

TOWN OF PENDLETON  
**PLANNING BOARD MEETING MINUTES**  
**August 15, 2017**

MEMBERS PRESENT: Joe McCaffrey, *Joe Killion, Dave Kantor,*  
*John Lavrich, Nick Kwasniak, Dave Naus and Dan Vivian*

Members Excused: None

Others Present: Town Engineer Dave Britton

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

2. Informal Business

None

3. July 18, 2017 Meeting Minutes

A motion was made by Dan Vivian and seconded by Dave Naus to approve the Minutes of the July 18, 2017 Planning Board Meeting. All agreed.

4. The Dugout Sports Complex Dome - 6856 S. Transit Road - Site Plan Review

SEQR Action  
7:45 Public Hearing

SEQR Action

SEQR: The Planning Board initiated review of the Short Environmental Assessment Form.

On a motion by Joe Killion and seconded by Dave Kantor a Negative Declaration was issued and the Planning Board Chairman was authorized to sign the SEQR Form. All agreed.

#### 7:45 Public Hearing

A Public Hearing was opened at 7:45PM for The Dugout Sports Complex Dome Site Plan Review.

It was first noted that Kenneth Brown of Apex Consulting representing the Applicant Rick Kech (Dugout Sports Complex) was in attendance.

Kenneth Brown commenced to give the Board a short presentation on the **proposed** Dugout Sports Complex Dome **that would be located on an** approximately 46 acre parcel at 6856 S. Transit Road. The proposal is to install a 98' X 122' Inflatable Dome over the existing volleyball court for temporary use during the winter months.

It was noted that Niagara County Referral dated August 1, 2017 for the Dugout Sports Complex Dome Site Plan was submitted to the Niagara County Planning Board for review at its August 21, 2017 Meeting. It is noted that Site Plan Review approval need be conditioned on a positive recommendation from the Niagara County Planning Board

There were no questions from those in attendance on said Site Plan Review, so on a motion by Dave Kantor and seconded by Dave Naus the Public Hearing was closed at 7:52PM. All agreed.

Town Engineer Dave Britton then verbally stated that the submitted documents generally comply with engineering standards and Town Code.

A motion was made by Nick Kwasniak and seconded by Dave Naus to approve the Site Plan conditioned on the provisions outlined in the Technical Checklist for Site Plan Approval and a positive recommendation from the Niagara County Planning Board.

All agreed.

5. Heritage Landings - Major Subdivision (Modified) - Final Plat - Fiegel and Bear Ridge Road - 53 Lots

HISTORY: Taken from the July 18, 2017 Planning Board Meeting Minutes

Richard Haight of Advanced Design Group along with Applicant William Heitzenrater came before the Board to discuss the revised Major Subdivision Engineered Drawings for the Heritage Landings Major Subdivision (Modification).

Discussion focused on the Applicant receiving notification that all utilities would have to go under as opposed to over the pipeline that runs through the property. This would require major changes to be made to the Final Plat Engineered Drawings.

After discussion, it was again agreed that it would be premature to make any decisions concerning the engineering of the Subdivision until a firm agreement was in place concerning restrictions in traversing the pipeline.

Mr. Heitzenrater then informed the board that he would prioritize making effort in meeting with the pipeline company to resolve the "crossing" issue.

It is noted that going under the pipeline with utilities would create both hardship for the Applicant as well as significant maintenance issues for the Town. That being the case, Chairman McCaffrey volunteered to meet along with Mr. Heitzenrater with the pipeline company to try to resolve the issue.

Tabled to the August 15, 2017 Planning Board Meeting.

CURRENT:

Applicant William Heitzenrater continues with his efforts to resolve the "pipeline crossing" issue. Major Subdivision review is on hold pending resolution of the crossing issue.

Tabled to the September 19, 2017 Planning Board Meeting.

6. Meadows at Pendleton North - Major Subdivision Preliminary Plat - 51 Lots - Campbell Blvd. between Fiegel Rd and Bear Ridge Road

HISTORY: Taken from the June 20, 2017 Planning Board

**Meeting Minutes**

Classification of the Subdivision Sketch Plan as requested by Sean Hopkins, Esq. representing the Applicant.

It was first noted that the 300' deep Co-1 Commercial Zoning that existed to the front of the Proposed Major Subdivision has been rezoned to R-2 Residential. It is also noted that the Town Zoning Board of Appeals has approved all the Area Variances that were required to continue the Major Subdivision Review process.

The Planning Board along with Town Engineer Britton then completed their review of the Major Subdivision Sketch Plan. A motion was then made by Dave Naus and seconded by Joe Killion to classify the Sketch Plan as a Major Subdivision per Section 220-10B.(3) Subdivision of Land. All agreed.

It is noted that Section 220 B. states in part "Once classified as Major Subdivision no alterations or improvements to property may be made".

Applicant can now proceed to the Preliminary Plat stage of the review process and the sub-divider (Applicant) shall comply with Article III Section 220-12 through 220-16 Subdivision of Land.

HISTORY: Taken from the July 18, 2017 Planning Board

**Meeting Minutes**

Preliminary Plat Application along with the Preliminary Plat Engineered Drawings are expected for initial review at the August 15, 2017 Planning Board Meeting

CURRENT:

Preliminary Plat Application along with the Preliminary Plat

Engineered Drawings will be available for initial review at the September 19, 2017 Planning Board Meeting.

7. Public/Press Comments and Questions

None

8. Adjourn

*On a motion by Dan Vivian and seconded by Dave Naus the meeting was adjourned at 8:05PM. All agreed.*

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 September 19, 2017 PLANNING BOARD MEETING.