

APPENDIX A

POPULATION PROJECTION

and

STARPOINT CENTRAL SCHOOL DISTRICT PROFILE

APPENDIX A

POPULATION PROJECTIONS

1. Background

Population growth in the Town of Pendleton is dependent on several factors such as the desire to have a single-family home in a rural setting with open space, a good school system and the convenience of being located near major urban areas. These trends are reflected as follows:

a) In-Migration

The continued influence of the commercial growth of surrounding Towns (Amherst, Lockport and Wheatfield) and the expansion of SUNY at Buffalo Amherst Campus as well as other colleges in the Amherst area has made the Town of Pendleton a desirable choice of residence for persons associated with these activities.

The continued growth of these opportunities north of the Buffalo area in general have fostered the movement of residences to towns such as Pendleton which are in the second ring of towns surrounding the city of Buffalo.

The Town of Pendleton continues to attract persons desiring a new home in the southern Niagara County area. In a relatively rural setting, it offers access to adjoining towns to many of the conveniences of urban living including shopping centers, entertainment, professional offices and nearness to major urban areas.

b) Population Trends

The population of the Town of Pendleton has grown by 28% from the year 1980 when comparing the census data for that year with 1990 and 2000 while at the same time we have seen a slight decline in the total population of Niagara County. This data, obtained from the US Census Bureau, is shown in the TABLE A-1: Pendleton Census Population and TABLE A-2: Population Trends in the Town of Pendleton and Niagara County found in this appendices.

In addition, Table A-2 shows a 28% increase between 1990 and 2000 of the population of people under 18 years of age who will be using the secondary school education systems provided in this area. Starpoint Central School system provides this secondary

education to the majority of these students. In 2004, the new high school was opened on the Starpoint Campus to service Pendleton and parts of four other surrounding towns in Niagara County. The expansion was designed to accommodate the projected size of the student population when it opened in 2004.

2. Pendleton Year 2025 Population Projections

Population demographics have been developed by the US Bureau of Census and the Greater Buffalo Niagara Regional Transportation Council (GBNRTC). The record of population counts for the Town of Pendleton, and the projected population in the year 2025 is listed in Table A-1. Table A-1 also lists the number of households and projected households in 2025.

As stated above, Table A-2 also lists a more detailed record of the population growth in the Town of Pendleton based on the 2000 and 1990 census. In addition, Table A-3 shows the 442 new homes that were built during the 1990's reflect this growth. The increase in population to date, and the projected increase in population, impacts town resources such as our existing school system, infrastructure and services should be taken into account when reviewing new land development applications.

TABLE A-1 (* & **)
TOWN OF PENDLETON CENSUS POPULATION AND # HOUSEHOLD PROJECTIONS

YEAR	POPULATION	HOUSEHOLDS
1980	4726	1472
1990	5010	1695
2000	6050	2162
2025	8000	2900

TABLE A-2 **
POPULATION TRENDS IN TOWN OF PENDLETON & NIAGARA COUNTY

PENDLETON			NIAGARA COUNTY	
2000 CENSUS		% TOTAL		% TOTAL
POPULATION	6050		219846	
POP < 18 yrs old	1667	28%	54237	25%
TOT Housing units	2162		95715	
Total Area- sq mi	27.44		1139.83	
Water Area - sq mi	0.26		616.89	
Land Area- sq mi	27.18		522.95	
Population per sq mi	222.60		420.40	
Houses per sq mi	79.50		183.00	
1990 CENSUS		% TOTAL		% TOTAL
POPULATION	5010		220756	
POP < 18 yrs old	1300	26%	55002	25%

* Taken from Pendleton Demographics Study by
Greater Buffalo Niagara Regional Transportation Commission (GBNRTC)

** Taken from US Census Bureau - Profile of General Demographic Characteristics: Census 2000

**TABLE A-3
TOWN of PENDLETON**

NEW DWELLING BUILDING PERMITS ISSUED

<u>YEAR</u>	<u>Number</u>	<u>YEAR</u>	<u>Number</u>	<u>YEAR</u>	<u>Number</u>
1960	34	1975	22	1990	47
1961	26	1976	14	1991	26
1962	33	1977	24	1992	36
1963	28	1978	22	1993	50
1964	40	1979	10	1994	50
1965	30	1980	10	1995	48
1966	46	1981	16	1996	47
1967	32	1982	6	1997	45
1968	31	1983	17	1998	46
1969	19	1984	13	1999	47
1970	20	1985	18	2000	49
1971	17	1986	0	2001	42
1972	23	1987	42	2002	32
1973	28	1988	62	2003	46
1974	17	1989	47	2004	28
				2005	20

nav									
Ericano Primary Intermediate Middle School High School District		District » District Profile							
» About the District » Board of Education » Superintendent » Instruction Office » Personnel Office » Business Office » Special Programs » Public Relations » Spartana » Driving Directions » Contact Us » Staff Directory » School Forms		The Starpoint Central School District consists of the Towns of Pendleton, Cambria, Lockport, Wheatfield, and Royalton and is located in the Town of Pendleton (click here to visit the Town of Pendleton website). The Starpoint CSD services approximately 5,300 families. The area covered is 115 square miles. The Starpoint CSD is a component district of the Orleans/Niagara BOCES (click here to visit the Orleans/Niagara BOCES website). Finances 2005-06 Taxable Assessed Valuation - \$831,673,258 2005-06 Full Value Tax Rate - \$21.43/\$1,000 <table> <tr> <td>➤ Pendleton</td> <td>\$23.04/\$1,000</td> </tr> <tr> <td>➤ Cambria</td> <td>\$21.43/\$1,000</td> </tr> </table>		➤ Pendleton	\$23.04/\$1,000	➤ Cambria	\$21.43/\$1,000		
➤ Pendleton	\$23.04/\$1,000								
➤ Cambria	\$21.43/\$1,000								
Community Calendars Alumni Athletics Staff Resources									

