

TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
MARCH 20, 2018

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

Members Excused: Dan Vivian

Others Present: None

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

2. Informal Business

None

3. February 20, 2018 Meeting Minutes

A motion was made by Joe Killion and seconded by Nick Kwasniak to approve the Minutes of the February 20, 2018 Planning Board Meeting. All agreed.

4. Scott Perry - Perry Auction - Site Plan Review -
5300 Lockport Rd.

It is first noted that Kenneth Brown of Apex Consulting along with Applicant Scott Perry were in attendance.

Kenneth Brown commenced to give the Board a short presentation on the proposed Auto Auction Facility to be located on a 10 acre parcel at 5300 Lockport Road. The project consists of the construction of a new 4,600 square foot wood frame building, a related 97 vehicle parking lot and drainage features.

Discussion then focused on the following items:

1. Two "No parking on Lockport Road" signs to be located at the entrance to the parking lot. (Applicant agrees)
2. Lighting on back of building. (Seems adequate)
3. 100 Vehicle staging area on adjacent property to the east owned by the Applicant. (will be incorporated into Site Plan Engineered Drawings)

All Planning Board Members present then agreed that a Public Hearing could be set on the April 17, 2018 Planning Board Meeting.

A motion was then made by Joe Killion and seconded by Dave Naus to set the Public at 7:45 PM April 17, 2018. All agreed.

Tabled to the April 17, 2018 Planning Board Meeting.

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

HISTORY: Taken from the February 20, 2018 Planning Board Meeting Minutes

The Board was advised that an E-Mail was received from Richard Haight of Advanced Design stating: "Bill (Heitzenraiter) and his attorney are still reviewing the revised legal documents for the amendments to the Sanitary Sewer Districts. Therefore, we will not be attending tonight's Planning Board Meeting. Our intent is to seek Final Approval at the March meeting.

Outstanding issues to be tentatively addressed at the March 20, 2018 Planning Board Meeting:

1. Approval of Road Name (Heritage Lane).
2. Update Parkland Determination.
3. Agreement with Developer on paying for Road Signage within the Heritage Landings Major Subdivision (Highway Superintendent is currently in process composing a cost estimate).

Tabled to the March 20, 2018 Planning Board Meeting.

CURRENT:

It is first noted that Richard Haight of Advanced Design along with Applicant William Heitzenrater were in attendance.

The following outstanding issues for the Heritage Landings –Modified Major

Subdivision needs to be addressed:

1. Approval of Road Name (Heritage Lane).
2. Update Parkland Determination.
3. Agreement with Developer on paying for Road Signage within the Heritage Landings - Modified Major Subdivision.

(1)

Approve Road Name: A motion was made by Nick Kwasniak and seconded by

Dave Naus to accept Heritage Lane as the name for the only street within the

Heritage Landings – Modified Major Subdivision. All Agreed

(2)

Parkland Determination updated :

Town Law § 277 requires that you render findings in support of a parkland set aside which

Include "an evaluation of the present and anticipated future needs for park and recreational facilities in the town based on projected future population growth to which the particular subdivision plat will contribute."

PLANNING BOARD FINDINGS

The following Planning Board Findings on the Heritage Landings – Modified

Major Subdivision - were formulated as part of the SEQR Review and are documented in the Major Subdivision Checklist.

The projected population growth for the town will increase demand on facilities and programs. The current programs and facilities will have to be improved and new ones developed.

As the town grows, the cost of constructing and operating facilities and programs will impact the town's fiscal situation.

Existing facilities for active recreation are severely limited and expansion of current facilities to accommodate the needs of Town residents is anticipated.

The Town's efforts to address increased demands for recreational facilities resulting from the population growth is hampered by the constraints of the unavailability of suitable lands and upwardly spiraling land costs. New Major Subdivisions for residential housing place an additional strain on the already limited park and recreational facilities of the town.

Based on the present and anticipated future need for park and recreational opportunities in the town, and to which the future population of this subdivision will contribute, that parklands should be created as a condition of approval of this subdivision. However, because the lot area

and ownership patterns do not suit it to the development of a park suitable to meet the requirements of the site, pursuant to Town Law § 277, the planning board requires that the applicant deliver payment in lieu of parkland dedication.

Note: \$1,000 per lot “In Lieu of Parkland” fee payable by Phase prior to infrastructure dedication.

(3)

Road Signage Payment Agreement:

The Planning Board is in receipt of an estimate of \$1,117.88 for Heritage Landings - Modified Traffic Control Signs from the office of the Town Highway Superintendent.

The Signage Cost is payable by Phase prior to infrastructure dedication.

Tabled to the April 17, 2018 Planning Board Meeting.

