

TOWN OF PENDLETON
PLANNING BOARD MINUTES

July 21, 2015

MEMBERS PRESENT : Joe McCaffrey, Joe Kania, Dan Vivian,
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

None

3. June 17, 2015 Meeting Minutes

A motion was made by Tom Edbauer and seconded by Dan Vivian to approve the Minutes of the June 17, 2015 Planning Board Meeting. All agreed.

4. Public Hearing -7:45- Site Plan Review - Hampton Inn -
6082 S. Transit Road

A Public Hearing was opened at 7:45PM July 21, 2015 for a Site Plan Review for the proposed construction of a Four Story Hampton Inn and Parking Lot on a 4.31 acre parcel on the west side of S. Transit Road south of Robinson Road.

Site Plan Application along with Engineered Drawings were received.

Tim Arlington of Apex Consulting and representing the Applicant was present to give the Board a presentation on the proposed project.

It was then noted that the Niagara County Planning Board Referral recommendation was received and stated "The Niagara

County Planning Board recommends approval.

A letter from Town Engineer Dave Britton was then presented to the Board. The letter contained a number of issues that were discussed and resolved. Conditions outlined in the letter along with permit requirements will be incorporated in the Technical Checklist for Site Plan Approval.

Items then discussed included:

1. Parking.
2. Flood Plain/Wetlands.
3. Landscaping
4. Drainage.
5. Utilities
6. Storm water Management

All comments and questions from those in attendance were addressed. On a motion by Joe Kania and second by Tom Edbauer the Public Hearing was closed at 7:59PM. All agreed

SEQR DETERMINATION: The Board then addressed the State Environmental Assessment Form and on a motion by Joe Kania and second by Joe Killion a negative SEQR determination was issued and the Planning Board Chairman was given authorization to sign the SEQR Form. All agreed

A motion was made by Tom Edbauer and seconded by Dan Vivian to approve the Site Plan conditioned on the provisions outlined in the Technical Checklist for Site Plan Approval. All agreed.

5. Public Hearing - 8:00PM - Heitzenrater - Three Lot Minor Subdivision/Resubdivision - Fiegle Road SBL:137.00-1-10.31

A Public Hearing was opened at 8:00PM for a Three Lot Minor Subdivision/Resubdivision on Fiegle Road west of Bear Ridge Road.

The Subdivision/Resubdivision consists of creating three lots out of the eight acre parcel which is owned by William

Heitzenrater who was in attendance. Lot #1, 2 and 3 will then be attached to parcels to the south also owned by William Heizenrater. After Resubdivision Lot A will have 100' Fiegle Road frontage and measure 182,735 Sq. Ft.. Lot B will have 260' Fiegle Road frontage and measure 110,656 Sq. Ft. Lot C will have 540.09' Fiegle Road frontage and measure 377,112 Sq. Ft. Lot D will have 100' Fiegle Road frontage and run to Rear Lot Line.

No one in attendance had any questions on said Subdivision/Resubdivision, so on a motion by Dan Vivian and seconded by Tom Edbauer the Public Hearing was closed at 8:04PM. All agreed.

SEQR: The Planning Board then reviewed the Short Environmental Assessment Form and on a motion by Tom Edbauer 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 Joe Killion 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.

6. Public Hearing - 8:15PM - Heitzenrater - Three Lot Minor Subdivision - Fiegle Road SBL:137.00-1-13.12

A Public Hearing was opened at 8:15PM for a Three Lot Minor Subdivision on Fiegle Road west of Bear Ridge Road.

The Subdivision consists of creating three lots out of the 8.3 acre parcel which is owned by William Heitzenrater who was in attendance .

Lot #1 will have 260' Fiegle Road Frontage. Lot #2 will have 100' Fiegle Road Frontage. Lot #3 will have 540.09' Fiegle Road Frontage.

No one in attendance had any questions on said Subdivision, so on a motion by Dan Vivian and seconded by Joe Killion the Public Hearing was closed at 8:18PM. All agreed.

SEQR: The Planning Board then reviewed the Short Environmental Assessment Form and on a motion by Joe Kania 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 Dan Vivian and seconded by Joe Kania to approve the Subdivision conditioned on proper survey and filing deed description with Niagara County within one year of today's date. All agreed.

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

HISTORY: Taken from the April 21, 2015 Planning Board
Meeting Minutes

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.

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

E-Mail received from Gregory Soemann dated May 20, 2015:

"Just wanted to give you an update as to the progress on my project. I've had no luck in dealing with my present engineer , in getting the runoff water engineering done, he's been unresponsive. So I'm in the process of working with another firm to get the engineering the town requested completed. When I have something of substance I will contact the Board. Thank You."

