

TOWN OF PENDLETON  
**PLANNING BOARD MINUTES**  
JULY 15, 2014

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

Members Excused: None

Others Present: Dave Britton, Town Engineer

1. Administrative Assistant Kania advised the Board that Chairman McCaffrey called and related that he would be in attendance at tonight's meeting but was running late and asked that Admin. Assistant Kania conduct the meeting.

Meeting called to order by Admin. Assistant Kania at 7:30PM.

2. Informal Business

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

3. June 17, 2014 Meeting Minutes

A motion was made by Dan Vivian and seconded by Tom Edbauer to approve the Minutes of the June 17, 2014 Planning Board Meeting. All agreed.

4. Hidden Oak Phase 2 - Major Subdivision - Final Plat

HISTORY: Taken from the May 20, 2014 Planning Board Meeting Minutes

Conditional Final Plat Approval for the Hidden Oak Phase 2 Major Subdivision was granted at the December 17, 2013 Planning Board Meeting. It is further noted that per Section 220-13G(3)

of the Town Subdivision Regulations; Conditional Approval expires in 180 days from date of Conditional Final Plat Approval and Planning Board has authority to issue two 90 day extensions.

Administrative Assistant Kania then advised the Board that he had received an E-Mail from Mike Metzger of Metzger Engineers asking for a 90 day extension of time for the Conditional Major Subdivision Approval.

After discussion, a motion was made by Tom Edbauer and seconded by Joe Kania to issue a ninety (90) day extension of time to fulfill conditions outlined in the Technical Checklist for Final Plat Approval. All agreed.

HISTORY: Taken from the June 17, 2014 Planning Board Meeting Minutes

Al Hopkins of Metzger Engineers was in attendance to give the Board an update on the progress of the Hidden Oak Major Subdivision Conditional Final Plat Approval. Mr. Hopkins advised the Board that Niagara County Health Department Approval has been received for the project. He further advised that full sets of Engineered Drawings will be provided to the Planning Board and Town Engineer for their files.

All agreed that the "Cover Map" for the Hidden Oak Major Subdivision can now be signed by the Planning Board Chairman and Town Engineer and then be recorded with Niagara County.

CURRENT:

Mike Metzger of Metzger Engineers asked to be placed on the July 15, 2014 Planning Board Meeting Agenda so that he along with the Applicant could discuss certain aspects of the Conditional Final Plat Approval that was granted on December 17, 2013.

Mr. Metzger was in attendance and advised the Board that the Applicant was unable to attend this Meeting and asked the Board to be placed on the August 19, 2014 Planning Board Meeting Agenda.

All agreed. Tabled to the August 19, 2014 Planning Board Meeting.

5. The Meadows Major Subdivision, Campbell Blvd.

Paul Bliss ( Meadows Subdivision Manager) and Cliff Krumm of G.P.I. were in attendance to inquire about amending the Final Phase of The Meadows Major Subdivision Approval.

Mr. Krumm proceeded to give the Board a presentation on amending the Final Phase of the Major Subdivision that would eliminate the large lots as approved and replace them with a significant number of smaller lots along with adding an additional Retention Pond.

Discussion then ensued concerning the implications of amending a Final Plat Approval after substantial construction has already taken place. A major change to an approved Final Plat would have certain consequences such as stopping all construction on other Phases, new Engineered Drawings, and additional Public Hearings to name a few.

Mr. Krumm and Mr. Bliss then advised the Board that they would take the Pros and Cons into consideration and advise the Board if they desire to proceed with any amendment requests.

6. Town Zoning Code Recommended Changes - Unsafe Structures

HISTORY: Taken from the May 20, 2014 Planning Board Meeting Minutes

The Final Draft of the proposed Amendment to the Town Zoning Code relating to Unsafe Structures as requested by the Town Board was reviewed and discussed in detail.

A motion was then made by Dave Naus and seconded by Dan Vivian 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 he would prepare the Niagara County Referral Form along with required SEQOR Form and will forward both to the Town Board along with the Letter of Recommendation.

HISTORY: Taken from the June 17, 2014 Planning Board Meeting Minutes

Awaiting input from Niagara County Planning Board.  
Tabled to the July 15, 2014 Planning Board Meeting.

CURRENT:

Administrative Assistant Kania advised the Board that a positive recommendation to approve from the Niagara County Planning Board was received thus the letter to Town Board that was approved in the June 17, 2014 Planning Board Minutes can now be forwarded to the Town Board for consideration.

7. Dan & Craig D'Angelo Major Subdivision - 4214 Beach Ridge Rd. - Sketch Plan

HISTORY: Taken from the May 20, 2014 Planning Board Meeting Minutes

Administrative Assistant Kania advised the Board that he had prepared and distributed a Denial Letter and the Applicants Danial and Craig D'Angelo will be going before the Zoning Board of Appeals seeking a Variance for an oversized Accessory Structure located on one of the proposed Major Subdivision lots.

Tabled pending Variance determination.

HISTORY: Taken from the June 17, 2014 Planning Board Meeting Minutes

Awaiting Town Zoning Board of Appeals determination at its June 2014 Meeting.

Tabled to the July 15, 2014 Planning Board Meeting.

CURRENT:

Administrative Assistant Kania advised the Board that the awaited Variance was approved by the Zoning Board of Appeals at its June Meeting.

The Applicant can now proceed to file a Preliminary Plat Application, pay required fees and then go before the Planning Board with Preliminary Plat Engineered Drawings to commence with the Preliminary Plat Review stage of the Major Subdivision Review Process.

Tabled to the August 19, 2014 Planning Board Meeting awaiting Preliminary Plat Application and Engineered Drawings

8. Public/Press Comments and Questions

None

9. Adjourn

Meeting adjourned at 8:40PM

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 August 19, 2014 PLANNING BOARD MEETING.