

TOWN OF PENDLETON  
**PLANNING BOARD MEETING MINUTES**  
**NOVEMBER 21, 2017**

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

Members Excused: None

Others Present: Town Engineer Dave Britton

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

2. Informal Business

None

3. October 17, 2017 Meeting Minutes

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

4. Uncle G's (Rachel Lindemann) Site Plan Review -  
7030 Washington Street

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

7:45 Public Hearing

A Public Hearing was opened at 7:45PM for Uncle G's (Rachel Lindemann) Site Plan Review.

It was first noted that David Kazmerczak, R. A. representing

Uncle G's along with Applicant Rachel Lindemann were in attendance. In addition, a number of Town Residents were also in attendance.

Rachel Lindemann along with David Kazmerczak commenced to give the Board and those in attendance a short presentation on the proposed Bath Room, Deck and Freezer Addition to the Uncle G,s Building.

A number of those in attendance "Signed In" to be heard and Chairman McCaffrey commenced to take questions/comments.

Items commented on and or questioned included: Parking, Traffic, Noise, Safety, Emissions and Blocking of Driveways.

After all were heard , Chairman McCaffrey closed the Comment/Question portion of the Public Hearing.

It was then announced that all questions and comments will be taken into consideration.

Chairman McCaffrey then asked Rachel Lindemann to provide the Planning Board a signed letter listing the items she plans to implement to mitigate the neighborhood concerns.

The Public Hearing thus remains open to the November 21, 2017 Planning Board Meeting.

#### CURRENT

Chairman McCaffrey announced that the Public Hearing for the Uncle G's Site Plan Review that remains open from the October 17, 2017 Planning Board Meeting will now commence.

It is first noted that David Kazmerczak, R. A. representing Uncle G's along with Applicant Rachel Lindemann were in attendance. In addition, a number of Town Residents living in the vicinity of Uncle G's were also in attendance.

Rachel Lindemann then proceeded to outline and discuss the signed letter she provided the Planning Board listing five items she plans to implement to mitigate neighborhood concerns. Measures would be taken to define the parking area, condense

and redirect the outdoor line, use signage to communicate behavior regarding parking and garbage disposal, use Family Worship Center for overflow parking and have a security person direct traffic during peak business hours.

Rachel Lindemann also provided a signed letter from Pastor John Rance Sr. allowing for "overflow" parking at The Family Worship Center.

Chairman McCaffrey then stated that questions and comments could now be directed to the Board for consideration.

Traffic, Parking, Safety Issues were again emphasized by the majority of those in attendance. The possibility of litigation was also stated in regards to potential life threatening accidents and property damage.

On a motion by Dan Vivian and second by Joe Killion the Public Hearing was closed at 8:09 PM.

Chairman McCaffrey then reminded those in attendance that the Site Plan Review before the Planning Board is limited to the Minor Additions that is proposed for the Uncle G's Facility and that a Traffic Study along with the list of measures that the Applicant provided should lead to improved conditions in the future.

After short discussion a motion was made by Dan Vivian and seconded by Joe Killion to approve the Site Plan Review conditioned on the provisions outlined in the Technical Checklist for Site Plan Approval. Site Plan approved by unanimous vote of the Board.

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

SEQR:

The Planning Board first reviewed the Short Environmental Assessment Form and on a motion by Dave Naus and seconded by Dave Kantor, a Negative Declaration was issued and the Planning Board Chairman was authorized to sign the SEQR Form. All agreed.

### Site Sketch Review

It was first noted that Jim Edwards representing the Applicant Greg Soemann was in attendance.

The Board was made aware that the Town Zoning Board of Appeals granted a 35' Area Variance allowing the proposed Building to be constructed 15' from the rear lot line.

Greg Soemann made Application for a Site Sketch Plan for a proposed 126 ft. x 30 ft. (3,840 square foot) three sided building to be constructed over top a graveled area 15' from the back yard line. Roof down spouts will drain towards the front of property into an existing catch basin.

Upon review of Site Sketch by Planning Board Members, all agreed that the building being constructed over graveled surface would not create any drainage issues.

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

### 6. Heritage Landings - Major Subdivision (Modified) - Final Plat - Fiegel and Bear Ridge Road - 53 Lots

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

Planning Board Members were advised that an E-Mail was received from Richard Haight of Advanced Design Group representing the Applicant William Heitzenrater. The E-Mail stated in part: "We will not be attending the meeting tonight, but we have received approval from National Fuel for utilities to cross both over and under their transmission line, as shown on the project drawing..... It is our intent to have everything finalized for next months meeting which Mr. Heitzenrater will be able to attend."

Tabled to the November 21, 2017 Planning Board Meeting.

#### CURRENT:

Richard Haight of Advanced Design Group along with Applicant William Heitzenrater came before the Board to discuss the Status of the revised Major Subdivision Engineered Drawings for the Heritage Landings Major Subdivision (Modification).

Mr. Haight first advised the Board that he and Applicant William Heitzenrater has finally come to an agreement with Empire Pipe to allow for utilities to go both over and under the pipe line at sufficient depth to allow for Town Maintenance with present equipment. The only outstanding question is Empire allowing water to go over pipe line with insulation. Mr. Height then commenced to distribute updated Final Plat Engineered Drawings. He then gave a short presentation on the Drawings and entertained questions and comments from the Board.

Town Engineer Dave Britton can now continue his review of the Final Plat Engineered Drawings.

Tabled to the December 19, 2017 Planning Board Meeting.

7. Meadows at Pendleton North - Major Subdivision Preliminary Plat - 51 Lots - Campbell Blvd. between Fiegel Rd and Bear Ridge Road

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

*It was first noted that Sean Hopkins Esq. representing the Applicant (Camp-Roll LLC) was in attendance.*

Preliminary Plat Application along with the Preliminary Plat Engineered Drawings for a proposed 50 lot Major Subdivision on a 51 acre parcel off Campbell Blvd. has been filed and are now available for review. All preliminary Plat Fees have also been paid.

Mr. Hopkins then requested that the Planning Board authorize Town Engineer Dave Britton to commence with the "SEQR Coordination" for The Meadows at Pendleton North Major Subdivision.

A motion was then made by Dan Vivian and seconded by Dave Naus to authorize Town Engineer Dave Britton to initiate SEQR Coordination and commence mailing said SEQR to potential involved/interested agencies.

Tabled to the November 21, 2017 Planning Board Meeting.

CURRENT:

It is noted that the 30 day lead agency solicitation time frame for SEQR expired on November 20, 2017. It is further noted that comments were received from both New York State Dept. of Environmental Conservation and NYS Dept. of Agriculture and Markets. The Town Building Department also sent a list of comments/questions related to the Major Subdivision Engineered Drawings. All comments/questions will be addressed by the Planning Board/Town Engineer and or the Applicant.

Preliminary Plat Engineered Drawings are presently under review with Town Engineer Dave Britton.

Tabled to the December 19, 2017 Planning Board Meeting.

8. Public/Press Comments and Questions

All public Questions and Comments were addressed by the Planning Board.

9. Adjourn

*On a motion by Dan Vivian and seconded by Joe Killion the meeting was adjourned at 8:40PM. 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 December 19, 2017 PLANNING BOARD MEETING.