

TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
November 20, 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. October 16, 2018 Meeting Minutes

A motion was made by Dan Vivian and seconded by Nick Kwasniak to approve the Minutes of the October 16, 2018 Planning Board Meeting. All agreed.

4. Waild - Two Lot Minor Subdivision -Lockport Road west of Aiken 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 Dave Kantor 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

It is first noted that Applicant/property owner Deborah Waield was in attendance.

A Public Hearing was opened at 7:40PM for a Two Lot Minor Subdivision on Lockport Road west of Aiken Road. The Subdivision consists of splitting a 125' wide by 350' deep lot out of a 48.4 acre parcel. The subdivided lot will be located 125' west of the front east side of the original parcel and will have 125' Lockport Road frontage.

There were no questions from those in attendance on said Subdivision, so on a motion by Dave Naus and seconded by Nick Kwasniak the Public Hearing was closed at 7:46PM. All agreed.

A motion was then made by Dan Vivian 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. AM Farms - Four Lot Minor Subdivision/Resubdivision - Donner Road ½ mile east of East Canal 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 Applicant/property owner Andrew Milleville was in attendance.

A Public Hearing was opened at 7:50PM for a Four Lot Minor Subdivision/Resubdivision on Donner Road ½ mile east of East Canal Road.

The Subdivision consists of splitting three (3) lots from an 149.13 acre parcel. All lots will have Donner Road frontage and the rear of the lots will follow Donner Brook.

Lot #1 will be 550' wide by 210' deep (at deepest point).

Lot #2 will be 400' wide by 280' deep (at deepest point).

Lot #3 will measure 3.5 acres and be attached to lot 57.2 as designated on the Town Tax Map

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 7:55PM. All agreed.

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

6. Bobcat of Buffalo - Transit Road - 6830 S. Transit Road - Site Plan Review

SEQR Action

8:00 Public Hearing

SEQR Action

SEQR: The Planning Board initiated review of the Short Environmental Assessment Form.

On a motion by Dan Vivian 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 Bobcat of Buffalo - Transit Road - Site Plan Review.

It was first noted that Tim Arlington of Apex Consulting representing the Applicant Tim Freundschuh (Bobcat of Buffalo) was in attendance.

Arlington commenced to give the Board a short presentation on the **proposed Bobcat of Buffalo Facility that would be located on an** approximately 49.8 acre parcel at 6830 S. Transit Road.

The new facility would encompass a 14,634 square foot showroom and office building along with a 200'X600' fenced in storage/maintenance building with adequate parking in front of building.

It was noted that Niagara County Referral recommendation dated October 15, 2018 was received stating "The Niagara County Planning Board Recommends Approval" for the Bobcat of Buffalo - Transit Road - Site Plan.

There were no questions from those in attendance on said Site Plan Review, so on a motion by Dave Naus and seconded by Joe Killion the Public Hearing was closed at 8:08PM. All agreed.

Town Engineer Dave Britton then outlined a number of items that had to be incorporated into the Engineered drawings then further stated that all items could be found in the Bobcat of Buffalo Site Plan Checklist.

Town Engineer Britton then stated that "the submitted documents generally comply with engineering standards and Town Code. This constitutes completion of our review."

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

7. Scott Perry - Perry Auction Parking Lot Addition - Site Plan Review - 5300 Lockport Rd.

SEQR Action
8:15 Public Hearing

SEQR Action

SEQR: The Planning Board initiated review of the Short Environmental Assessment Form.

On a motion by Dave Naus and seconded by Joe Killion a Negative Declaration was issued and the Planning Board Chairman was authorized to sign the SEQR Form. All agreed.

8:15 Public Hearing

A Public Hearing was opened at 8:15PM for Scott Perry - Perry Auction Parking Lot Addition - Site Plan Review.

