

**TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
September 15, 2020**

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

Members Excused: Anthony Dell'Isola

Others Present: Town Engineer Dave Britton

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

2. **Informal Business**

N/A

3. **August 18, 2020 Meeting Minutes**

A motion was made by Dan Vivian & seconded by Dave Naus to approve the Minutes of the August 18, 2020 Planning Board (PB) meeting. All agreed.

4. **Mr. & Mrs. Prince Pond - 6749 Bear Ridge Road**

The applicant was in attendance.

Mr. Prince briefed the proposed pond on his Bear Ridge property. The pond will be ~ 0.5 acres & will be oval shaped & ~170' long by 130' wide. The applicant was briefed on all Town codes for grading, drainage, setbacks & signage. The area is zoned R-1 Residential.

SEQR: The Planning Board initiated an extensive review of the Short Environmental Assessment Form. On a motion by Dave Naus & seconded by Nick Kwasniak a Negative Declaration was issued. The Planning Board Chairman was authorized to sign the SEQR form at that time. All agreed.

7:40PM Public Hearing

A Public Hearing was opened for the Prince Pond. Mr. Prince briefed the project.

Chairman McCaffrey then opened up the hearing for questions. There were no questions at that time from the public.

On a motion by Dan Vivian & seconded by John Higgins the Public Hearing was closed at 7:43 PM.

On a motion by John Higgins & seconded by Dave Kantor the project was approved. All agreed.

**TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
September 15, 2020**

5. Munson Two Lot Minor Subdivision – 5119 Feigle Road

The applicant Mr. Munson was in attendance.

The minor subdivision consists of portioning the current 6.5 acre property into two lots of 4.7 & 1.8 acres respectively. The area is zoned R-2 Residential. The subdivision meets all Town Codes & there are no environmental issues.

SEQR: The Planning Board initiated an extensive review of the Short Environmental Assessment Form. On a motion by Dave Kantor & seconded by John Higgins a Negative Declaration was issued. The Planning Board Chairman was authorized to sign the SEQR form at that time. All agreed.

7:50PM Public Hearing

A Public Hearing was opened for the two Lot minor subdivision. Mr. Munson briefed the project.

Chairman McCaffrey then opened up the hearing for questions. All questions were addressed from the public by the applicant & the planning board.

On a motion by Dan Vivian & seconded by Nick Kwasniak the Public Hearing was closed at 7:54 PM.

On a motion by Dave Naus & seconded by Nick Kwasniak the project was approved. In addition, a survey must be filed with Niagara County within two years. All agreed.

6. Corto Four Lot Minor Subdivision – Fisk Road (SBL# 151.00-2-11.11)

The applicant Mr. Corto was in attendance.

Mr. Corto briefed the proposed four lot subdivision on his Fisk Road property. The 22.9 acre lot will be subdivided into three lots with a street frontage of 100' x depth of ~ 1131' (~2.6 acres each). The remaining lot will have a street frontage of 220' x depth of 1131' & will be L shaped (~15.1 acres). The proposed action meets all Town Codes for land subdivision & there are no environmental issues.

SEQR: The Planning Board initiated an extensive review of the Short Environmental Assessment Form. On a motion by Nick Kwasniak & seconded by Dave Kantor a Negative Declaration was issued. The Planning Board Chairman was authorized to sign the SEQR form at that time. All agreed.

**TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
September 15, 2020**

8:00PM Public Hearing

A Public Hearing was opened for the Corto four lot minor subdivision. Mr. Corto briefed the project.

Chairman McCaffrey then opened up the hearing for questions. There were no questions at that time from the public.

On a motion by Dave Naus & seconded by Dan Vivian the Public Hearing was closed at 8:04 PM.

On a motion by John Higgins & seconded by Dave Kantor the project was approved. In addition, a survey must be filed with Niagara County within two years. All agreed.

7. Last Frontier Rezoning (R-1 Residential to CO-2 Medium Commercial) – Tonawanda Creek Road & Transit Road.

Mr. Tim Arlington, Apex Consulting, was in attendance representing the applicant.

Mr. Arlington briefed the rezoning proposal that would move the Medium Commercial Zone west for ~ 250' along Tonawanda Creek Road.

The proposal will require Niagara County Planning Board approval.

The Planning Board reviewed the proposal & had no issues. On a motion by Dan Vivian & seconded by Nick Kwasniak a motion was made to for a positive recommendation for the Town Board to approve the rezoning request. All agreed.

The Town Board has final approval authority for rezoning per NYS law & will hold the Public Hearing & SEQR review.

8. Public/Press Comments and Questions

A comment was made by the public to extend the Medium Commercial zone to 1000' west of all Transit Road. The Planning Board considered the request & responded that

**TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
September 15, 2020**

rezoning was being reviewed case by case basis in that area due to the large number of land owners/different interests & concerns of those owners.

9. Adjourn

On a motion by Dave Kantor and seconded by Dave Naus the Meeting was adjourned at 8:32PM. All agreed.

Respectfully Submitted

John Higgins, Administrative Secretary
Planning Board, Town of Pendleton

cc: *via email only*
All Members of Planning Board
Mr. Joel Maerten, Town Supervisor
Mr. Claude Joerg, Town Attorney
Mrs. Deborah Maurer, Town Clerk
Mr. Jim Chisholm, Town Assessor
Mr. Jeffrey Stowell, Highway & Water/Sewer Superintendent
Mr. David Leible, Councilman
Mr. Jason Evchich, Councilman
Mr. David Fisher, Councilman
Mr. Justin Graham, Councilman
Mr. Theodore Joerg, Town Prosecutor
Mr. John Sansone, Town Prosecutor
Mr. David Britton, GHD Engineering
Mr. Ronald Diedrich, Building Inspector/Code Enforcement Officer
Mr. Joseph Follendorf, Building Inspector/Code Enforcement Officer
Superintendent, Starpoint Schools
Board of Appeals
Conservation Advisory Council
NYS DEC

NOTE: THE ABOVE PLANNING BOARD MINUTES ARE INFORMATIONAL AND FORMAL APPROVAL ACTION WILL NOT TAKE PLACE UNTIL THE OCTOBER 20, 2020 PLANNING BOARD MEETING.