

TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
April 16, 2019

MEMBERS PRESENT: Joe McCaffery, Dan Vivian, John Higgins, Dave Kantor, Dave Naus, Nick Kwasniak, Nick Graves

Members Excused:

Others Present: Town Engineer Dave Britton

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

2. **Informal Business**

None

3. **March 19, 2019 Meeting Minutes**

A motion was made by Dan Vivian & seconded by Nick Kwasniak to approve the Minutes of the March 19, 2019 Planning Board (PB) Meeting. All agreed.

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

Steve Long was in attendance representing the applicant.

Informational. The Planning Board issued a Negative Declaration & signed the Full Environmental SEQR Form during the March 2019 meeting.

Chairman McCaffery recently received input from the Town Attorney on the Borrego decommissioning plan. The Planning

Board reviewed the decommissioning plan with the applicant to include current & future estimated costs. The Planning Board & applicant agreed on a security bond of \$230,000 plus a 3% annual inflation rate over the course of 20 years.

On a motion by Dave Naus & seconded by Nick Kwasniak the Planning Board approved the Borrego Site Plan contingent upon the Town Attorney's approval of the security bond. All agreed.

In addition, applicant will need to coordinate with the Town Board for the PILOT program & the security bond.

5. **Fred's Pizza - Popcorn Shed @ 6506 Campbell Road**

Mr. Todd Hopkins was in attendance representing the applicant.

The Site Sketch for a popcorn stand to be placed in the corner parking lot of Fred's Pizza was reviewed by the Planning Board. It was noted the proposed shed will be ~15' x 12' & will be placed upon the existing blacktop/concrete thereby creating no drainage issues. A motion to approve the Site Sketch was made by Dave Kantor & seconded by Dan Vivian. All agreed & the motion was passed unanimously.

6. **Amish Villa - 6876 S. Transit Road**

The applicant, Mr. Shields was in attendance.

The proposed Site Sketch for placing an outdoor shed sales facility at 6876 S. Transit Rd was reviewed by the Planning Board. The applicant produced a letter allowing use of the Dugout's restroom facilities for employees & customers. The area leased is 246' x 171' which equates to ~ 42,000 sq. ft. The Planning Board agreed to a maximum of 15 sheds permitted & no larger than 900 sq. ft. It was noted the Town Code allows for 45% building coverage for CO-2 zoning district. The applicant is well below the maximum building coverage utilizing only 13,500 sq. ft. or ~32% of the site.

A motion to approve the Site Sketch with the above conditions was made by Dave Naus & seconded by Nick Kwasniak. All agreed.

7. **Fiegel Road Two Lot Minor Subdivision**

The applicant Mr. Salih was in attendance.

The Sketch Plan was reviewed & it was noted that the Town Code does not allow more than one four lot minor subdivision within a three year period. After research, it was discovered that the applicant had a four lot minor subdivision approved on the same property in Feb 2017. This action will be put on hold per the applicant & he will contact the Planning Board after the 3 year time limit to resume the application.

7. **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 May 21, 2019 Planning Board Meeting.

8. **Heritage Landing Major Subdivision - Fiegel & Bear Ridge Roads**

The applicant, Mr. Heizenrater has requested a 90 day time extension for filing the Final Plat with the office of Niagara County Clerk. On a motion by John Higgins & seconded by Dan Vivian the 90 extension was unanimously approved by the Planning Board.

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

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N/A

10. **Adjourn**

On a motion by Dan Vivian and seconded by Nick Kwasniak the meeting was adjourned at 8:35PM. All agreed.

Respectfully Submitted

John Higgins, Administrative 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 April 16, 2019 PLANNING BOARD MEETING.