Administrative Assistant Kania advised the Board that he did not receive any further information on the project. Kania will contact the Applicant for update.

Tabled to the July 21, 2015 Meeting.

CURRENT:

No additional current information. Applicant in process of deciding if project is economically feasible to pursue. Tabled to the August 18, 2015 Planning Board Meeting.

8. Site Sketch - Mike Smith Buick - 6014 S Transit Road

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

It is first noted that there was nobody present representing Mike Smith Buick.

Mike Smith Buick made application for a Site Sketch Plan to construct a proposed 10' X 80' blacktopped Parking Lot (presently stones) located at 6014 S. Transit Road.

The Board reviewed and discussed the following items:

1. Drainage/runoff to creek.
2. Drainage Calculations.

After review of the Site Sketch it was decided that further information would be needed (Drainage Calculations) before Site Sketch approval could be considered. Town Engineer Dave Britton will call Applicant concerning said Drainage Calculations.

Tabled to the July 21, 2015 Planning Board Meeting.

CURRENT:

Awaiting information from Applicant's Engineer who is currently ill.

Tabled to the August 18, 2015 Planning Board Meeting.

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

HISTORY: Taken from the May 19, 2015 Planning Board Meeting Minutes

It was first noted that there was nobody present representing the Applicant.

Fred Hanania made application for a Site Plan Review to construct a proposed Self Storage Facility on S. Transit Road south of Fisk Road.

Engineered Site Drawings are in progress. Tabled to the July 21, 2015 Planning Board Meeting.

CURRENT;

Applicant advised that project is on hold pending outcome of a Wetland Delineation which is currently in process.

Tabled to the August 18, 2015 Planning Board Meeting.

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

HISTORY: Taken from the May 19, 2015 Planning Board Meeting Minutes

Richard Haight of Advanced Design along with Applicant Bill Heitzenrater came before the Board to discuss certain issues with the approved Major Subdivision Heritage Landings. Mr. Heitzenrater owns other property in the vicinity of Heritage Landings and would like to coordinate the development of all his properties. A number of possibilities were discussed along with how to procedurally accomplish a number of his ideas.

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

Kristin Savard of Advanced Design along with Applicant Bill Heitzenrater came before the Board to further discuss certain issues and ideas concerning the approved Major Subdivision Heritage Landings. Pros and Cons of various modifications to said Major Subdivision were discussed along with the procedural process to necessary to modify the Final Plat Approval. It was then concluded that some research had to be accomplished before meaningful discussion could be continued.

Tabled to the July 21, 2015 Planning Board Meeting.

CURRENT:

No additional current information.

Tabled to the August 18, 2015 Planning Board Meeting.

11. Noise Ordinance Review

HISTORY: Taken from the May 19, 2015 Planning Board Meeting Minutes

It is noted that at the April 13, 2015 Town Board Meeting the following resolution was passed: "Resolve to forward a request to the Planning Board to compose a Town Ordinance for Noise for the Boards review."

At the May 7, 2015 Planning Board Work Meeting Administrative Assistant Kania distributed Noise Ordinances from a number of Towns in the vicinity to be reviewed and used as a guide for drafting of a new proposed Town Ordinance on Noise.

Admin. Asst. Kania then distributed a First Draft containing certain provisions that the Board may want to consider for the new Proposed Noise Ordinance. The Board then reviewed and discussed said provisions.

It was then decided to table further review and discussion to the June 2015 Work Meeting.

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

Administrative Assistant Kania first noted that there was some confusion in the May 2015 Minutes because there was reference to a "First Draft"

To clarify: Kania was using a compilation of certain sections of a number of Town Ordinances to complete a First Draft for Board consideration and discussion. The First Draft was not complete at the May 2015 Meeting.,

Admin Assistant Kania then distributed the actual "First Draft" for review and discussion at the June 16, 2015 Meeting.

The Board then proceeded to review and discuss said First Draft.

Tabled to July Planning Board Meeting in order to give time for Town Engineer and Planning Board Members to further review.

CURRENT:

1. Reviewed and approved response letter to Code Enforcement Officers.
2. Reviewed and discussed a number of proposed changes to the draft which was distributed at the June 17, 2015 Planning Board Meeting.

Tabled to the August 18, 2015 Planning Board Meeting.

12. Public/Press Comments and Questions

None

13. 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 18, 2015 PLANNING BOARD MEETING.