

TOWN OF PENDLETON
PLANNING BOARD MINUTES
SEPTEMBER 16, 2014

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

Members Excused: None

Others Present: N/A

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

2. Informal Business

None

3. August 19, 2014 Meeting Minutes

A motion was made by Dan Vivian and seconded by Joe Killion to approve the Minutes of the August 19, 2014 Planning Board Meeting. All agreed.

4. Public Hearing - 7:45PM - Duscher/Ostapowicz - Two Lot Minor Subdivision/Resubdivision - 4883 Meyer Road.

A Public Hearing was opened at 7:45PM for a Two Lot Minor Subdivision/Resubdivision at 4883 Meyer Road.

The Subdivision/Resubdivision consists of splitting 114' wide by 614' deep lot containing a home from a 17.7 acre parcel owned by Allen Duscher. The remaining approximately 16 acre parcel will be attached to the adjacent lot to the west owned by Stephen and Deborah Ostapowicz. The Ostapowiczs' lot will have approximately 125' Meyer Road frontage measuring approximately 17 acres after Resubdivision.

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 7:50PM. 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.

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

HISTORY: Taken from the August 19, 2014 Planning Board Meeting Minutes

Administrative Assistant Kania advised the Board that he received an E-Mail from Kristin Savard of Advanced Design Group which stated that she would not be in attendance at the August 19, 2014 Meeting and which further stated " we have completed the field effort for the survey and are finishing the mapping. We intend to have a Preliminary Plat submission in the near future."

It is noted that Preliminary Plat Application along with appropriate fees must be submitted prior to the October 21, 2014 Planning Board Meeting in order to avoid the possible "Timing Out" of the Major Subdivision Sketch Plan.

CURRENT:

Richard Haight of Advanced Design along with Applicants Dan and Craig D'Angelo were in attendance to give an update on the status of the D'Angelo Major Subdivision Preliminary Plat Application. A revised Sketch Plan was presented to the Board for review and discussion. It was noted the when a Topographic Survey was completed for the Site, it necessitated some major changes in both the Roadway and Retention Pond locations. Some significant items and concerns discussed:

1. Setbacks and configuration of Retention Pond.
2. Drainage.
3. Turnaround: Standard vs Cul-de-sak.

All agreed that the Turnaround issue would need be resolved with the Town Highway Superintendent before Engineering for the Site could commence. Applicant will set up meeting with Town Highway Superintendent to resolve turnaround issues.

It was again noted that Preliminary Plat Application along with appropriate fees must be submitted prior to the October 21, 2014 Planning Board Meeting in order to avoid "Timing Out" of the Major Subdivision Sketch Plan.

6. Public Hearing - 8:00PM - Jonathan Campbell - Excavate a Pond - 6573 Sheetram Road

A Public Hearing was opened at 8:00 for a request to excavate a 150' x 150' pond on a 25.6 acre parcel located at 6573 Sheetram Road. Setbacks of 975 from the road/west property line, 260' from north property line, 105' from south property line and approximately 1240 feet rear lot will be maintained.

It is noted that property owner Jonathan Campbell was in attendance.

The Board then reviewed the Pond Site Plan and agreed that the following items would be added to the Pond/Storm Water Management Compliance Checklist:

1. 3/1 Slope extending twelve feet into water on all sides.
2. Minimum 12' Depth.
3. Signing required per Zoning Code.
4. Excavated soil to be spread on site per drainage plan.
5. Provide Positive Drainage from outfall on to owners property.

A letter from Town Engineer Dave Britton was then reviewed. The letter stated in part: " We have completed our review of

the August 2014 site plan drawing prepared by Greenman-Pederson, Inc. for the excavation of a pond to be located on the above property in the Town of Pendleton. Based upon our review, we have concluded that the submittal is in substantial conformance with the Town Code and general engineering practices."

No one in attendance had questions on said Pond Excavation Request, so on a motion by Dave Naus and seconded by Joe Kania the Public Hearing was closed at 8:05PM. All agreed.

SEQR: The Planning Board then reviewed the Short Environmental Assessment Form and on a motion by Joe Kania and seconded by Tom Edbauer 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 Kania and seconded by Dan Vivian to approve the Pond Excavation Request conditioned on meeting all conditions set forth in Pond/Storm Water Management Compliance Checklist and stated above. All agreed.

7. 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.

CURRENT:

Administrative Assistant Kania advised the Board that he had received an E-Mail from Mike Metzger of Metzger Engineers asking for the final 90 day extension of time to meet all conditions outlined in the Technical Checklist for Final Plat Approval.

After discussion, a motion was made by Joe Kania and seconded by Tom Edbauer to issue the final ninety (90) day extension (expiring December 16, 2014) of time to fulfill conditions outlined in the Technical Checklist for Final Plat Approval. All agreed.

NOTE:

If all conditions stated in the Conditional Final Plat Approval are not met by the final 90 day extension date of December 16, 2014, the Hidden Oak Major Subdivision will revert back to the Preliminary Plat stage of the Major Subdivision Approval process.

8. Keven Krupski - Restaurant/Microbrewery - Transit Road

Keven Krupski came before the Board to give a presentation on a Restaurant/Microbrewery that he may want approval to locate on a parcel zoned Medium Commercial on Transit Road. The Restaurant would be approximately 6,000 sq. ft. and the

Microbrewery approximately 10,000 sq. ft. The Restaurant will serve the beer brewed at the Microbrewery.

After discussion, all Members agreed that the aforementioned commercial venture is in accordance with uses allowed by right in the Medium Commercial Zone and Mr. Krupski could proceed with a Site Plan Review if and when he decides to utilize the Transit Road Parcel.

9. Public/Press Comments and Questions

None

10. 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 October 21, 2014 PLANNING BOARD MEETING.