

TOWN OF PENDLETON
PLANNING BOARD MINUTES
MARCH 18, 2014

MEMBERS PRESENT: Joe McCaffrey, Dan Vivian, Joe Kania, Dave Naus,
John Lavrich, Joe Killion and Tom Edbauer

Members Excused: None

Others Present: None

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

2. Informal Business

None

3. February 18, 2014 Meeting Minutes

A motion was made by Dave Naus and seconded by Tom Edbauer to approve the Minutes of the February 18, 2014 Planning Board Meeting. All agreed.

4. Public Hearing - 7:45PM - Salvatore Catanese - Two Lot Minor Subdivision - Main Rd.

HISTORY: Taken from the February 18, 2014 Planning Board Meeting Minutes

Board Members reviewed the Proposed Application Form for the Catanese Two Lot Minor Subdivision.

A motion was then made by Dan Vivian and seconded by Joe Killion to set a Public Hearing for 7:45 PM at the March 18, 2014 Planning Board Meeting. All agreed.

CURRENT:

A Public Hearing was opened at 7:45PM for a Two Lot Minor

Subdivision on the east side of Main Road just north of Beach Ridge Road.

It is noted that William Hebelor representing property owner Salvatore Catanese was in attendance.

The subdivision consists of splitting a 383' wide (fronting Main Road) by 486" deep lot from a 9.9 acre CO-1 zoned vacant parcel. The remaining lot which meets all CO-1 minimum measurement requirements will front Campbell Blvd.

No one in attendance had questions on said Subdivision, so on a motion by Joe Kania and seconded by Dan Vivian the Public Hearing was closed at 7:50PM. All agreed.

SEQR: The Planning Board then reviewed the Short Environmental Assessment Form and on a motion by Tom Edbauer and seconded by Joe Killion a Negative Declaration was issued and the Planning Board Chairman was authorized to sign the SEQR Form. All agreed.

A motion was then made by Dave Naus and seconded by Tom Edbauer to approve the Subdivision conditioned on proper survey and filing deed description with Niagara County within one year of today's date. All agreed.

5. Town Zoning Code Recommended Changes - Unsafe Structures

HISTORY: Taken from the February 18, 2014 Planning Board Meeting Minutes

It was first noted that in a letter dated January 3, 2014, Building Inspectors/Code Enforcement Officers Gerber and Striegel requested the Town Board to direct the Planning Board to review and propose revisions to the Town Zoning Code dealing with Unsafe Buildings and Collapsed Structures. It was further noted that The Town Board after review of said letter instructed the Planning Board to commence review of sections of the Town Zoning Code pertaining to Unsafe Structures and recommend changes for Town Board consideration. Administrative Assistant Kania then distributed a draft outlining proposed changes to Town Zoning Code Sections 247-35 and 247 - 60 relating to Unsafe Structures. After discussion, it

was agreed that all Members would review said changes and be prepared to discuss at the March Planning Board Work Meeting.

CURRENT:

Administrative Assistant Kania distributed the Final Draft outlining proposed changes to Town Zoning Code Sections 247-35 and 247-60 relating to Unsafe Structures.

Board Members will review said Draft and be prepared to discuss the proposed changes along with any comments that may be received at the April 2014 Work Meeting.

Tabled to the April 2014 Planning Board Meeting

6. Chiavetta's Catering Co. - 6100 Fisk Road - Site Sketch Plan

Chiavetta's Catering Co. made application for a Site Sketch Plan to construct a proposed 20' X 20' addition onto the front northrest corner of existing building. This new addition will serve as a dining area for "eat in" customers.

It is noted that Tim Arlington of Apex Consulting and Peter Chiavetta were in attendance representing the Applicant.

Tim Arlington then gave the Board a short presentation on the project which covered such items as:

1. Drainage
2. Setbacks and Elevations
3. Parking

SEQR DETERMINATION: The Board then addressed the State Environmental Assessment Form and on a motion by Joe Kania and second by Dave Naus a negative SEQR determination was issued and the Planning Board Chairman was given authorization to sign the SEQR Form. All agreed

A motion was then made by Joe Killion and seconded by Dan Vivian to approve the Site Sketch Plan.

All agreed

7. Big Bossman"s BBQ & Catering - 6116 Robinson Rd. - Site Sketch Plan

Chairman McCaffrey advised the Board that he had a telephone discussion with the Chairman of the Board of Appeals and verified that the only Variance that was issued on the 6116 Robinson Road Property was a Use Variance allowing Residential Use in a CO-2 Commercially Zoned District.

That being the case, the Planning Board has no authority to proceed with a Commercial Site Plan for any Commercial Endeavor on the property at 6116 Robinson Road at this time.

8. Dan & Craig D'Angelo Major Subdivision - 4214 Beach Ridge Rd. Sketch Plan

Administrative Assistant Kania distributed copies of a Major Subdivision Sketch Plan for a proposed 19 lot Major Subdivision to be located at 4214 Beach Ridge Road.

It is noted that Richard Haight and James Churchill of Advanced Design Group along with Applicants Danial and Craig D'Angilo were in attendance.

James Churchill then proceeded to give a short presentation to familiarize the Board with the nature of the project.

Chairman McCaffrey then advised that the Planning Board would "Receive" the Sketch Plan and all Board Members along with the Town Engineer would review same and be ready to discuss at the April 15, 2014 Planning Board Meeting.

9. Heritage Landings Major Subdivision (Heitzenrater)
Feigle Road at Bear Ridge Road - 95 lots - Conditional Final Plat Approval / Changes in Final Plat

HISTORY: Taken from the Febrary 18, 2014 Planning Board Meeting Minutes

Town Engineer Britton updated the Board on progress in completing remaining items that the Heritage Landings Major Subdivision needed to finalize in order to accomplish

Conditional Final Plat Approval no later than the final extension date of April 11, 2014.

CURRENT:

Richard Haight of Advance Design Group came before the Board to give an update on the progress that the Heritage Landings Major Subdivision was having in obtaining proper Permitting in order to proceed to the Development (PIP) stage of the process.

Mr. Haight advised the Board that due to unforeseen Wetland Modifications on the sight, changes had to be made combining a number of the proposed lots. He then proceeded to give the Board an overview of the changes that were necessitated by the Wetland modifications.

It is noted that Section 220-15B. of the Town Zoning Code states in part: No changes, erasures, modifications or revisions shall be made in any final subdivision plat after approval has been given by the Planning Board unless the said plat is first submitted to the Planning Board and such Board approve any modification.

That being the case, all Board Members agreed that the Conditional Final Plat Approval that was given would no longer apply and the Final Plat changes would be reviewed by all Planning Board Members along with the Town Engineer and a determination will be made at the April 15 2014 Planning Board Meeting as to where in the Subdivision Review Process the revised Plat *will fall*.

Tabled to the April 15, 2014 Planning Board Meeting

10. Public/Press Comments and Questions

None

11. Adjourn

Meeting adjourned at 8:45PM

Respectfully Submitted

John Lavrich, Secretary
Planning Board, Town of Pendleton

NOTE: THE ABOVE PLANNING BOARD MINUTES ARE INFORMATIONAL AND
FORMAL APPROVAL ACTION WILL NOT TAKE PLACE UNTIL THE
April 15, 2014 PLANNING BOARD MEETING.

