

**TOWN OF PENDLETON  
PLANNING BOARD MEETING MINUTES  
March 14 & April 18, 2023**

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

**Members Excused:** Dan Vivian, Michael Zimmerman

**Others Present:** Town Engineer Dave Britton

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

**2. Informal Business**

N/A

**3. February 2023 Meeting Minutes**

**Note.** The Planning Board did not meet on March 14, 2023 meeting due to no formal business scheduled. The March Minutes will be combined with the April 2023 meeting.

A motion was made by Nick Kwasniak & seconded by Dave Naus to approve the Minutes of the February 14 2023 Planning Board (PB) meeting. All agreed.

**4. Regency Builders Major Subdivision Sketch Review – SBL 136.00-1-46.12**

The Planning Board reviewed the current sketch for the proposed major subdivision consisting of 27 lots. The applicant was represented by Mr. Ken Zollitsch, GPI, who briefed the proposal. After reviewing the sketch, the following comments were made by the Planning Board:

- a. The front of the property that is zoned Light Commercial must be rezoned to R-2 Residential.
- b. A traffic study is required.
- c. The turn around at the end of the proposed street requires review by the Town Fire Department & Starpoint School system.
- d. A mitigation plan may be required for the pond due to its closeness to the walking trail.

A motion was made by John Higgins & seconded by Dave Naus to allow more than 20 lots with only one entrance to the subdivision per Town Code. All agreed.

The property is zoned Light Commercial CO-1 & R-2 Residential.

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PLANNING BOARD MEETING MINUTES  
March 14 & April 18, 2023**

**5. Joseph & Linda McCaffrey Rezoning – NE Corner of Campbell Blvd & Tonawanda Creek Road**

The Planning Board reviewed the proposed request to rezone the eastern portion (200') of the applicant's property on Campbell Boulevard from R-2 Residential to CO-2 Light Commercial. The property is currently zoned both CO-2 & R-2.

Note. The Planning Board Chairman, Mr. Joseph McCaffrey recused himself from the proceedings.

Per Town Code, the Planning Board will make a positive or negative recommendation to the Town Board who maintains approval authority for all rezonings.

The Planning Board on a motion by John Higgins & seconded by Nick Kwasniak made a positive recommendation to the Town Board for the rezoning. All agreed.

**6. Public/Press Comments and Questions**

N/A

**7. Adjourn**

On a motion by Dave Naus and seconded by Nick Kwasniak the Meeting was adjourned at 8:27PM. 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

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March 14 & April 18, 2023**

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 MAY 16, 2023 PLANNING BOARD MEETING.