

TOWN OF PENDLETON  
**PLANNING BOARD MINUTES**  
APRIL 21, 2015

MEMBERS PRESENT : Joe McCaffrey, Dan Vivian, Joe Kania,  
John Lavrich, Joe Killion and Tom Edbauer

Members Excused: Dave Naus

Others Present: Dave Britton, Town Engineer

1. Meeting called to order by Chairman McCaffrey at 7:30PM.

2. Informal Business

Administrative Assistant Kania updated Members on a number of issues that may come before the Planning Board in the near future.

3. March 17, 2015 Meeting Minutes

A motion was made by Dan Vivian and seconded by Joe Killion to approve the Minutes of the March 17, 2015 Planning Board Meeting. All agreed.

4. Site Plan Review - Gregory W Soemann / Hartland Real Estate LLC  
6310 South Transit Road

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Site Plan Application was received for proposed Parking Lot expansion and improvements on Applicants' Commercial Parcel located on South Transit Road. Awaiting Engineered Site Plan Drawings in order to continue the Site Plan Review process.

Tabled to the May 19, 2015 Planning Board Meeting.

5. Site Sketch Plan Review - Chameleon Concrete & Pools -  
4705 Mapleton Road

HISTORY: Exerts taken from Item #7 of the November 18, 2014  
Planning Board Meeting Minutes

Chameleon Concrete & Pools made application for a Site Sketch Plan to install an X In Ground Gunite Pool in front of their existing building located at 4705 Mapleton Road.

Mr. Cedrone then agreed to the following provisions:

- \* 1. The proposed Pool would maintain a minimum 35' setback from the Mapleton Road Right of Way.
- 2. The proposed Pool would be "Dawn to Dusk" illuminated from the existing Building.
- 3. Fencing and alarms will meet all Code requirements.
- 4. Drawings will be updated to include all agreed to items and be delivered to Admin. Assistant Kania before any Building Permits for this project can be issued.

CURRENT

Upon review of the Chameleon Concrete Site Sketch Review it was discovered that an error was made on the first provision contained in the November 18, 2014 Planning Board Meeting Minutes.

A motion was made by Dan Vivian and seconded by Joe Killion to amend Item #7 provision #1 of the November 18, 2014 Planning Board Meeting Minutes to read: The proposed Pool would maintain a minimum 30' setback from the Mapleton Road Right of Way.

All agreed.

- 6. Beach Ridge Meadows - 19 Lot Major Subdivision - 4214 Beach Ridge Rd. - Final Plat

HISTORY: Taken from the March 17, 2015 Planning Board Meeting Minutes

Kristin Savard of Advanced Design was present and distributed copies of the Beach Ridge Meadows Major Subdivision Final Plat Engineered Drawings to Planning Board Members and Town Engineer for review and comments. Ms. Savard then commenced to update the Board and Town Engineer on certain key items contained in said Plat.

Items such as Projected Signage Fee Payment, Utilities, Sewer District Extension, Drainage District and Niagara County Health Department approval were discussed.

It was then noted that Final Plat Application along with payment of Final Plat Fees had to be accomplished before discussion at the April 21, 2015 Planning Board Meeting

Town Engineer Britton then told the Board that he would review the Final Plat Engineered Drawings and have comments available for the April 21, 2015 Planning Board Meeting.

Final Plat tabled to the April 21, 2015 Planning Board Meeting.

CURRENT:

It is first noted that Administrative Assistant Kania advised the Board that he received a request from the Applicant to obtain approval to name the street located in the Major Subdivision Pine Lake Terrace.

A motion was made made by Joe Kania and seconded be Joe Killion to accept Pine Lake Terrace as the street name. All agreed.

The Applicant, Craig D'Angelo along with Richard Haight of Advanced Design Group were present to field any questions concerning the Beach Ridge Meadows Final Plat.

Since the Final Plat Engineered Drawings were substantially the same as those of the Preliminary Plat, all Planning Board Members agreed that a second Public Hearing would not be necessary.