Finances

2005-06 Taxable Assessed Valuation - \$831,673,258

2005-06 Full Value Tax Rate - \$21.43/\$1,000

- | | | |
|---|------------|-----------------|
| ➤ | Pendleton | \$23.04/\$1,000 |
| ➤ | Cambria | \$21.43/\$1,000 |
| ➤ | Wheatfield | \$25.81/\$1,000 |
| ➤ | Lockport | \$21.43/\$1,000 |
| ➤ | Royalton | \$22.55/\$1,000 |

2005-2006 Budget \$36,389,391

2004-2005 Budget \$34,707,057

\$ Increase \$1,682,334

% Increase 4.85%

Debt Outstanding @ 6/30/05	\$51,680,000
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Debt Outstanding @ 6/30/04	\$54,815,000
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\$ Decrease \$3,135,000

% Decrease 5.72%

Max Debt Allowable @ 6/30/05	\$82,280,486
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Student Success Rate

% Of students scoring 3 and/or 4 on

2003-04 NYS Assessments

ELA 4 76

Math 4 89

ELA 8 55

Math 8 74

Computers per Student

1 personal computer per 3 students

Schools/Grades/Enrollment

Fricano Primary School – K-2	589
Starpoint Intermediate – 3-5	623
Starpoint Middle School – 6-8	712
Starpoint High School – 9-12	945

Average Class Size

Fricano Primary School	22
Starpoint Intermediate School	22.5
Starpoint Middle School	24
Starpoint High School	24

Instructional Staff

Fricano Primary School	42
Starpoint Intermediate School	43
Starpoint Middle School	56
Starpoint High School	63

2004 SAT Mean Scores for Seniors

Verbal – 520

Math – 536

Post-Graduation – 2004 Graduates

Enrolled in 4-year college 44%

Enrolled in 2-year college 39%

Work/other 15%

Military 2%

Regents Diplomas

Regents Diplomas 80%

Regents Diplomas with Honors 9%

Local Diplomas 10%

IEP Diplomas 1%

Size of Campus

120 acres



APPENDIX B

FEDERAL/STATE WETLANDS

Wetlands Overview

Dave Davis

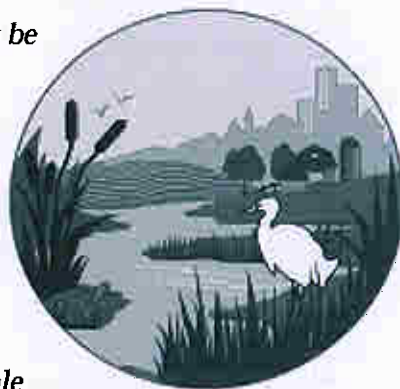


Is there a wetland in your neighborhood?

The best way to find out if there's a wetland in your watershed or neighborhood is to contact your Natural Resources Conservation Service office or local public works or planning department. Most have specialists trained in identifying and delineating wetlands. The U.S. Fish and Wildlife Service's National Wetland Inventory maps can also help. The maps indicate open water and likely wetland areas. For copies, call 1-888-ASK-USGS or visit the National Wetlands Inventory web site at www.mwi.fws.gov.

What Is a Wetland?

Although wetlands are often wet, a wetland might not be wet year-round. In fact, some of the most important wetlands are only seasonally wet. Wetlands are the link between the land and the water. They are transition zones where the flow of water, the cycling of nutrients, and the energy of the sun meet to produce a unique ecosystem characterized by hydrology, soils, and vegetation—making these areas very important features of a watershed. Using a watershed-based approach to wetland protection ensures that the whole system, including land, air, and water resources, is protected.



Wetlands found in the United States fall into four general categories—marshes, swamps, bogs, and fens. Marshes are wetlands dominated by soft-stemmed vegetation, while swamps have mostly woody plants. Bogs are freshwater wetlands, often formed in old glacial lakes, characterized by spongy peat deposits, evergreen trees and shrubs, and a floor covered by a thick carpet of sphagnum moss. Fens are freshwater peat-forming wetlands covered mostly by grasses, sedges, reeds, and wildflowers.

Good News

Often called “nurseries of life,” wetlands provide habitat for thousands of species of aquatic and terrestrial plants and animals.

Although wetlands are best known for being home to water lilies, turtles, frogs, snakes, alligators, and crocodiles, they also provide important habitat for waterfowl, fish, and mammals. Migrating birds use wetlands to rest and feed during their cross-continental journeys and as nesting sites when they are at home. As a result, wetland loss has a serious impact on these species. Habitat degradation since the 1970s has been a leading cause of species extinction.

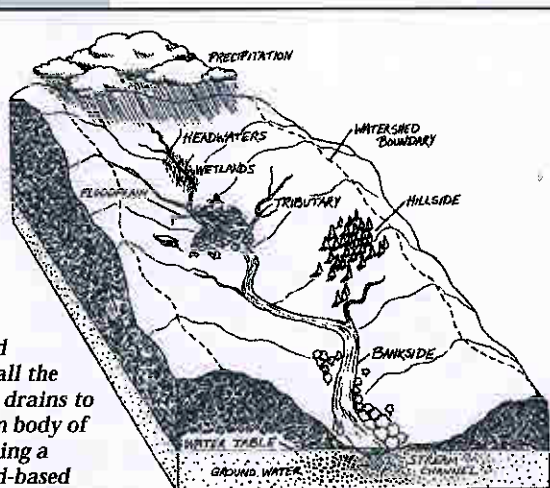
Two-thirds of the 10 million to 12 million waterfowl of the continental United States reproduce in the prairie pothole wetlands of the Midwest. In the winter millions of ducks like these can be found in the wetlands of the south-central United States.



Dave Davis

This forested wetland on the Chincoteague National Wildlife Refuge on Virginia's Eastern Shore is part of the Atlantic flyway, where shorebirds and waterfowl rest before they migrate south for the winter.