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

Tim Arlington commenced to give the Board a presentation on the proposed Auto Auction Parking Lot Addition to be located on a 10.7 acre parcel at 5300 Lockport Road. The project consists of the construction of a 275 space Car Parking Area to be constructed on a lot which is on adjacent property to the east of the present Auto Auction Facility owned by the

Applicant.

It was noted that Niagara County Referral recommendation dated November 18, 2018 was received stating "The Niagara County Planning Board Recommends Approval" for the Perry Auction Parking Lot Addition. (Invite the Fire Marshall to review Project).

Town Engineer Dave Britton then outlined a number of items that had to be incorporated into the Engineered drawings then further stated that all items could be found in the Perry Auction Parking Lot Addition Site Plan Checklist.

Town Engineer Britton then stated that "the submitted documents generally comply with engineering standards and Town Code. This constitutes completion of our review."

There were no questions from those in attendance on said Site Plan Review, so on a motion by Nick Kwasniak and seconded by Dave Kantor the Public Hearing was closed at 8:25PM. All agreed.

A motion was made by Nick Kwasniak 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.

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

HISTORY: Taken from the October 16, 2018 Planning Board Meeting Minutes

It was first noted that there was no one present representing

The Meadows at Pendleton North Major Subdivision.

It was again advised that Section 220-13A of the Town Subdivision Regulations require that Final Plat Application with Fees be submitted within six months of Prelim Plat Approval (By November 15, 2018).

Since the Planning Board Meeting for November falls on the 20th, a motion was made by Dave Kantor and seconded by Joe Killion to extend the Final Plat Filing and Fee payment date to the meeting date on November 20, 2018.

Per Section 220-13A of the Town of Pendleton Subdivision Regulations: "If not submitted within six months after approval of the preliminary plat, the Planning Board may refuse to approve the final plat and require resubmission of the preliminary plat.

Tabled to the November 20, 2018 Planning Board Meeting.

CURRENT:

Administrative Assistant Lavrich advised the Board that Final Plat Application along with all applicable fees were received at the Planning Board Town Hall Office on November 8, 2018. The November 15, 2018 Application Filing deadline as established by Section 220-13A of the Town Subdivision Regulations has thus been met. Applicants Engineer is in process of preparing the Final Plat Engineered Drawings.

Tabled to the December 18, 2018 Planning Board Meeting.

9. Borrego Solar System, Inc. - Site Plan Review - 6707 Bear Ridge Road just west of Irish Road.

It is first noted that Marc Kenward, PE of Erdman Anthony and Steve Long, Senior Civil Engineer representing the Applicant Borrego Solar Systems, Inc. were in attendance.

Mr. Kenward advised the Board that Borrego Solar proposes to construct and operate a 5.0 Mw (AC) ground mounted, utility grade solar energy system on a 73.322 acre site owned by David Stein at 6707 Bear Ridge Road. Kenward then commenced to give

the Board a presentation on various aspects of the project.

Town Engineer Dave Britton along with Planning Board Members brought forth a number of questions concerning the proposed Solar Project:

1. Visibility to neighbors
2. Wetlands ramifications
3. Ag. District ramifications
4. Timing of SWPPP
5. Involvement of Fire Dept.
6. Acreage of coverage/disturbance

Administrative Assistant Lavrich then advised the Board that Site Plan Application with appropriate Site Plan Fees have been filed.

Mr. Kenward then requested that the Planning Board commence with the initial stage of the SEQR Process. Town Engineer Britton advised that Solicitation of Lead Agency would be appropriate.

A motion was then made by Dave Naus and seconded by Joe Killion to authorize Town Engineer Dave Britton to distribute the current Borrego Solar Systems, Inc. Full Environmental Assessment Form initiating Solicitation of Lead Agency. All agreed.

Tabled to the January 15, 2019 Planning Board Meeting.

10. Public/Press Comments and Questions

None

11. Adjourn

On a motion by Dan Vivian and seconded by Dave Naus the meeting was adjourned at 9:20PM. 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. Deborah Maurer, 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
December 18, 2018 PLANNING BOARD MEETING.