7. Meadows at Pendleton North - Major Subdivision Preliminary Plat - 50 Lots - Campbell Blvd. between Fiegel Rd and Bear Ridge Road

HISTORY: Taken from the January 16, 2018 Planning Board

Meeting Minutes

Town Engineer Dave Britton informed the Board that he has progressed in the review of the Preliminary Plat Engineered Drawings for the Meadows at Pendleton North Major Subdivision. Town Engineer Britton then noted that during review he encountered a significant number of issues/questions on items such as drainage, fill, wetlands/wetland buffer, retention pond, balancing of site and protection of adjoining properties.

Britton then informed the Board that he will promptly compose an itemized list of issues, concerns and questions which will

forwarded to the Developers' Engineer and Attorney for review and response. SEQR and Preliminary Plat Public Hearing will not be addressed until "list of issues" are resolved.

Tabled to the February 20, 2018 Planning Board Meeting.

HISTORY: Taken from the February 20, 2018 Planning Board

Meeting Minutes

Town Engineer Dave Britton is in process of review of the Preliminary Plat Engineered Drawings. In review a significant number of issues were encountered and Town Engineer Britton composed a sent a list of "Comments" to the Developers' Engineer and Attorney for review and response.

Tabled to the February 20, 2018 Planning Board Meeting awaiting Developer's Engineer response.

CURRENT:

It is first noted that the following were in attendance: Attorney Sean Hopkins, Kenneth Zollitsch of Greenman-Pedersen and Paul Bliss Applicant/Developer.

Discussion focused on a number of issues that need be addressed before SEQR determination and Preliminary Plat Public Hearing:

1. Preliminary Plat Engineered Drawings Review revealed that a significant amount of fill would have to be trucked to the Major Subdivision in order to "Balance" the Site. Measures must be taken to stone an access road for orderly dust restricted dumping. Special attention must be taken to insure that Campbell Blvd. will remain "mud free". The Applicants Engineered agreed to provide the Planning Board with an estimate of the Cubic Yards of Fill that need be trucked to the site.
2. Drainage of adjacent property to the south west of the Major Subdivision. Applicant/Developer agrees to work with property owner and provide 2 Taps to help alleviate drainage issues.
3. Coordinated SEQR Review Comment: NYSDEC sent comment

relating to requirements for proposed Major Subdivisions located in Ag. Districts. Attorney Hopkins advised that he would address this issue.

Tabled to the April 17, 2018 Planning Board Meeting.

8. MJP Airport LLC - Wetland Mitigation - Site Plan Review
4797 Tonawanda Creek Road

It is first noted that the following were in attendance: Attorney Sean Hopkins and Kenneth Zollitsch of Greenman-Pedersen.

Kenneth Zollitsch along with Sean Hopkins commenced to give the Board a presentation on the scope of the proposed Wetland Mitigation Project.

As a part of a Housing Development in Amherst, the Project Sponsor through the NYSDEC is planning to Mitigate Wetlands at the Amherst Site by creating approximately 18 acres of Wetlands on a 47 acre parcel at 4797 Tonawanda Creek Road just west of Campbell Blvd.

Discussion then focused on issues such as:

1. Location of construction vehicle entrance.
2. Scheduling of construction.
3. Adjoining property owner considerations.
4. "Mud Free" Tonawanda Creek Road.
5. Handling of stripped top soil.

Full Site Plan Review Engineered Drawings along with SEQOR and SWPPP Report should be available for Planning Board Review at the April 5, 2018 Planning Board Work Meeting.

Tabled to the April 17, 2018 Planning Board Meeting.

9. Public/Press Comments and Questions

10. Adjourn

On a motion by Dave Naus and seconded by Joe Killion the meeting was adjourned at 8:50PM. All agreed.

Respectfully Submitted

John Lavrich, Secretary
Planning Board, Town of Pendleton

cc: All Members of Planning Board E-Mail
Mr. Joel Maerten, Town Supervisor E-Mail
Mr. Claude Joerg Town Attorney E-Mail
Ms. Debora Mauer, Town Clerk E-Mail
Ms. Kelli Coughlin , Town Assessor E-Mail
Mr. Jeff Stowell, Highway Superintendent E-Mail
Mr. James Argo, Sewer and Water E-Mail
Mr. David Leible, Councilman E-Mail
Mr. Todd Ostrowski, Councilman E-Mail
Mr. David Fisher, Councilman E-Mail
Mr. Justin Graham, Councilman, E-Mail
Mr. Edward P. Perlman, Town Prosecutor E-Mail
Mr. David Britton, CRA Engineering E-Mail
Superintendent, Starpoint Schools E-Mail
Board of Appeals - E-Mail
Building Inspectors - E-Mail
NYS DEC- E-Mail

NOTE: THE ABOVE PLANNING BOARD MINUTES ARE INFORMATIONAL AND
FORMAL APPROVAL ACTION WILL NOT TAKE PLACE UNTIL THE
April 17, 2018 PLANNING BOARD MEETING.

