

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

MEMBERS PRESENT: Joe McCaffrey John Higgins, Dave Naus, Dan Vivian, Anthony Dell’Isola
Dave Kantor, Nick Kwasniak

Members Excused:

Others Present: Town Engineer Dave Britton

1. Meeting called to order by Chairman Joe McCaffrey at 7:32PM.

2. Informal Business

N/A

3. November 17, 2020 Meeting Minutes

A motion was made by Dan Vivian & seconded by Nick Kwasniak to approve the Minutes of the November 17, 2020 Planning Board (PB) meeting. All agreed.

4. MMK 6856, LLC Two Lot Minor Subdivision – 6856 Transit Road

The applicant’s representative, Mr. Robert Sommerstein was in attendance via video conference.

The two lot minor subdivision consists of portioning the current 16.5 acre property into two lots of 8.9 & 7.6 acres respectively. The area is zoned CO-2 Medium Commercial. 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 Dan Vivian & 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.

7:40PM Public Hearing

A Public Hearing was opened for the two lot minor subdivision located at 6856 Transit Road. Mr. Sommerstein briefed the project.

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

On a motion by Dan Vivian & seconded by Dave Naus the Public Hearing was closed at 7:45PM.

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On a motion by Dave Naus & seconded by John Higgins the project was recommended for approval. All agreed and the motion for approval was passed unanimously. In addition, a survey must be filed with Niagara County within two years. All agreed.

5. Town Code Updates

The Planning Board reviewed a proposed update to the Town Code: **Chapter 190 Off-Road Motorized Vehicles – Restrictions (Change 1)**. On a motion by John Higgins & seconded by Dave Kantor the Planning Board recommends the change be reviewed by the Town Board for approval. All agreed.

6. Public/Press Comments and Questions

N/A

7. Adjourn

On a motion by John Higgins and seconded by Nick Kwasniak the Meeting was adjourned at 8:20PM. 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

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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 JANUARY 19, 2021 PLANNING BOARD MEETING.