

TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
FEBRUARY 21, 2017

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

Members Excused: None

Others Present: Town Engineer Dave Britton

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

2. Informal Business

Welcomed new Planning Board Member Nick Kwasniak.

3. January 17, 2017 Meeting Minutes

A motion was made by Dan Vivian and seconded by Joe Killion to approve the Minutes of the January 17, 2017 Planning Board Meeting. All agreed.

4. Serwan Salih - Four Lot Minor Subdivision - Fiegle Road east of Campbell

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 Dan Vivian a Negative Declaration was issued and the Planning Board Chairman was authorized to sign the SEQR Form. All agreed.

7:45 Public Hearing

It is first noted that the Applicant Serwan Salih was in attendance.

A Public Hearing was opened at 7:45PM for a Four Lot Minor Subdivision on the north side of Fiegle Road east of Campbell Blvd. The Subdivision consists of splitting four lots from a 13.96 acre parcel. All lots will have Fiegle Road Frontage.

Lot #1 will measure 443' wide by 636' deep, lot #2 140' wide by 636' deep, lot #3 125' wide by 636' deep and lot #4 will be remainder of parcel with 541' frontage.

There were no questions from those in attendance on said Subdivision , so on a motion by Dave Kantor and seconded by Dan Vivian the Public Hearing was closed at 7:52PM.

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

5. Dollar General - Site Plan Review - Campbell Blvd. north of Beach Ridge Road - Site Plan Review

SEQR Action
8:00 Public Hearing

SEQR Action

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

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.

8:00 Public Hearing

A Public Hearing was opened at 8:00PM for Dollar General Site Plan Review.

It was first noted that David Pawlik (The Applicant) of

Creative Structures Services was in attendance.

Mr. Pawlik commenced to give the Board a short presentation on **the proposed 9,100 sq. ft. building that would be located on an** approximately 2.7 acre parcel on the west side of Campbell Blvd. **just north of Beach Ridge Road.**

Questions from those in attendance and also by letter were then addressed. Questions related to such items as:

- 1. Building setback and placement on parcel.**
2. Screening of Residential Zoned property to the north and west.
3. Fencing.
- 4. Storm Water runoff and retention.**

Mr. Pawlik then agreed to respond in writing to address concerns expressed in a letter received from the individual residing in the first house to the north.

On a motion by Dan Vivian and seconded by Dave Naus the Public Hearing was closed at 8:12PM.

Town Engineer Dave Britton then distributed a letter dated February 21, 2017 which stated in part "GHD recommends that the Planning Board approve the project with the condition that the applicant submits drawings and SWPPP with all the responses outlined (in attachments to letter dated Feb. 21, 2017) to the satisfaction of GHD prior to issuance of building permit."

A motion was made by Nick Kwasniak and seconded by Joe Killion to approve the Site Plan conditioned on the provisions outlined in the GHD letter dated Feb. 21, 2017 along with the Technical Checklist for Site Plan Approval. All agreed.

6. Wolf's Nursery - Site Sketch Plan Review -
6083Fisk Road

It was first noted that Jeff Wolf representing the Applicant

Wolf's Nursery was in attendance.

Wolf's Nursery made Application for a Site Sketch Plan for a proposed 12'x24 (288 square foot) Office Addition to their existing building.

Upon review of Site Sketch by Planning Board Members, all agreed that drainage and elevation issues were addressed on past Wolf's Nursery Site Plans and the small proposed addition would not have any significant impacts.

A motion was then made by Dave Kantor and seconded by Dave Naus to approve the Site Sketch Plan. All agreed.

7. Heritage Landings - Major Subdivision (Modified) - Fiegel and Bear Ridge Road

HISTORY: Taken from the December 20, 2016 Planning Board Meeting Minutes

Applicant William Heizenrater is still reviewing his options. Tabled to the January 17, 2017 Planning Board Meeting.

HISTORY: Taken from the January 17, 2017 Planning Board Meeting Minutes

Administrative Assistant Lavrich advised all Planning Board Members that William Heitzenrater via E-Mail stated that "we will have a definite response for next month meeting. (February 21, 2017). Tabled to the February 21, 2017 Planning Board Meeting.

CURRENT:

Richard Haight of Advanced Design Group and representing the Applicant William Heitzenrater came before the Board to update the status of the Heritage Landings Major Subdivision.

