

TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
MARCH 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(Excused)

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

2. Informal Business

None

3. February 21, 2017 Meeting Minutes

A motion was made by Dan Vivian and seconded by Dave Naus to approve the Minutes of the February 21, 2017 Planning Board Meeting. All agreed.

4. Edward Harman - Two Lot Minor Subdivision -
Lockport Road west of Aiken Road

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

A Public Hearing was opened at 7:45PM for a Two Lot Minor Subdivision on the south side of Lockport Road west of Aiken Rd. The Subdivision consists of splitting two lots (parcels) from approximately 94 acres owned by Applicant Edward Harman.

Lot (Parcel) #1 will contain approximately 37 acres and Lot (Parcel) #2 will contain approximately 57 acres. Parcel #1 will have approximately 692' Lockport Road frontage and Parcel #2 will have approximately 900' and 68' Lockport Road frontage.

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

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

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

HISTORY: Taken from the February 21, 2017 Planning Board Meeting Minutes

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.

CURRENT:

Administrative Assistant Lavrich advised the Board that he received an E-Mail from Richard Haight stating:
"Due to our current work load, we will not be able to have revised plans for Heritage Landings for next week's Planning Board meeting. The current time line is to have revised plans in to the Town for the April 18th meeting, with revised documents (SWPPP/Design Report, Sanitary and Stormwater Districts Map, Plan & Reports, etc.) and any necessary revisions to the Plans for the May 16th meeting".

After short discussion, all agreed to the April/May time frame.

It is noted that a \$50 per lot Final Plat Review Fee must be paid prior to Planning Board and Town Engineer review at the APRIL 18, 2017 Planning Board Meeting.

Tabled to the April 18, 2017 Planning Board Meeting.

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

HISTORY: Taken from the February 21, 2017 Planning Board Meeting Minutes

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.

CURRENT:

Sean Hopkins, Esq. and Paul Bliss both representing the Applicant (Camp-Roll LLC) came before the Board with a revised Major Subdivision Sketch Plan. The proposed Major Subdivision Sketch Plan was reworked to limit Variances to the lowest number possible yet allowing for optimum engineering for the Major Subdivision.

Sean Hopkins commenced to give the Board a presentation outlining the the lots that would not meet Town Zoning Code requirements along with reasoning as to why the lots could not be reconfigured to comply. Mr. Hopkins pointed out that the lots not in compliance were almost exclusively due to the Zoning Code provision that requires eliminating ponds, wetlands, wetland buffer areas and easements from the lot depth

and area calculation. He further advised that expansion of the Major Subdivision to the north and east was prohibitive due to existence of vast wetlands.

After discussion all Board Members agreed that the only remedy that the Applicant had was to seek Variance relief through the Town Zoning Board of Appeals. Mr. Hopkins acknowledged that Application would be made to the Town Zoning Board Appeals in time for their April 2017 Meeting

The Major Subdivision Review was then tabled pending outcome of Variance Application with the Town Zoning Board of Appeals.

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

HISTORY: Taken from the February 21, 2017 Planning Board
Meeting Minutes

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.

CURRENT:

The Planning Board has been notified that the "emergency only" entrance has been constructed and the Final Occupancy Permit has been issued by the Town Building Inspector.

After discussion all agreed that a Modified Site Plan would not be needed and the construction of an "Emergency Only" second entrance would be noted on the original approved Site Plan for the Hampton Inn.

8. Public/Press Comments and Questions

None

9. Adjourn

On a motion by Dave Naus and seconded by Dan Vivian the meeting was adjourned at 8:30PM. 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 April 18, 2017 PLANNING BOARD MEETING.