A watershed includes all the land that drains to a common body of water. Using a watershed-based approach to wetland protection ensures that the whole ecosystem is protected.





A freshwater pool at Assateague National Seashore in Virginia.

Living systems cleanse water and make it fit, among other things, for human consumption.

Elliot A. Norse, in R.J. Hoage, ed., *Animal Extinctions*, 1985. Smithsonian Press.

The nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased, and not impaired, in value.

—Theodore Roosevelt, 1907

Wetlands do more than provide habitat for plants and animals in the watershed. When rivers overflow, wetlands help to absorb and slow floodwaters. This ability to control floods can alleviate property damage and loss and can even save lives. Wetlands also absorb excess nutrients, sediment, and other pollutants before they reach rivers, lakes, and other waterbodies. They are great spots for fishing, canoeing, hiking, and bird-watching, and they make wonderful outdoor classrooms for people of all ages.

Bad News

Despite all the benefits provided by wetlands, the United States loses about 60,000 acres of wetlands each year. The very runoff that wetlands help to clean can overload and contaminate these fragile ecosystems. In addition, nonnative species of plants and animals and global climate change contribute to wetland loss and degradation.

What Is EPA Doing to Protect Wetlands?

EPA has a number of programs for wetland conservation, restoration, and monitoring. EPA, along with the U.S. Army Corps of Engineers (Corps), establishes environmental standards for reviewing permits for discharges that affect wetlands, such as residential development, roads, and levees. Under Section 404 of the Clean Water Act, the Corps issues permits that meet environmental standards (after allowing the public to comment).



Working Together to Protect and Restore Wetlands

In addition to providing regulatory protection for wetlands, EPA works in partnership with states, tribes, and local governments, the private sector, and citizen organizations to monitor, protect, and restore these valuable habitats. EPA is helping states and tribes incorporate wetland monitoring, protection, and restoration into their watershed plans. EPA is also developing national guidance on wetland restoration, as well as constructed wetlands used to treat storm water and sewage. Nationally, EPA's Five-Star Restoration Program provides grants and promotes information exchange through community-based education and restoration projects.

EPA works with a variety of other federal agencies to protect and restore wetlands, including the U.S. Fish and Wildlife Service, the U.S. Department of Agriculture, and the National Marine Fisheries Service. EPA is working with these agencies and others to achieve an overall increase of wetlands over the next five years. EPA also partners with private interests and public organizations like the Association of State Wetland Managers, the National Association of Counties, local watershed associations, schools, and universities to advance conservation and restoration programs.

How Can I Help?

First, identify your watershed and find the wetlands in your neighborhood. Learn more about them and share what you learn with someone you know! Encourage neighbors, developers, and state and local governments to protect the functions and values of wetlands in your watershed.

To prevent wetland loss or degradation, follow these simple guidelines:

- Invest in wetlands by buying duck stamps. Proceeds from these \$15 migratory bird hunting stamps support wetland acquisition and restoration. The stamps are available on-line at the U.S. Fish and Wildlife Service's web site (www.fws.gov) or at your local post office.
- Instead of draining or filling wetlands, find more compatible uses, such as waterfowl and wildlife habitat.
- When developing your landscaping plan, keep wetlands in mind. Plant native grasses or forested buffer strips along wetlands on your property to protect water quality.
- Participate in a volunteer wetland monitoring program.
- Plan to avoid wetlands when developing or improving a site. Get technical assistance from your state environmental agency before you alter a wetland.
- Maintain wetlands and adjacent buffer strips as open space.
- Support your local watershed association.
- Plan a wetland program or invite a wetland expert to speak at your school, club, youth group, or professional organization.
- Build a wetland in your backyard. Learn how by visiting the U.S. Department of Agriculture's web site at www.nrcs.usda.gov/feature/backyard/



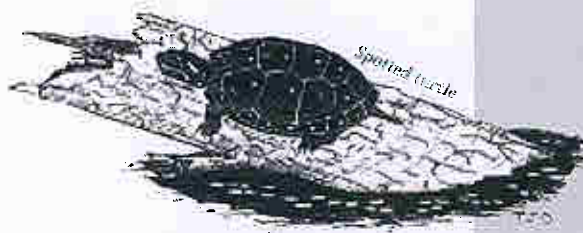
Dave Davis

Wetland habitat along this Idaho riparian corridor provides food and shelter for diverse wildlife species.



Dave Davis

If bottomland hardwood swamps are protected, Bald Cypress trees like these can grow for more than 2000 years.



Spotted turtle

Wetlands can be found in every county and climatic zone in the United States.



Wetland Resources

On the Internet

EPA's Wetland Home Page	www.epa.gov/owow/wetlands
USDA's Wetland Reserve Program	www.nrcs.usda.gov/programs/wrp
The Association of State Wetland Managers	www.aswm.org
National Marine Fisheries Service Restoration Center	www.nmfs.noaa.gov/habitat/restoration
USDA NRCS's Wetland Science Institute	www.pwrc.usgs.gov/WLI
National Wetlands Inventory Center	www.nwi.fws.gov
Izaak Walton League	www.iwla.org
U.S. Fish and Wildlife Service	www.fws.gov
Army Corps of Engineers	www.usace.army.mil
USGS National Wetlands Resources Center	www.nwrc.usgs.gov
U.S. Forest Service	www.usda.fs.gov

In Print

America's Wetlands: Our vital link between land and water. Available on the Internet at www.epa.gov/owow/wetlands/vital/toc.html.

Our National Wetland Heritage: A Protection Guide. Jon Kusler and Teresa Opheim. Available from the Association of State Wetland Managers. Call (518) 872-1804 or visit www.aswm.org.

Wetlands, 3rd edition, William J. Mitsch and James G. Gosselink. Available from the Association of State Wetland Managers. Call (518) 872-1804 or visit www.aswm.org.