A letter dated April 1, 2015 from Town Engineer Dave Britton was then presented to the Board. The letter states in part that "Based upon our review, we have determined that the submission of the Final Plat documents are in substantial conformance with Final Plat requirements of the Town Code Chapter 220 and have been prepared to meet acceptable engineering practices."

"CRA recommends approval of the Final Plat with the following conditions:

1. A Sewer District Extension or Formation of a Sewer District to service the subdivision shall be established. A Map, Plan and Report shall be submitted to the Town Board for consideration and approval.
2. The project requires the formation of a Stormwater District. Approval of the Stormwater District is at the direction of the Town Board.  
Note that the following documents shall be incorporated into the Stormwater District Map, Plan and Report:
  - a. Declaration of Restrictive Covenants regarding stormwater maintenance facilities if applicable.
  - b. Stormwater Control Facility Maintenance Agreement.
3. Regulatory approval and Permit to construct waterline and sewer mains.

The above conditions will need to be completed prior to the filing of the Final Plat Cover Map. "

All of the above conditions will be incorporated into the Technical Checklist for Final Plat Approval.

A motion was then made by Dan Vivian and seconded by Joe Killion to approve the Major Subdivision Final Plat conditioned on the provisions outlined in the Technical Checklist for Final Plat Approval and listed above. All agreed.

7. Wind Energy Conversion Systems (WECS) - Proposed Ordinance

HISTORY: Taken from the March 17, 2015 Planning Board Meeting Minutes

Administrative Assistant Kania distributed the Final Draft of the proposed Amendment to the Town Zoning Code relating to Wind Energy Conversion Systems.

Town Engineer Britton and all Planning Board Members will review said Final Draft and be ready to discuss it at the April 2015 Work Meeting.

It is expected that the Planning Board will be ready to make recommendation to the Town Board on the proposed Amendment to

the Town Zoning Code relating to Wind Energy Conversion Systems at the April 21, 2015 Planning Board Meeting.

CURRENT:

The Final Draft dated April 21, 2015 of the proposed Amendment to the Town Zoning Code relating to Wind Energy Conversion Systems was distributed and discussed.

A motion was then made by Tom Edbauer and seconded by Joe Killion to authorize Admin. Assistant Kania to draft a letter to the Town Board with details of the recommended amendment and advising the Town Board that the Planning Board recommends approval of said amendment. All Agreed.

Note: Administrative Assistant Kania then advised the Board that the Niagara County Referral Recommendation along with required SEQR Form are available for Town Board use.

8. Heritage Structures / Shedbuilders LLC - Site Sketch Plan-6730 S. Transit Road

It was first noted that there was no one present representing Heritage Structures.

The Board then proceeded to review the Site Sketch Plan. After discussion, all members agreed that the following four restrictions would apply:

1. Maximum number of sheds within the leased area shall be 16.
2. Maximum square footage for a shed shall be 385 sq. ft.
3. Maximum area allowed for sheds within the leased area shall be contained within the designated paved parking lot area.
4. On-site construction shall not be permitted.

SEQR DETERMINATION: The Board then addressed the State Environmental Assessment Form and on a motion by Joe Kania and second by Dan Vivian a negative SEQR determination was issued and the Planning Board Chairman was given authorization

to sign the SEQR Form. All agreed

A motion was then made by Dan Vivian and seconded by Tom Edbauer to approve the Site Sketch Plan subject to the four conditions listed above. All agreed.

9. Public/Press Comments and Questions

None

10. Adjourn

Meeting adjourned at 8:53PM

Respectfully Submitted

John Lavrich, Secretary  
Planning Board, Town of Pendleton

NOTE: THE ABOVE PLANNING BOARD MINUTES ARE INFORMATIONAL AND FORMAL APPROVAL ACTION WILL NOT TAKE PLACE UNTIL THE May 19, 2015 PLANNING BOARD MEETING.

