioned to approve the minutes, and Andy seconded and all were in favor. Walt stated that the Town Clerk's office will release the recording of the meeting and/or the presentation with a FOIL request to anyone that's interested. The Planning Board didn't meet in June due to a conflict with the meeting location.

Kummer Park

Walt presented images of the new playground and several recreational stations installed at Kummer Park in his slideshow presentation. Walt mentioned that there will be new picnic tables and they will be ADA compliant. Some of the tables are already installed at the existing covered pavilion at Kummer Park. The new BBQ units will be installed, and the two old ones were repurposed elsewhere in the park. The Phase 1 work for the planned ADA trails will be completed after the recreation schedule eases up and any other drainage work and renovations is completed.

New Business: Proposed Ag-Zoning Change to add “Commercial Recreational Facility” as a Permitted Principal Use

Walt stated that the PB Members were invited to the Kissing Bridge Facility along with the Agricultural and Planning firm by the new Owner early this year. Walt discussed that the new Owner of Kissing Bridge is planning some substantial improvements at the site, including some larger enhancements to facilities and accommodations located in the Town of Colden at the northern end of Kissing Bridge. Therefore, there will be new recreational facilities in the Colden corridor south of Glenwood. The zoning is mostly Agricultural with limited road frontage restrictive zoning along State Rd/Rte240. Presently our Ag-zoning's permitted uses do not specifically establish Commercial Recreational Facilities as a permitted principal or accessory use within the Town of Colden. We would propose adding that as a permitted principal use. Walt explained that the 2024 adopted Comprehensive Plan sets guidelines and goals for development opportunities within the planned ten years look into the future. The Comprehensive Plan includes a recommendation to consideration of promotion of the State Road corridor going south from Glenwood as an ideal setting for recreation. Walt presented the Planning Board Members with the proposed local law for the Town Board which, if adopted, would establish Commercial Recreational Facilities as a permitted principal use within the predominate Agricultural Zoning backland in that corridor. Walt stated the Planning Board proposes that a Special Use Permit (SUP) would need to be submitted by the applicant. Walt gave an example of a golf stimulator. Andy asked about a gun range, but Walt stated that it would be a much more substantial land use and an involves varied and vastly different permit considerations, including some required by the state of New York; therefore this proposed zoning change would not include that activity in the SUP. The definition of the Commercial Recreational Facility was amended to exclude commercial live fire activities. Perhaps, pending Town Board feedback, we can consider that in the future. Andy also questioned if the recreational facility while a permitted use would still require a Change of Use (CoU) by the Applicant.

The Planning Board Members didn't have any further questions or additional discussion. John made a motion for the Planning Board to make a recommendation to the Town Board to adopt a local law to amend Chapter 108 (Zoning) of the code of the Town of Colden by adding Commercial Recreational Facility as a permitted principal use via special use permit in the agricultural (AG) zoning district. The motion was seconded by Cheryl, no discussion of the motion took place so a vote was taken. All were in favor. The DRAFT will be updated and forwarded to the Town Board for review and setting of a public hearing.

Short Term Rentals (STR) Fees and Fines

Walt stated that the Town Board adopted the Short-Term Rentals (STR) at their June 11th meeting. Therefore the Planning Board must now establish recommended fees and fines and create an amended schedule of such. The Planning Board discussed the fees and fines with the PB Members and the Code Enforcement Officer in attendance. The PB Members reviewed the fee schedule and agreed to adopt the STR fees as follows:

Initial STR Permit Application Fee Per Rental Unit

STR Owner Occupied Application Fee \$250.00

STR Non-Owner Occupied Application Fee \$300.00

Annual Permit/License Renewal Fee Per Rental Unit

STR Owner Occupied Annual Renewal Fee \$150.00

STR Non-Owner Occupied Application Fee \$200.00

Inspection Re-Scheduled / Failed Inspection Fee per Rental Unit

STR Re-scheduled Inspection of Failed Re-Inspection Fee \$75.00

The Planning Board also discussed violation fees and fines for 1st, 2nd, and 3rd offenses and reviewed a draft chart of them. The members concurred with the chart amounts.

