

TOWN OF PENDLETON  
**PLANNING BOARD MEETING MINUTES**  
**June 19, 2018**

MEMBERS PRESENT: Joe McCaffrey, *Joe Killion, John Lavrich,*  
Dan Vivian, *Dave Naus, Nick Kwasniak and 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. May 15, 2018 Meeting Minutes

May 15, 2018 Planning Board Meeting Minutes Amendment:  
Item #4 - Heritage Landings (Modified)  
Amend "setting up a Sewer District Extension" to read  
Establishment of a "Sewer Improvement"

A motion was made by Dave Naus and seconded by Dan Vivian  
to approve the Minutes of the May 15, 2018 Planning Board  
Meeting as amended. All agreed.

4. Patricia Clark - Two Lot Minor Subdivision/Resubdivision -  
6747 Bear Ridge Road

SEQR Action  
7:40 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 SEQR Form. All agreed.

7:40 Public Hearing

It is first noted that Michael Prince acting on behalf of the Applicant Patricia Clark was in attendance.

A Public Hearing was opened at 7:40PM for a Two Lot Minor Subdivision/Resubdivision at 6747 and 6749 Bear Ridge Road between Campbell Blvd. and Irish Road. The Subdivision/Resubdivision consists of splitting a 10' wide by approximately 307' deep parcel from a 1.03 acre lot owned by Patricia Clark residing at 6747 Bear Ridge Road. The 10' wide by approximately 307' acre parcel will then be attached to a lot owned by Michael Prince located at 6749 Bear Ridge Road.

Michael Prince than gave a verbal statement that states that the parcel will be attached to his lot promptly upon approval.

All questions from those in attendance were addressed on said Subdivision/Resubsubdivision, so on a motion by Dan Vivian and seconded by Dave Naus the Public Hearing was closed at 7:44PM. All agreed.

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

5. Howard Urban - Three Lot Minor Subdivision/Resubdivision - S. Transit Road north of Tonawanda Creek Road

SEQR Action  
7:50 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 Joe Killion a Negative Declaration was issued and the Planning Board Chairman was authorized to sign the SEQR Form. All agreed.

### 7:50 Public Hearing

It is first noted that Vincent Ginestre acting on behalf of the Applicant Howard Urban was in attendance.

A Public Hearing was opened at 7:50PM for a Three Lot Minor Subdivision/Resubdivision on the west side of S. Transit Road just north of Tonawanda Creek Road.

The Subdivision/Resubdivision consists of splitting an approximately 38' wide by 585' deep parcel and a 315' wide by 585 deep parcel out of two parcels with a combined 18.3 acres. All parcels are owned by the Applicant.

After subdividing, the 38'X585' parcel will be attached to a 47 acre parcel to the north also owned by the Applicant

All questions from those in attendance were addressed on said Subdivision/Resubdivision, so on a motion by Nick Kwasniak and seconded by Dave Kantor the Public Hearing was closed at 7:59PM. All agreed.

A motion was then made by Dan Vivian and seconded by Joe Killion to approve the Subdivision/Resubdivision conditioned on proper Survey and filing deed description with Niagara County within two years of today's date. All agreed.

### 6. Tonawanda Sportsmen's - Site Plan Review -5657 Killian Road

A Public Hearing was opened at 8:00PM for the Tonawanda Sportsmen's Club Site Plan Review

David Notaro representing the Applicant Tonawanda Sportsmen's Club was in attendance to give a presentation on the significant features of the project which includes Refurbishing

and Upgrading the existing Rifle Range along with reconfiguring the Entrance.

After completion of the presentation, the Chairman announced that comments, concerns and questions would be taken from those present.

After all comments and questions were addressed, a motion was made by Dave Naus and seconded by Dave Kantor to close the Public Hearing at 8:10PM. All agreed.

Discussion then took place primarily focusing on present noise levels vs. noise levels after completion of the project. It is noted that a noise study was conducted by the Applicant in order to establish a benchmark which must be adhered too post construction. Post construction testing will be a condition of approval and also will be included in the Site Plan Review Checklist.

SEQR DETERMINATION:

The Board then addressed the State Environmental Assessment Form. Chairman McCaffrey outlined and discussed the primary features of the State Environmental Assessment Form. After discussion, a motion was made by Dave Kantor and seconded by Joe Killion a Negative SEQR determination was issued and the Planning Board Chairman was given authorization to sign the SEQR Form. All agreed

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

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

HISTORY: Taken from the May 15, 2018 Planning Board Meeting Minutes

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).

It was first noted that the Town of Pendleton Town Board voted to dissolve the Sanitary Sewer District No.5 - Heritage Landings that was initially set up to encompass the Heritage Landings Major Subdivision.

After discussion, Mr. Heitzenrater agreed that with the help of Town Engineer Dave Britton, he would attempt to expeditiously solidify Establishment of a "Sewer Improvement" (Amended) for the Heritage Landing Major Subdivision (Modified).

Tabled to the June 19, 2018 Planning Board Meeting

CURRENT:

Applicant William Heitzenrater was present and advised the Board that his Attorney is in process of working on establishment of a "Sewer Improvement" for the Heritage Landing (Modified) Major Subdivision. Tabled to the July 17, 2018 Planning Board Meeting.

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

HISTORY: Taken from the May 15, 2018 Planning Board

Meeting Minutes

A motion was then made by Dan Vivian and seconded by Nick Kwasniak to approve the Major Subdivision Preliminary Plat conditioned on the provisions outlined in the Technical Checklist for Plat Approval. All agreed.

The Applicant can now proceed to the Final Plat stage of the Major Subdivision review process.

CURRENT:

Applicant's Engineer continues work on the Final Plat Engineered Drawings. Tabled to the July 17, 2018 Planning Board Meeting.

9. Public/Press Comments and Questions

None

10. Adjourn

*On a motion by Dan Vivian and seconded by Joe Killion the meeting was adjourned at 8:20PM. 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 July 17, 2018 PLANNING BOARD MEETING.

