

**TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
DECEMBER 21, 2021**

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

Members Excused:

Others Present: Town Engineer Dave Britton

1. Meeting called to order by Chairman Joe McCaffrey at 7:31PM.

2. Informal Business

N/A

3. November 16, 2021 Meeting Minutes

A motion was made by Dan Vivian & seconded by Nick Kwasniak to approve the Minutes of the November 16, 2021 Planning Board (PB) meeting. All agreed.

4. Real Habitat Inc. Two Lot Minor Subdivision– 4691 Tonawanda Creek Road

SEQR: The Planning Board initiated an extensive review of the Short Environmental Assessment Form. On a motion by John Higgins & seconded by Mike Zimmerman 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 4691 Tonawanda Creek Road. One lot will be ~105’ frontage x 728’ deep (~1.75 acres). The remaining lot will be ~120’ frontage x 2,812’ deep (~42.5 acres). The property is zoned R-2 Residential.

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 7:42PM.

The project meets all Planning Board & Town Code requirements.

On a motion by Dan Vivian & seconded by John Higgins the project was recommended for approval on the condition that the landlocked parcel must be absorbed into the 42.5

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acre lot. In addition, the new deed & a survey must be filed with the Niagara County Clerk's office within two years. The motion for approval was passed unanimously.

5. Jacus Eight-Lot Major Subdivision – Creekbend Drive

The applicant was represented by Mr. Tim Arlington of Apex Consulting. Mr. Arlington briefed the revised preliminary plat of the proposed eight-lot Major Subdivision to be constructed at the north end of Creekbend Drive.

The proposed subdivision will be on 10.9 acres of land and was granted a variance for a single non-conforming lot (95' vs. required 100' frontage) by the Zoning Board of Appeals (Aug 21). The project's drainage & Stormwater Pollution Prevention Plan have been revised accordingly and were reviewed by the Planning Board, Town Engineer, & Highway/Sewer Departments. The changes should result in more efficient drainage for the entire subdivision. Other inputs from the Planning Board included:

- a. A truck route must be constructed on the Jacus property for fill vehicles. The fill vehicles will not be allowed to travel through the current subdivision.

6. Public/Press Comments and Questions

N/A

7. Adjourn

On a motion by Dan Vivian and seconded by Nick Kwasniak the Meeting was adjourned at 8:45PM. 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
Town Assessor
Mr. David Fisher, Highway & Water/Sewer Superintendent
Mr. David Leible, Councilman

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Mr. Jason Evchich, Councilman
Mr. Joseph Hickman, 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 JANUARY 18, 2022 PLANNING BOARD MEETING.