

TOWN OF PENDLETON  
**PLANNING BOARD MEETING MINUTES**  
**September 18, 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. August 21, 2018 Meeting Minutes

A motion was made by Dan Vivian and seconded by Dave Naus to approve the Minutes of the August 21, 2018 Planning Board Meeting. All agreed.

4. William Rott - Two Lot Minor Subdivision - 5433 Irish 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 Joe Killion a Negative Declaration was issued and the Planning Board Chairman

was authorized to sign the SEQR Form. All agreed.

#### 7:40 Public Hearing

A Public Hearing was opened at 7:40PM for a Two Lot Minor Subdivision at 5433 Irish Road.

The Subdivision consists of splitting an approximately 160' wide by approximately 225' deep lot (1 acre) from a 16.7 acre parcel. The subdivided lot will have 160' Irish Road frontage and the remaining parcel will have approximately 142' Irish Road frontage.

There were no questions from those in attendance on said Subdivision, so on a motion by Dan Vivian and seconded by Dave Naus the Public Hearing was closed at 7:45PM. All agreed.

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

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

##### Final Plat Planning Board Action

It was first noted that Applicant William Heizenrater was in attendance and asked to address the Board.

Mr. Heitzenrater stated that everything for the "Modified" Heritage Landings Major Subdivision has been submitted and reviewed and all required permits are in place. He further stated that the Sewer Improvement and Storm District Amendments have been submitted.

Mr. Heitzenraiter then requested that the Planning Board consider action on the "Modified" Heritage Landings Final Plat.

Admin. Asst. Lavrich then stated that the following have all been acted on:

- 1.Approval of Road Name (Heritage Lane).
- 2.Updated Parkland Determination.
- 3.Agreement with Developer on paying for Road Signage within the Heritage Landings Major Subdivision per Highway Superintendent estimate.

Town engineer Dave Britton then stated that the Final Plat documents are in substantial conformance with Final Plat requirements of the Town Code Chapter 220 and have been prepared to meet acceptable engineering practices.

Chairman McCaffrey then stated that all is now in place for Planning Board Action on the "Modification" for the Heritage Landings Major Subdivision.

A motion was then made by Dan Vivian and seconded by Dave Cantor to approve the "Modified" Major Subdivision Final Plat conditioned on any provisions outlined in the Technical Checklist for Final Plat Approval.

All agreed.

The following was then noted:

- 1.This constitutes Final Plat Approval of the "Modification" for the Heritage Landings Major Subdivision. All other Final Plat Approvals for Heritage Landings are therefore Null and Void. This Subdivision will retain the name Heritage Landings.
2. Applicant's Engineer Rick Haight submitted the Sewer Improvement and Storm District Amendments which have been forwarded to and reviewed by Town Engineer Dave Britton. Both are now awaiting Town Board Action.

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

HISTORY: Taken from the August 21, 2018 Planning Board

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Applicant's Engineer Ken Zollitsch advised by E-Mail that plans have been provided to the Niagara County Health Department and he continues to await their comments.

Tabled to the September 18, 2018 Planning Board Meeting.

### CURRENT:

It was first noted that there was no one present representing The Meadows at Pendleton North Major Subdivision.

Administrative Assistant Lavrich then advised the Board that he sent an E-Mail to both the Applicant's Engineer and Attorney advising them that Section 220-13A of the Town Subdivision Regulations require that Final Subdivision Application with Fees be submitted within six months of Prelim Plat Approval.

Since Prelim Plat Approval was given on May 15, 2018, the Final Plat Application and fees would be due no later than Nov. 15, 2018.

Tabled to the October 16, 2018 Planning Board Meeting.

### 7. Public/Press Comments and Questions

None

### 8. Adjourn

*On a motion by Dan Vivian 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. Deborah 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  
October 16, 2018 PLANNING BOARD MEETING.