A motion was made by John to submit the fees and fine schedule to be adopted by the Town Board, and George seconded. All were in favor. Walt stated that all the information discussed will be available at the Town Clerk's office by a FOIL request for citizens interested.

Battery Energy Storage Systems (BESS)

Walt referenced revision draft # 10 that the PB Members received by email. Walt explained why there's still a moratorium placed on Battery Energy Storage Systems (BESS) in the Town of Colden. Walt reviewed the highlighted items that were presented in his slideshow. The Planning Board Members discussed setbacks and agreed that a front setback should be no less than 300' from the edge of the right of way. The side boundary setbacks should be no less than 50' from the side yard boundary lines. The rear yard setback shall be no less than 100' from the parcel's rear boundary line. Setbacks for dwellings and other occupied structures was debated, and an additional distance criterion was added to establish the minimum distance between a nearby non-participating dwellings and landowners, and that is now reflected in the proposed code. John referenced a training discussion with a fire suspension concern. The Board Members discussed the option to include the first applicant pay for the firefighter training, but that may not be reasonable going forward, As an alternative. Walt explained that the site plan review and subsequent conditions for the Special Use Permit is where those specifics can be set and ultimately included in any approval of the SUP by the Town Board consistent with PB recommendations.

Cheryl made the motion for the Planning Board to recommend to The Town Board to adopt a local law for Battery Energy Storage Systems (BESS) and was seconded by Paul. All were in favor.

Chapter 108 {Zoning} to Define and Regulate

Walt explained again how this became a controversial topic because of non-facts were distributed on social media. Walt stated that no action will be taken at the July meeting, only preliminary discussions. Walt stated that this will be the first time that the Planning Board will review and

discuss limits. Walt stated that there won't be a ban; in essence there is presently a ban since the raising of poultry is not an allowable land use other than in Ag-zoning. The PB desires to make raising poultry and fowl an allowable permitted use for R1, R2, RRB, and Commercial zoning since presently it is not. Walt reviewed the "talking points" slide from his presentation with the PB Members and stated that the document will be available at the Town Clerk's office by a FOIL request for audience interested. Walt discussed future goals for hobby farms located in land zoned in R1, R2, RRB, and Commercial. Walt shared a slide in his presentation with a zoning map of the Town of Colden that highlighted the affected areas which are limited in scope and only impact the first 300' of parcel depth measured from the road frontage centerline. Walt reviewed Towns that are similar to Colden: Holland, Sardinia, and Concord were examined as similar rural nearby communities. The goal for the PB Members is to define coop/runs setbacks and perhaps without a bird count. Walt also reviewed that anything less than 3 acres is a probably a non-conforming lot and there are many within the Town due to size and other factors about the parcel. The PB will draft zoning codes for the restrictive road frontage zoning districts, and the permit process will be via a Special Use Permit (SUP) requirement. Walt shared next month's goals with the PB Members recommended that all PB members review the sample materials supplied and review prior documents so that our goal of establishing specific permit criteria can begin. Walt also reminded everyone that all the information discussed will be available at the Town Clerk's office by a FOIL request if desired and that the more citizens who review actual documents versus social media the better informed they shall be.

Park Lighting

Walt gave an update on the lighting design and a possible four-season concession building upgrade for Winter activities is being considered, pending funding. The process of getting internet and security cameras at the park is also underway as with the substantial park upgrades, better security and monitoring was recommended by EC the Sheriff Officers. Security cameras are a critical asset when situations do occur, and as an example Walt discussed the substantial damage to the Highway garage building from a delivery truck and how helpful the camera footage was to establish the facts and later as evidence needed for resolution of insurance and law enforcement matters. The scope and funding for the park security and internet is being evaluated.

The next Planning Board meeting will be on Tuesday, August 18th.

Cheryl motioned to adjourn the meeting at 9:34 PM, and Andrew seconded. All were in favor.

Submitted by: Crystal Barrett