

TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
April 17, 2018

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

Members Excused: Joe Killion

Others Present: Town Engineer Dave Britton

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

2. Informal Business

None

3. March 20, 2018 Meeting Minutes

A motion was made by Dan Vivian and seconded by Nick Kwasniak to approve the Minutes of the March 20, 2018 Planning Board Meeting. All agreed.

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

SEQR Action
7:45 Public Hearing

SEQR Action

SEQR: The Planning Board initiated review of the Short Environmental Assessment Form.
On a motion by Nick Kwasniak and seconded by Dave Kantor a

Negative Declaration was issued and the Planning Board Chairman was authorized to sign the SEQOR Form. All agreed.

7:45 Public Hearing

A Public Hearing was opened at 7:45PM for Scott Perry - Perry Auction - Site Plan Review.

It is first noted that Tim Arlington of Apex Consulting representing Applicant Scott Perry - Perry Auto Auction was in attendance.

Tim Arlington commenced to give the Board a 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 along with a 100 vehicle staging area on adjacent property to the east owned by the Applicant.

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 have been added to the Site Plan Drawings.
2. A 100 Vehicle staging area on adjacent property to the east owned by the Applicant has been added to the Site Plan Drawings. (Applicant agrees to an 18 month time limitation for utilization of this "Staging Area" beginning at the date the Building Occupancy Permit is issued.)

After questions from those in attendance were addressed on said Site Plan Review, a motion was made by Dan Vivian and seconded by Dave Naus to close the Public Hearing at 7:52PM. All agreed.

A motion was made by Dave Kantor 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. MJP Airport LLC - Wetland Mitigation - Site Plan Review
4797 Tonawanda Creek Road

SEQR Action
8:00 Public Hearing

SEQR Action

SEQR: The Planning Board initiated review of the Short Environmental Assessment Form. On a motion by Nick Kwasniak and seconded by Dave Naus a Negative Declaration was issued and the Planning Board Chairman was authorized to sign the SEQR Form. All agreed.

8:00 Public Hearing

A Public Hearing was opened at 8:00PM for MJP Airport LLC - Wetland Mitigation - Site Plan Review.

It is first noted that Kenneth Zollitsch of Greenman-Pedersen representing the Applicant MJP Airport LLC was in attendance.

Kenneth Zollitsch commenced to give the Board a presentation on 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.

It is noted that the Developer will strive to minimize disruption to the adjoining neighborhood and also insure that Tonawanda Creek Road remains mud free during the period of construction.

After questions from those in attendance were addressed on said Site Plan Review, a motion was made by Dave Kantor and seconded by Dave Naus to close the Public Hearing at 8:12PM. All agreed.

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

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

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

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

Outstanding issues addressed at 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

CURRENT

An E-Mail was received from Richard Haight of Advanced Design Group advising that the Applicant William Heitzenrater continues his effort to resolve the Sewer District Issue.

Tabled to the May 15, 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 March 20, 2018 Planning Board

Meeting Minutes

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:

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.

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.

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.

CURRENT:

It is first noted that Kenneth Zollitsch of Greenman-
Pedersen representing the Applicant was in attendance.

Discussions then focused on setting a Preliminary Plat Public
Hearing at the May 15, 2018 Planning Board Meeting.
It was noted that the majority of the Site Plan Review
Engineered Drawings and SWPPP comments have been addressed.
The outstanding Ag. District SEQR comment from NYSDEC has also
been addressed.

All agreed that everything was in place to hold a Public
Hearing at the May 15, 2018 Planning Board Meeting.
A motion was then made by Dave Naus and Seconded by Dan Vivian

to set the Preliminary Plat Public Hearing at 8:00 PM
May 15, 2018. All agreed.

8. Public/Press Comments and Questions

None

9. Adjourn: *On a motion by Dave Naus seconded by Dan Vivian*

meeting was adjourned at 8:10PM. 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
Conservation Board - 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
May 15, 2018 PLANNING BOARD MEETING.