History of Wetlands in the Conterminous United States: National Water Summary on Wetland Resources, U.S. Geological Survey Water Supply Paper 2425. Available from the U.S. Fish and Wildlife Service at wetlands.fws.gov/bha or from the U.S. Geological Survey at water.usgs.gov/nwsum/WSP2425/history.html.

National Wetlands Status and Trends Study and Report for the Year 2000. Available from the U.S. Fish and Wildlife Service at wetlands.fws.gov/bha.

Recognizing Wetlands. Available from the U.S. Army Corps of Engineers at www.wes.army.mil/el/wetlands.

Recognizing Wetlands

An Informational Pamphlet

What is a Wetland?

The US Army Corps of Engineers(Corps) and the [US Environmental Protection Agency](#) define wetlands as follows:

Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Wetlands are areas that are covered by water or have waterlogged soils for long periods during the growing season. Plants growing in wetlands are capable of living in saturated soil conditions for at least part of the growing season.

Wetlands such as swamps and marshes are often obvious, but some wetlands are not easily recognized, often because they are dry during part of the year or "they just don't look very wet" from the roadside.

Some of these wetland types include, but are not limited to, many bottomland forests, pocosins, pine savannahs, bogs, wet meadows, potholes, and wet tundra. The information presented here usually will enable you to determine whether you might have a wetland. If you intend to place dredged or fill material in a wetland or in an area that might be a wetland, contact the local Corps District Office for assistance in determining if a permit is required.

Why is it necessary to consider whether an area is a wetland?

[Section 404 of the Clean Water Act](#) requires that anyone interested in depositing dredged or fill material into "waters of the United States, *including wetlands*," must receive authorization for such activities. The Corps has been assigned responsibility for administering the Section 404 permitting process. Activities in wetlands for which permits may be required include, but are not limited to:

- Placement of fill material.
- Ditching activities when the excavated material is sidecast.
- Levee and dike construction.
- Mechanized land clearing.
- Land leveling.

- Most road construction.
- Dam construction.

The final determination of whether an area is a wetland and whether the activity requires a permit must be made by the appropriate Corps District Office.

How can wetlands be recognized?

The Corps uses three characteristics of wetlands when making wetland determinations: **vegetation, soil, and hydrology**. Unless an area has been altered or is a rare natural situation, wetland indicators of all three characteristics must be present during some portion of the growing season for an area to be a wetland. Each characteristic is discussed below.

However, there are some general situations in which an area has a strong probability of being a wetland. If any of the following situations occur, you should ask the local Corps office to determine whether the area is a wetland:

- Area occurs in a floodplain or otherwise has low spots in which water stands at or above the soil surface during the growing season. *Caution: Most wetlands lack both standing water and waterlogged soils during at least part of the growing season.*
- Area has plant communities that commonly occur in areas having standing water for part of the growing season (e.g., cypress-gum swamps, cordgrass marshes, cattail marshes, bulrush and tule marshes, and sphagnum bogs).
- Area has soils that are called peats or mucks.
- Area is periodically flooded by tides, even if only by strong, wind-driven, or spring tides.

Many wetlands can be readily identified by the general situation stated above. For the boundary of these areas and numerous other wetlands, however, it is unclear whether these situations occur.

In such cases, it is necessary to carefully examine the area for wetland indicators of the three major characteristics of wetlands: vegetation, soil, and hydrology. Wetland indicators of these characteristics, which may indicate that the area is a wetland, are described on the following pages.

Vegetation indicators

Nearly 5,000 plant types in the United States may occur in wetlands. These plants, known as *hydrophytic vegetation*, are listed in regional publications of the [US Fish and Wildlife Service](#).

However, you can usually determine if wetland vegetation is present by knowing a relatively few plant types that commonly occur in your area. For example, cattails, bulrushes, cordgrass, sphagnum moss, bald cypress, willows, mangroves, sedges, rushes, arrowheads, and water plantains usually occur in wetlands.

Other indicators of plants growing in wetlands include trees having shallow root systems, swollen trunks (e.g., bald cypress, tupelo gum), or roots found growing from the plant stem or trunk above the soil surface. Several Corps offices have published pictorial guides of representative wetland plant types.

If you cannot determine whether the plant types in your area are those that commonly occur in wetlands, ask the local Corps District Office or a local botanist for assistance.

Soil indicators

There are approximately 2,000 named soils in the United States that may occur in wetlands. Such soils, called *hydric soils*, have characteristics that indicate they were developed in conditions where soil oxygen is limited by the presence of saturated soil for long periods during the growing season. If the soil in your area is listed as hydric by the [US Natural Resource Conservation Service \(NRCS\)](#), the area might be a wetland.

If the name of the soil in your area is not known, an examination of the soil can determine the presence of any hydric soil indicators, including:

- Soil consists predominantly of decomposed plant material (peats or mucks).
- Soil has a thick layer of decomposing plant material on the surface.
- Soil has a bluish gray or gray color below the surface, or the major color of the soil at this depth is dark (brownish black or black) and dull.
- Soil has the odor of rotten eggs.
- Soil is sandy and has a layer of decomposing plant material at the soil surface.
- Soil is sandy and has dark stains or dark streaks of organic material in the upper layer below the soil surface. These streaks are decomposed plant material attached to the soil particles. When soil from these streaks is rubbed between the fingers, a dark stain is left on the fingers.

Hydrology indicators

Wetland hydrology refers to the presence of water at or above the soil surface for a sufficient period of the year to significantly influence the plant types and soils that occur in the area. Although the most reliable evidence of wetland hydrology may be provided by gaging station or groundwater well data, such information is limited for most areas and, when available, requires analysis by trained individuals. Thus, most hydrologic

indicators are those that can be observed during field inspection. Most do not reveal either the frequency, timing, or duration of flooding or the soil saturation.

