

TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
DECEMBER 15, 2015

MEMBERS PRESENT : Joe McCaffrey,, *Dave Naus, Dan Vivian,*
John Lavrich, Joe Killion and Tom Edbauer

Members Excused: *Joe Kania*

Others Present: Town Engineer, Dave Britton---Excused

1. Meeting called to order by Acting Chairman Lavrich at 7:30PM.
(Chairman McCaffrey arrives at 7:43PM to Chair remainder of Meeting.)

2. Informal Business

None

3. November 17, 2015 Meeting Minutes

A motion was made by Dave Naus and seconded by Joe Killion to approve the Minutes of the November 17, 2015 Planning Board Meeting. All agreed.

4. Public Hearing - 7:45PM Majestic Woods Development/Bear Ridge Estates - Two Lot Minor Subdivision/Resubdivision

It is noted that William Tuyn was in attendance acting as agent for property owner Majestic Woods Development.

The Subdivision/Resubdivision consists of splitting a 13,880 square foot parcel (90 foot wide) from Bear Ridge Estates Sub-lot 74, Part 5 owned by Majestic Woods Development and will be attached to the adjacent lot Bear Ridge Estates Sub-lot 88, part 2 owned by Steven Tokarczyk

No one in attendance had any questions on said Subdivision, so on a motion by Tom Edbauer and seconded by Joe Killion the Public Hearing was closed at 7:48PM. All agreed.

Steven Tokarczyk gave the Board written certification that the aforementioned parcel would be attached to his lot at 7147 Rolling Meadows Drive.

SEQR: The Planning Board then reviewed the Short Environmental Assessment Form and on a motion by Dan Vivian and seconded by Joe Killion a Negative Declaration was issued and the Planning Board Chairman was authorized to sign the SEQR Form. All agreed.

A motion was then made by Dave Naus and seconded by Dan Vivian to approve the Subdivision/Resubdivision conditioned on proper survey and filing deed description with Niagara County within one year of today's date. All agreed.

5. Site Plan Review - Fred Hanania Self Storage Facility - S. Transit Road

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

Admin. Assistant Kania advised the Board that he had not received any further updates on the status of this proposed project.

Chairman McCaffrey then asked the Board to consider authorizing Administrative Assistant Kania to send a memo to the Applicant advising that the Site Plan will become null and void if the Planning Board does not receive a written update along with a time frame no later than 60 days from November 17, 2015.

Motion made by Joe Killion and seconded by Dan Vivian to authorize Administrative Assistant Kania to send said memo to the Applicant. All agreed

Current:

An E-Mail dated November 24, 2015 from Chris Wood acting on behalf of applicant Fred Hanania: "I spoke to the owner, Fred Hanania, he would like to withdraw the application at this time for the storage facility on Transit Road."

Motion then made by Dan Vivian and seconded by Tom Edbauer to accept Mr. Hananias' request and terminate the Site Plan Review Application. All agreed

6. Heritage Landings - Major Subdivision - Fiegle and Bear Ridge Road

HISTORY: Taken from the August 18, 2015 Planning Board Meeting Minutes

Richard Haight of Advanced Design along with applicant William Heitzenrater were in attendance to present and discuss a Sketch of the Modified Final Plat for the approved Major Subdivision named Heritage Landings.

Mr. Haight proceeded to give a presentation on the "Modification" which would reduce the size of the Major Subdivision from 91 lots as approved down to 53 lots. Some of the other major changes included:

1. Two entrances on Fiegle Road. The Bear Ridge Road entrance would be eliminated.
2. One Retention Pond.
3. One instead of two Pump Stations.
4. A second pond if further fill is needed to balance the subdivision.

After discussion, all Planning Board Members agreed that Application could be made and Mr. Heitzenrater agreed that Preliminary Plat Fees would apply.

Tabled to the December 15, 2015 Planning Board Meeting.

CURRENT:

It is first noted that there was no one in attendance representing the Heritage landings Major Subdivision.

A Memo dated December 9, 2015 from Richard Haight of Advanced Design Group stated: " We are currently working with the utility companies for the crossing of the gas and NHPA easements and

the

connections to the County sewer line and are finalizing the drawings and design report/SWPPPP. We will not be at the December meeting but will be in contact with Dave Britton to keep him informed of our progress."

Tabled to the January 19, 2016 Planning Board Meeting.

7. Empire Pipe Line Inc. - Compressor Station Site Plan Review - Killian Road

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

Adam Walters of Phillips Lytle LLP and representing National Fuel Gas-Empire Pipe Line, Inc. along with a number of representatives from Empire/National Fuel were in attendance to update the Planning Board on the 22,000 horsepower gas compressor station project.

Mr. Walters first informed the Board that he met with the Town Building Inspector to discuss a determination on the project as a "Use by Right" in a Light Industrial Zone. Determination by Building Inspector is still pending.

A number of items concerning the project were then discussed:

1. Elevations of structures
2. Spec. Sheets
3. Enclosures
4. FERC update

Mr. Walter then advised the Board that the Sportsman Club property that National Fuel has an Option to Purchase needs to be subdivided in order to facilitate the process. He expects to make Minor Subdivision Application in time for initial review at the December Planning Board Meeting.

Tabled to the December 15, 2015 Planning Board Meeting.

CURRENT:

Adam Walters of Phillips Lytle LLP and representing National Fuel Gas-Empire Pipe Line, Inc. along with a representative from Empire/National Fuel were in attendance to give a short update to the Planning Board on the 22,000 horsepower gas compressor station project.

Mr. Walter advised the Board that per Planning Board request a full set of up to date documents pertaining to the "FERC" filing for the National Fuel Gas-Empire Pipe Line, Inc. Northern Access 2016 Project were delivered to the office of the Planning Board Administrative Assistant.

Documents having impact on the Town of Pendleton will be reviewed by Town Engineer Dave Britton. Per Town Zoning Code Section 247-54J, the Town Engineer will prepare a statement of costs to review said documents which will be billed and paid by Applicant.

Tabled to the January 19, 2016 Planning Board Meeting.

8. Tonawanda Sportsman Club - Two Lot Minor Subdivision - Killion Road

Adam Walters of Phillips Lytle LLP and representing the Tonawanda Sportsman Club was in attendance to update the Planning Board on the progress of the Minor Subdivision Application and related supporting documentation.

Mr. Walter advised the Board that he anticipates making Minor Subdivision Application in time for initial review at the January 2016 Planning Board Meeting.

Tabled to the January 19, 2016 Planning Board Meeting.

9. Public/Press Comments and Questions

None

10. Adjourn

Meeting adjourned at 8:58PM

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
January 19, 2016 PLANNING BOARD MEETING.