Mr. Haight first advised that Applicant William Heitzenrater has made a decision to proceed with the 53 lot Major Subdivision Plat that was under Planning Board Review Process. He further advised that a number of "minor" plat updates

(mostly relating to balancing of site) had to be made to the Engineered Drawings.

Since numerous delays have occurred throughout the Major Subdivision Review Process, a determination of the status of permits, wetland delineation and adequacy of review fees paid were then discussed.

1. It was tentatively determined that permits were current and wetland delineation was current to Nov. 2019.
2. Review fees for the project have been exhausted and a Final Plat Review Fee in the amount of \$50 per lot must be paid before continuing the Major Subdivision Review Process.
3. The Applicant will pursue extending the gas from the Major Subdivision to Fiegle Road in lieu of extending the Sewer Line to Fiegle Road.

Tabled to the March 21, 2017 Planning Board Meeting awaiting updated Engineered Drawings and payment of Final Plat Review Fee.

8. Meadows at Pendleton North - Major Subdivision Sketch Plan
Campbell Blvd. between Fiegl Rd and Bear Ridge Road

HISTORY: Taken from the January 17, 2017 Planning Board
Meeting Minutes

Tabled to the February 21, 2017 Planning Board Meeting pending outcome of Rezoning Application. It is noted that the Town Board has set a Public Hearing for the Rezoning Application for February 13, 2017 at 6:30PM.

CURRENT:

It was first noted that the Town Board approved the Rezoning Application at its February 2017 Meeting. The total parcel involved with the Meadows at Pendleton North Major Subdivision is now zoned R-2 Residential.

The Planning Board then commenced to review the Meadows at Pendleton North Major Subdivision Sketch which reflected the impact of the approved rezoning.

Some items noted and discussed included:

1. The number of lots that do not meet Zoning Code dimension requirements and thus would need Area Variances.
2. Wetland impacts to the Major Subdivision.
3. The impacts of the long narrow Retention Pond on the far north side of the Major Subdivision.
4. The need/use of three Bio retention areas especially near the wetlands on far easterly side of Subdivision.
5. Overall design of the Major Subdivision / Stormwater Management.

After discussion, all members agreed to table the Major Subdivision Sketch pending discussion with the Applicant / Applicant's Engineer.

9. Modified Site Plan Review - Hampton Inn -
6082 S. Transit Road

HISTORY: Taken from the October 18, 2016 Planning Board
Meeting Minutes

It is first noted that the Site Plan Review for the Hampton Inn was approved by the Planning Board on July 21, 2015.

The Site Plan was approved with Two(2) entrances off South Transit Road. After approval, upon applying for Curb Cuts, the NYS DOT allowed only one(1) entrance causing conflict with the approved Site Plan. This Modified Site Plan addresses the conflict.

Modified Site Plan Review Engineered Drawings for the Hampton Inn and Parking Lot on a 4.31 acre parcel on the west side of S. Transit Road south of Robinson Road were received and reviewed

The Modified Site Plan was sent to the Wendelville Fire Chief for comment. As of this date the Planning Board has not

received response. Since Fire Dept. response is paramount in making any decision on the Modified Site Plan, action is tabled to the November 15, 2016 Planning Board Meeting.

HISTORY: Taken from the November 15, 2016 Planning Board Meeting Minutes

Chairman MCCaffrey advised the Board that no further input or information was relieved from either the New York State DOT or Wendelville Fire Department regarding the One vs Two Entrance issue.

After discussion, all agreed that the Planning Board could go no further with the Modified Site Plan until either the DOT amends their decision and allows the second entrance or the Fire Dept. responds setting forth proposed modifications that they deem warranted to insure safety in case of emergency.

HISTORY: Taken from the January 17, 2017 Planning Board Meeting Minutes

Awaiting confirmation on DOT decision to allow second "emergency only" entrance.
Tabled to the February 21, 2017 Planning Board Meeting.

CURRENT:

It is noted that the Building Department has received notification that the DOT has made a decision to allow a second "emergency only" entrance.
Planning Board is awaiting further information verifying the completed construction and acceptance of the "emergency only" entrance.

Tabled to the March 21, 2017 Planning Board Meeting.

10. Public/Press Comments and Questions

None

11. Adjourn

On a motion by Joe Killion and seconded by Dan Vivian the

meeting was adjourned at 10:05PM. 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
March 21, 2017 PLANNING BOARD MEETING.