However, the following indicators provide some evidence of the periodic presence of flooding or soil saturation:

- Standing or flowing water is observed on the area during the growing season.
- Soil is waterlogged during the growing season.
- Water marks are present on trees or other erect object. Such marks indicate that water periodically covers the area to the depth shown on the objects.
- Drift lines, which are small piles of debris oriented in the direction of water movement through an area, are present. These often occur along contours and represent the approximate extent of flooding in an area.
- Debris is lodged in trees or piled against other object by water.
- Thin layers of sediments are deposited on leaves or other objects. Sometimes these become consolidated with small plant parts to form discernible crust on the soil surface.

Wetland determination

One or more indicators of wetland vegetation, hydric soil, **and** wetland hydrology must be present for an area to be a wetland. If you observe definite indicators of any of the three characteristics, you should seek assistance from either the local Corps District Office or someone who is an expert at making wetland determinations.

This brochure is not intended to be used to make a final wetland determination or delineation; it is intend, however, to provide some general information concerning wetlands identification.

What to do if your area has wetlands that you propose to alter?

Contact the Corps District Office that has responsibility for the Section 404 permitting process in your area. This office will assist you in defining the boundary of any wetlands on your property, and will provide instructions for applying for a Section 404 permit, if necessary.

<http://www.usace.army.mil/inet/functions/cw/cecwo/reg/index.htm>

APPENDIX C

EXISTING ZONING CLASSIFICATIONS

APPENDIX C
EXISTING ZONING CLASSIFICATIONS

FP District:	Flood Plain
R1 District:	Low Density Residential
R2 District:	Medium Density Residential
CO District:	Commercial
LI District:	Light Industrial
SLI District:	Special Light Industrial

FP District: Flood Plain

The FP District is divided into two (2) categories (FWA - Floodway Area and FFA - Floodway Fringe Area). The boundaries for the FP district are the same as the boundaries for the Flood Hazard Boundary Maps originating from the Federal Insurance Administration (FIA). This area may be further refined to include both the Floodway and the Floodway Fringe Districts as defined and delineated by the FIA. The following controls will apply:

A. FWA - Floodway Area

1. Uses Permitted by Right

- a. Orchards
- b. Off-street parking areas
- c. Open recreational uses including parks, playgrounds, golf courses, picnic groves, beaches and boat launching areas
- d. Unlimited and limited agriculture (excluding any structures)
- e. Wildlife sanctuaries, woodland preserves, scenic sites and arboretums

B. FFA - Floodway Fringe Area

1. Uses Permitted by Right:

- a. Facilities for raising insects
- b. Flood retention dams, dikes, culverts and bridges as approved by the State of New York
- c. Nurseries, orchards, greenhouses
- d. Open storage if contiguous to an industrial district
- e. Outdoor recreational uses including tennis courts, parks, a campsite, picnic groves, golf courses, swimming, fishing and boating facilities
- f. Private stables with certain restrictions (see Town Zoning Ordinance)
- g. Unlimited and limited agriculture
- h. Wildlife sanctuaries, woodland preserves, arboretums
- i. Essential services
- j. Single-family residences
- k. Accessory uses

The FP District also specifically outlines prohibited uses and existing nonconforming uses. See Town of Pendleton Zoning Ordinance for proper reference to requirements and regulations under the Flood Plain District.

RI District: Low Density Residential

1. Uses Permitted by Right:

- a. Farms, limited agriculture and unlimited agriculture (excluding public stables)
- b. Home occupations
- c. Single-family detached residences (excluding mobile homes and mobile home parks)
- d. Private stables with certain restrictions (see Town Zoning Ordinance)
- e. Accessory structures (see Town Zoning Ordinance)
- f. Outdoor recreational uses with special requirements (see Town Zoning Ordinance)

The RI District also specifically outlines uses permitted by special exception. See Town of Pendleton Zoning Ordinance for proper reference to requirements and regulations under the RI Low Density Residential District.

R2 District: Medium Density Residential

1. Uses Permitted by Right:

- a. Home occupations
- b. Single-family detached residences or one two-family residence (excluding manufactured (mobile) homes and manufactured (mobile) home parks)
- c. Farms, limited agriculture and unlimited agriculture (excluding public stables)
- d. Outdoor recreational uses, including tennis courts, parks, golf courses and rod and gun clubs with special requirements
- e. Private stables with certain restrictions (see Town Zoning Ordinance)
- f. Accessory structures (see Town Zoning Ordinance)

The R2 District also specifically outlines uses permitted by special exception. See Town of Pendleton Zoning Ordinance for proper reference to requirements and regulations under the R2 Medium Density Residential District.

CO District: Commercial

The CO District is divided into two (2) categories (CO1 - Light Commercial and CO2 - Medium Commercial). The following controls will apply:

A. CO1 - Light Commercial

1. Uses Permitted by Right

- a. Antique and art shops
- b. Baker, confectionery and ice cream shops including the baking and processing of food products when prepared for retail use on premises only
- c. Banks and financial institutions
- d. Beverage stores including the sale of beer and liquor
- e. Catalog store
- f. Club, lodge or meeting halls
- g. Drug stores
- h. Eating and drinking establishments
- i. Florist shops
- j. Gift and novelty stores
- k. Hardware, paint, glass and wallpaper stores
- l. Laundries, laundrettes, cleaning and pressing establishments
- m. Mortuaries and funeral parlors
- n. Motor vehicle service stations in accordance with section 247-50 of the Town of Pendleton Code
- o. Newsstands
- p. Nurseries, greenhouses, garden supplies
- q. Offices
- r. Off-street parking
- s. Pet stores
- t. Personal service
- u. Photography studios
- v. Rental stores
- w. Repair services of household items

- x. Retail sales and service establishments not more objectionable by reason of noise, fumes, vibration, or lights than any permitted use listed above
- y. Schools or places of instruction for music, dancing, reading, languages, elocution and similar subjects
- z. Stores selling convenience goods, including food products, hardware, newspapers, magazines, drugs, variety items, apparel, beer and liquor
- aa. Essential services
- bb. Accessory uses

See Town of Pendleton Zoning Ordinance for proper reference to requirements and regulations under the CO 1 Light Commercial District.

