

**TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
February 14, 2023**

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

Members Excused:

Others Present: Town Engineer Dave Britton

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

2. Informal Business

N/A

3. January 17, 2023 Meeting Minutes

A motion was made by Dan Vivian & seconded by Dave Naus to approve the revised Minutes of the January 17, 2023 Planning Board (PB) meeting. All agreed.

4. Depew Two Lot Minor Subdivision – 6622 Bear Ridge Road

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

7:40 Public Hearing

A public Hearing was opened for the proposed project.

The applicant briefed the minor subdivision which subdivides the current 21.8 acre lot into two parcels (~2.5 acres & ~19.3 acres).

The project meets all Planning Board & Town Code requirements

The property is zoned R-2 Residential.

On a motion by Dan Vivian & seconded by Dave Naus the Public Hearing was closed at 7:42PM.

On a motion by John Higgins & seconded by Nick Kwasniak the project was recommended for approval. The measure was passed unanimously by the Planning Board.

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5. Bayer Two Lot Minor Subdivision – 4714 Tonawanda Creek Road

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

7:40 Public Hearing

A public Hearing was opened for the proposed project.

The applicant briefed the minor subdivision which subdivides the current 39.4 acre lot into two parcels (~1.0 acres & ~38.4 acres).

The project required a variance for the south parcel not meeting the minimum lot size which was granted by the Zoning Board of Appeals. The project meets all other Planning Board & Town Code requirements

The property is zoned R-2 Residential.

On a motion by John Higgins & seconded by Dan Vivian the Public Hearing was closed at 7:52PM.

On a motion by Mike Zimmerman & seconded by Dan Vivian the project was recommended for approval. The measure was passed unanimously by the Planning Board.

6. West Herr Subaru - 6856 S. Transit Road

On a motion by John Higgins & seconded by Dave Naus the Planning Board approved both the subdivision of the two West Herr owned properties which allotted 0.37 acres to the northern lot for the Subaru project. In addition, the site plan was conditionally approved on the following:

- a. DEC approval & a permit is obtained (as required) for the wetlands on the site.
- b. The Town Planning Board is provided a copy of the deed registered at the Niagara County Clerk's office with the proposed lot revisions.

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7. Public/Press Comments and Questions

N/A

8. Adjourn

On a motion by Nick Kwasniak and seconded by Mike Zimmerman 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. Thomas Valentine, Town Assessor
Mr. David Fisher, Highway & Water/Sewer Superintendent
Mr. David Leible, Councilman
Mr. Joseph Hickman, Councilman
Mr. Scott Lombardo, Councilman
Mr. Theodore Joerg, Town Prosecutor
Mr. John Sansone, Town Prosecutor
Mr. David Britton, Town Engineer
Mr. Ronald Diedrich, 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 MARCH 14, 2023 PLANNING BOARD MEETING.