

TOWN OF PENDLETON  
**PLANNING BOARD MEETING MINUTES**  
**January 15, 2019**

**MEMBERS PRESENT:** Joe McCaffrey, John Higgins,  
Dan Vivian, Dave Naus, Nick Kwasniak, Nick Graves

**Members Excused:** Dave Kantor

Others Present: Town Engineer Dave Britton

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

2. **Informal Business**

None

3. **December 18, 2018 Meeting Minutes**

A motion was made by Nick Kwasniak and seconded by Dan Vivian to approve the Minutes of the December 18, 2018 Planning Board (PB) Meeting. All agreed.

4. **Holiday Inn Express - Site Plan Review - S. Transit Road**

Christopher Andrzejewski of Milex Engineering and Jeff Hazel of Sylvestri Architect representing the Applicant Omkara Hotel, LLC (Chet Patel) were all in attendance.

Christopher Andrzejewski of Milex Engineering commenced to give the Board a brief presentation on the status of the project to include revisions made to the "Emergency Entrance" coming off S. Transit Road and located on the south side of the property.

Discussion:

1. Wendelville Fire Department- Reviewed/approved the 2<sup>nd</sup> entrance design (Jan 2019)
  2. Town of Pendleton Building Inspector - Reviewed/approved 2<sup>nd</sup> entrance design.
  3. Town Engineer will review changes to Site Plan
    - a. Requires sketch of Cross Section of Emergency Exit.
    - b. Add "Do Not Park" signage at location specified.
  4. NYSDOT - Site plan approval contingent on DOT approval. Per Mr. Andrzejewski - he will submit DOT package 1/18/19.
  5. Niagara County Referral package was handed to Mr. Andrzejewski for submittal for Jan 28, 2019 meeting.
  6. Public Hearing proposed for Feb 19 Planning Board meeting will discuss at Feb work session meeting.
  7. SEQR determination will be discussed & potentially be resolved at Feb 19 PB work session.
  8. Awaiting MS4 Acceptance Letter
  9. Mr. Higgins received four copies of Site Plan & distributed to Town Engineer, Town Building Dept., Planning Board, & Town Highway/Water Dept.
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5. **Meadows at Pendleton North - Major Subdivision Preliminary Plat - 50 Lots - Campbell Blvd. between Fiegel Rd and Bear Ridge Road**

HISTORY: Taken from the November 18, 2018 Planning Board Meeting Minutes

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 January 15, 2019 Planning Board Meeting.

CURRENT:

It is first noted that no one was in attendance representing the Meadows North Major Subdivision at the Jan 19 PB Meeting.

It is anticipated that Final Plat Engineered Drawings will be available for review at the Feb 2019 Planning Board Meeting.

Tabled to the February 19, 2019 Planning Board Meeting.

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

Marc Kenward, PE of Erdman Anthony, Lindsey McEntire of Borrego Solar & Jeff Pedro of CIR Electric 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.

Discussion:

- a. Mr. Kenward gave a brief presentation & update of the project. Town Engineer Dave Britton along with Planning Board Members brought forth a number of questions concerning the proposed Solar Project from previous PB meetings:

1. Visibility to neighbors - limited & should not be a factor.
2. Wetlands ramifications - minimal impact
3. Ag. District ramifications - None at this time
4. Timing of SWPPP - Fee received Jan 19, address comments received back from the Town.
5. Involvement of Fire Dept. - Awaiting feedback on Site Plan. Also, discussed possible Training opportunities for Fire Dept. & discussed putting Knox boxes on each gate for their entry.

6. Acreage of coverage/disturbance - 73.32 acre site / 7.29 disturbed (9.94%).
7. Decommissioning Plan - Revisions required (Use prevailing Rate, Stamped by NY PE, info to support salvage panels/steel).
8. Add gate near Road entrance.
9. Site Plan Approval Requirements:
  - a. Copy of draft removal bond/security to be provided for & review by Town Attorney.
  - b. Requires copy of Army Corp of Engineering wetland permit on file.
  - c. NYSDEC SPDES Permit coverage (Town signs MS4 acknowledgement).
  - d. Notice of Intent required
  - e. Site Historical Preservation Office - Notice of "No impact" required.
  - f. Info - Any Contractor working in Town will require a permit.
10. Public Hearing proposed for Feb 19 Planning Board meeting will discuss at Feb work session meeting.

7. **Public/Press Comments and Questions**

N/A

8. **Adjourn**

*On a motion by Dan Vivian and seconded by Nick Kwasniak the meeting was adjourned at 8:40PM. All agreed.*

Respectfully Submitted

John Higgins, 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  
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 February 19, 2019 PLANNING BOARD MEETING.