B. CO2 - Medium Commercial

1. Uses Permitted by Right

- a. All uses listed in the CO 1 Light Commercial District
- b. Agricultural implement sales and service
- c. Automobile sales and related sales or service facilities
- d. Building materials and retail sales
- e. Department and variety stores
- f. Feed and seed stores
- g. Food stores and food lockers
- h. Furniture and appliance sales and service, but not including assembly or manufacture
- i. Hotels and motels
- j. Indoor and outdoor recreation, including bowling alleys, pool halls, dance halls, amusement centers, amusement parks, miniature golf and driving ranges
- k. Mobile home and trailer sales and service
- l. Monument sales
- m. Plumbing, heating and roofing supply retail sales
- n. Public uses, excluding the storage of road materials, road equipment and garages, incinerators and landfills of any type
- o. Theaters
- p. Essential services

q. Accessory Uses

See Town of Pendleton Zoning Ordinance for proper reference to requirements I regulations under the CO2 Medium Commercial District.

LI District: Light Industrial

The LI District is divided into two (2) categories (LI - Light Industrial and SLI Special Light Industrial). The following controls will apply:

LI District: Light Industrial

1. Uses Permitted by Right
 - a. Animal hospitals, animal shelters and facilities for raising insects and birds
 - b. Automobile painting, upholstering, motor and body work
 - c. Bottling works
 - d. Building materials sales yard
 - e. Building contractor shops
 - f. Carpenter and cabinet maker
 - g. Electronic and small parts assembly and/or manufacture
 - h. Laboratories and research facilities
 - i. Locksmiths
 - j. Machine shops
 - k. Manufacture, compounding, processing or treatment of such products as: bakery goods, confectioneries, cosmetics, dairy products, drugs, ice, perfumes, pharmaceuticals, toiletries and food products (except the following: fish, sauerkraut, pickles, vinegar, yeast and the rendering of oils and fats)
 - l. Manufacture, fabrication, compounding, assembling, treatment or processing of articles of merchandise from the following previously prepared materials: cellophane, ceramics, cloth, film, fiber, glass, leather, paper and paper board, plastic, precious textiles, yam, paint or wood
 - m. Metal smiths
 - n. Repair shop
 - o. Storage of materials, supplies and equipment in accordance with Section 54
 - p. Wholesale business
 - q. Essential services
 - r. Accessory uses

The LI District also specifically outlines uses permitted by special exception. Town of Pendleton Zoning Ordinance for proper reference to requirements and regulations under the LI Light Industrial District.

SLI District: Special Light Industrial

1. Uses Permitted by Right

- a. Same as provided for LI Light Industrial District

2. Uses Permitted by Special Exception:

- a. Same as provided for LI Light Industrial District
- b. Manufactured (mobile) home parks
- c. Adult uses: adult bookstores, adult entertainment cabarets, adult minimotion-picture theater and adult motion picture as defined in Chapter 9 - Adult Uses

See Town of Pendleton Zoning Ordinance for proper reference to requirement regulations under the SLI Special Light Industrial District.

APPENDIX D

RESULTS OF TOWNWIDE SURVEY 2003

by

TOWN OF PENDLETON PLANNING BOARD

September 18, 2003

September 18, 2003

Mr. Richard Brauer, Supervisor, Town of Pendleton

The Planning Board has consistently been working to keep the Town Code current to "changing times" while keeping in mind the long-term residents, the new residents and most important future generations of Pendleton Residents.

Our Master Plan which was accepted in 1992, should ideally be updated every 5 years, and at a minimum every 10 years and when updated be adopted by the Town. As opposed to spending \$20,000 to \$40,000 of Taxpayers' money to accomplish this as other Towns have done, we, your Planning Board decided to give a valiant effort to provide a meaningful comprehensive plan.

The first step was to get input from all the current and possible future residents as well as non-resident property owners within the Town. To accomplish this we authored and arranged to send out approximately 2400 "Master Plan Surveys" via the Town quarterly paper as well as direct mail to non-resident property owners.

Our goal was to get the general consensus on major future issues such as; Major Subdivisions, open space, parks, increased traffic, willingness to pay for Town provided benefits etc..

The overall results of the said Survey are as follows;

Number of Surveys returned by August 11, 2003 (deadline was August 6, 2003)=====349

[349 equates to a 14.5% return which is excellent. Our understanding of this type of Survey return in other Towns has been 10% or less]

98% of the returns were from Residents and an additional 2% from non-resident property owners

Percentages were based on the 349 returned or total marked in that question.

Highlights Of the Survey are;

- A. No more major subdivisions
- B. Maintain open space
- C. Keep the rural atmosphere
- D. Do not raise my taxes
- E. Do not need rental housing
- F. We need more Businesses
- G. Give us our own Post Office Zip Code
- H. Obtain property for future parks
- I. OK (54%) to rezone to Light Commercial

Questions 1 through 4 on the Survey were answered above.
Questions 5 through 10 were answered on a percentage of total basis as follows along with a summary of the written comments;

