

TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
August 20, 2019

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

Members Excused: Dave Kantor

Others Present: Town Engineer Dave Britton

1. Meeting called to order by Chairman McCaffery at 7:35PM.
2. **Informal Business**
3. **July 16, 2019 Meeting Minutes**

A motion was made by Dave Naus & seconded by Nick Kwasniak to approve the Minutes of the July 16, 2019 Planning Board (PB) meeting. All agreed.

4. Yatchuk - Two Lot Minor Subdivision - 5045 Fiegel Road

The applicant Mr. Yatchuk was in attendance.

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

On a motion by John Higgins and seconded by Nick Kwasniak a Negative Declaration was issued and the Planning Board Chairman was authorized to sign the SEQR Form. All agreed.

7:45 Public Hearing.

A Public Hearing opened at 7:45PM for a Two Lot Minor Subdivision located at 5045 Fiegel Road. The subdivision consists of splitting a 200' wide by 596' deep parcel into two equal sized lots located in an R-2 Residential area.

All questions from those in attendance were addressed so on a motion by Dave Naus and seconded by John Higgins the Public Hearing was closed at 7:50PM.

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

5. Keybank - Two Lot Minor Subdivision - 6950 S. Transit Road

Mr. Steve Vukas was in attendance representing the applicant.

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

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

7:55 Public Hearing.

A Public Hearing opened at 7:55PM for a Two Lot Minor Subdivision located at 6950 S. Transit Road. The subdivision consists of splitting the ~38 acre Key Bank property into two lots. The DEC will acquire the outside (U shaped lot) ~ 22 acres surrounding the current existing Key Bank Structure. Key bank will retain the inner lot (~16 acres). The applicant obtained Niagara County Planning Board approval. The lot is located in an CO-2 Medium Commercial area.

All questions from those in attendance were addressed so on a motion by John Higgins and seconded by Nick Graves the Public Hearing was closed at 8:00PM.

A motion was then made by Nick Graves and seconded by Nick Kwasniak to approve the subdivision conditioned on proper Survey and filing deed description with Niagara County within two year of today's date. All agreed.

6. **Cabaltica-Seymour - Two Lot Minor Subdivision - 4891 Meyer Rd**

The applicant Ms. Cabaltica-Seymour was in attendance.

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

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

8:05PM Public Hearing.

A Public Hearing opened at 8:05PM for a Two Lot Minor Subdivision located at 4891 Meyer Road. The subdivision consists of splitting a 306' wide by 844' deep parcel into two lots. Each new lot will be ~150' wide and 844' deep. The lot is located in an R-1 Residential area.

All questions from those in attendance were addressed so on a motion by John Higgins and seconded by Nick Kwasniak the Public Hearing was closed at 8:10PM.

A motion was then made by John Higgins and seconded by Nick Kwasniak to approve the subdivision conditioned on proper Survey and filing deed description with Niagara County within two year of today's date. All agreed.

7. **MJP Property -4797 Tonawanda Creek (Two-lot Major Subdivision)**

Mr. Jason Burford was in attendance for the applicant.

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

On a motion by Dan Vivian and seconded by John Higgins a Negative Declaration was issued and the Planning Board Chairman was authorized to sign the SEQR Form. All agreed.

8:15PM Public Hearing.

A Public Hearing opened at 8:15PM for a Two Lot Major Subdivision located at 4797 Tonawanda Creek Road. The subdivision consists of splitting a 46.73 Acre lot into two lots. This action was determined to be a Major Subdivision due to infrastructure requirements (Sewer & water). In addition, a variance was requested and approved by the Zoning Board of Appeals (ZBA) for Lot One for not meeting Town Code setback requirements (97' at setback point). The ZBA also placed the condition that the use of each lot resulting from the proposed subdivision be limited to a single family residence compliant with all code setback requirements. Each lot will be ~23 Acres in size. The lot is located in an R-2 Residential Area.

All questions from those in attendance were addressed so on a motion by Dan Vivian and seconded by Nick Kwasniak the Public Hearing was closed at 8:20PM.

A motion was then made by Dave Naus and seconded by Dan Vivian to approve the subdivision conditioned on the following:

1. Obtaining Health Department permits for sewer & water extensions.
2. Obtaining a Public Improvement Permit (PIP) with the Town Board.
3. Obtaining a Proper Survey and filing deed description with Niagara County within two year of today's date. All agreed.

8. Public/Press Comments and Questions

N/A

9. Adjourn

On a motion by Dan Vivian and seconded by Nick Kwasniak the Meeting was adjourned at 8:32PM. 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 Jorge 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 Gostkowski, Councilman E-Mail
Mr. David Fisher, Councilman E-Mail
Mr. Justin Graham, Councilman-Mail
Mr. Edward P. Perlman, Town Prosecutor E-Mail
Mr. David Britton, CRA Engineering E-Mail
Superintendent, Star point 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 September 17, 2019 PLANNING BOARD MEETING.