5. A) TOWN NEEDS MORE: RENTAL HOUSING? YES 5% NO 81% UNDECIDED 14%
 SINGLE FAMILY HOUSING YES 26% NO 48% UNDECIDED 26%
 SENIOR CITIZEN HOUSING YES 28% NO 44% UNDECIDED 28%
 MAJOR SUBDIVISIONS YES 13% NO 74% UNDECIDED 13%
- B) THE TOWN NEEDS MORE BUSINESSES YES 58% NO 29% UNDECIDED 13%
- C) THE TOWN NEEDS AN INDUSTRIAL OR BUSINESS PARK AREA?
 YES 47% NO 33% UNDECIDED 20%
- D) WHAT PART OF THE TOWN SHOULD IT BE LOCATED IN?
 NORTH 25% SOUTH 9% EAST 36% WEST 9% OTHER 21% [OTHER = ASSUMED
 CENTER OF TOWN OR CAMPBELL BOULEVARD]
- E) THE TOWN NEEDS MORE SHOPPING OR RETAIL (LIGHT COMMERCIAL)
 YES 43% NO 34% UNDECIDED 23%
- F) WOULD YOU OBJECT TO AN AREA NEAR YOU BEING REZONED TO:
- | | | | | | | |
|-------------------|-----|-----|----|-----|-----------|-----|
| LIGHT COMMERCIAL | YES | 39% | NO | 54% | UNDECIDED | 7% |
| MEDIUM COMMERCIAL | YES | 49% | NO | 35% | UNDECIDED | 16% |
| LIGHT INDUSTRIAL | YES | 48% | NO | 34% | UNDECIDED | 18% |
6. HOW IMPORTANT IS IT FOR THE TOWN TO PROTECT:
- A) WILDLIFE? NOT IMPORTANT 16% UNDECIDED 21% VERY IMPORTANT 63%
- B) HISTORIC STRUCTURES-NOT IMPORTANT 17% UNDECIDED 22% VERY IMPORTANT 61%
- C) HISTORIC SITES NOT IMPORTANT 16% UNDECIDED 23% VERY IMPORTANT 61%
- D) FARMLAND? NOT IMPORTANT 13% UNDECIDED 23% VERY IMPORTANT 64%
- F) SCENIC VIEWS NOT IMPORTANT 11% UNDECIDED 22% VERY IMPORTANT 68%
- G) THE TOWN SHOULD OR MUST PRESERVE OPEN SPACES?
 NOT IMPORTANT 13% UNDECIDED 22% VERY IMPORTANT 65%
- H) ARE YOU WILLING TO PAY EXTRA TAXES OR-FEES FOR MORE OPEN SPACES?
 YES 32% NO 61% UNDECIDED 7%
- I) CREATE MORE PEDESTRIAN-FRIENDLY NEIGHBORHOODS-SIDEWALKS, STREET LIGHTS?
 YES 18% NO 63% UNDECIDED 19%
- J) ARE YOU WILLING TO PAY EXTRA TAXES OR FEES FOR PEDESTRIAN
 FRIENDLY NEIGHBORHOODS?
 YES 13% NO 82% UNDECIDED 5%

7. WHEN AVAILABLE, SHOULD THE TOWN PURCHASE LAND FOR FUTURE PARKS/RECREATION AREAS?

YES 48% NO 39% UNDECIDED 13%

8. SHOULD THE TOWN PURCHASE PROPERTY FOR CONNECTING OR INTERCONNECTING ROADWAYS DUE TO ANTICIPATED TRAFFIC INCREASE?

YES 39% NO 59% UNDECIDED 7%

9. SHOULD WE ENCOURAGE LARGE SUBDIVISIONS? (BARE IN MIND THAT RESIDENTIAL GROWTH DOES NOT REDUCE TAXES BUT COULD INCREASE NEARBY PROPERTY VALUES)

YES 13% NO 83% UNDECIDED 4%

10. SHOULD THE FRONTAGE REQUIREMENTS FOR LOTS BE INCREASED TO ENCOURAGE MORE OPEN SPACE?

YES 60% NO 32% UNDECIDED 8%

11. LIST ONE OR MORE QUALITIES YOU LIKE AND ONE OR MORE QUALITIES YOU DISLIKE ABOUT THE TOWN OF PENDLETON. (IF YOU REQUIRE MORE SPACE, PLEASE FEEL FREE TO USE ADDITIONAL PAPER).

40 OF THE SURVEYS RETURNED HAD NO COMMENTS. THE REMAINING 309 HAD A TOTAL OF 510 COMMENTS, ALMOST ALL OF WHICH FELL INTO THE FOLLOWING CATEGORIES;

MAINTAIN THE RURAL CHARACTER AND/OR DO NOT CREATE ANOTHER "AMHERST"
93 OR 30%

TAXES IN GENERAL TOO HIGH 66 OR 21%

NO NEW SUBDIVISIONS 56 OR 18%

ENCOURAGE BUSINESS 39 OR 13%
[MEDIUM COMMERCIAL/LIGHT INDUSTRIAL]

DESIRE MORE PARKS, BIKE PATHS, TRAILS, RECREATION CENTER, ETC.
39 OR 13%

PENDLETON POST OFFICE 38 OR 12%
[WE TRUST THAT IF THIS HAD BEEN PUT AS A QUESTION, THE
RESPONSE WOULD HAVE BEEN CLOSE TO 100% YES]

DESIRE MORE SERVICES - LIBRARY, MORE RECREATIONAL PROGRAMS, STREET
LIGHTS, ETC.

26 OR 8%

ENCOURAGE SMALL BUSINESS 25 OR 8%

THE REST OF THE COMMENTS DID NOT FALL INTO THE MASTER PLAN CATEGORY AND WERE IN REGARDS TO THE FOLLOWING;

TAX ASSESSMENT PROCESS
NEIGHBOR COMPLAINTS
TOWN OFFICIAL COMPLAINTS
POSSIBLE TOWN CODE VIOLATION COMPLAINTS
MISCELLANEOUS ie, SPEEDING, SPEED LIMIT REDUCTION, AND SEWER
QUESTIONS

WHERE APPLICABLE, THESE WERE OR WILL BE TURNED OVER TO THE PROPER DEPARTMENT FOR REVIEW OR INVESTIGATION.

Our current plan is to run a short summary of these results in the January quarterly Town Newsletter along with a shorter survey for Master Plan edification.

Your Planning Board

Jim Furey
Joe Kania
John Lavrich
Joe McCaffrey
Richard H. Meinhold
Jim Sacco
Dan Vivian

cc: Ms. C. Albright
Ms. C. Bair
Mr. B. Barber
Mr. R. Beiter
Mr. D. Bergman
Mr. G. Braun
Mr. L. Daigler
Mr. G. Durak
Mr. G. Farnham
Mr. J. Frawley
Mr. D. Gerber

Mr. E. Harman
Mr. J. Jarvis
Ms. H. Johnson
Mr. L. Klein
Mr. E. Kleiner
Mr. M. Korkuc
Mr. D. Leible
Mrs. K. Manning
Mr. E. Maziarz
Mr. R. Miller
Mr. G. Mislin
Mr. E. Perlman
Mr. M. Poli
Mr. R. Pusateri
Mr. Jim Reister
Mr. Joe Riester
Mr. M. Ruppert
Mr. J. Ryer
Mr. J. Schlemmer
Mr. C. Scime
Mr. R. Seward
Mr. B. Sobczyk
Mr. J. Striegel
Mr. J. Stein
Mr. T. Szalkowski
Mrs. J. Vullo



MASTER PLAN SURVEY - 2003

Please complete and return no later than August 6, 2003.

Surveys can be:

1. Mailed to the Pendleton Town Hall, marked ATTN: Planning Board
6570 Campbell Blvd. Lockport, NY 14094.
2. Dropped off at the Town Hall.
3. Given to any Town Official, or Member of any Board.
4. Dropped off at the Town Garage (Highway Dept. or Water Dept. or Sewer Dept.)

1. ARE YOU A RESIDENT OF THE TOWN OF PENDLETON? YES _____ NO _____
2. IF YOU ARE NOT CURRENTLY A RESIDENT, DO YOU PLAN ON MOVING TO THE TOWN OF PENDLETON? YES _____ NO _____
3. ARE YOU CURRENTLY A PROPERTY OWNER IN THE TOWN OF PENDLETON? YES _____ NO _____
4. IF YOU ARE NOT A PROPERTY OWNER, DO YOU PLAN ON PURCHASING PROPERTY IN THE TOWN OF PENDLETON? YES _____ NO _____

5. PLEASE RATE THE FOLLOWING ON A 1 TO 5 BASIS, 1 BEING NOT IMPORTANT AND 5 BEING MOST OR EXTREMELY IMPORTANT.

Please circle your choice.

A) TOWN NEEDS MORE:

RENTAL HOUSING? 1 2 3 4 5

SINGLE FAMILY HOUSING? 1 2 3 4 5

SENIOR CITIZEN HOUSING? 1 2 3 4 5

MAJOR SUBDIVISIONS? 1 2 3 4 5

B) THE TOWN NEEDS MORE BUSINESSES? 1 2 3 4 5

C) THE TOWN NEEDS AN INDUSTRIAL OR BUSINESS PARK AREA? 1 2 3 4 5

D) IF YOUR ANSWER TO THE PREVIOUS QUESTION #5C WAS GREATER THAN 1, WHAT PART OF THE TOWN SHOULD IT BE LOCATED IN? NORTH SOUTH EAST WEST OTHER _____

E) THE TOWN NEEDS MORE SHOPPING OR RETAIL (LIGHT COMMERCIAL) 1 2 3 4 5

F) KNOWING THAT RESIDENTIAL DEVELOPMENT INCREASES TAXES AND COMMERCIAL DEVELOPMENT DECREASES TAXES, WOULD YOU OBJECT TO AN AREA NEAR YOU BEING REZONED TO:

LIGHT COMMERCIAL	YES	NO	UNDECIDED
MEDIUM COMMERCIAL	YES	NO	UNDECIDED
LIGHT INDUSTRIAL	YES	NO	UNDECIDED

PLEASE TURN TO BACK PAGE

6. HOW IMPORTANT IS IT FOR THE TOWN TO PROTECT:

- A) WILDLIFE? 1 2 3 4 5
- B) HISTORIC STRUCTURES? 1 2 3 4 5
- C) HISTORIC SITES? 1 2 3 4 5
- D) FARMLAND? 1 2 3 4 5
- E) FORESTS/WOODLANDS? 1 2 3 4 5
- F) SCENIC VIEWS? 1 2 3 4 5
- G) THE TOWN SHOULD OR MUST PRESERVE OPEN SPACES? 1 2 3 4 5
- H) ARE YOU WILLING TO PAY EXTRA TAXES OR FEES FOR MORE OPEN SPACES? YES ___ No ___
- I) CREATE MORE PEDESTRIAN-FRIENDLY NEIGHBORHOODS-SIDEWALKS, STREET LIGHTS? 1 2 3 4 5
- J) ARE YOU WILLING TO PAY EXTRA TAXES OR FEES FOR PEDESTRIAN FRIENDLY NEIGHBORHOODS? YES ___ No ___

7. WHEN AVAILABLE, SHOULD THE TOWN PURCHASE LAND FOR FUTURE PARKS/RECREATION AREAS? YES ___ No ___

8. SHOULD THE TOWN PURCHASE PROPERTY FOR CONNECTING OR INTERCONNECTING ROADWAYS DUE TO ANTICIPATED TRAFFIC INCREASE? YES ___ No ___

9. SHOULD WE ENCOURAGE LARGE SUBDIVISIONS? YES ___ No ___
(BEAR IN MIND THAT RESIDENTIAL GROWTH DOES NOT REDUCE TAXES BUT COULD INCREASE NEARBY PROPERTY VALUES).

10. SHOULD THE FRONTAGE REQUIREMENTS FOR LOTS BE INCREASED TO ENCOURAGE MORE OPEN SPACE? YES ___ No ___

11. LIST ONE OR MORE QUALITIES YOU LIKE AND ONE OR MORE QUALITIES YOU DISLIKE ABOUT THE TOWN OF PENDLETON. (IF YOU REQUIRE MORE SPACE, PLEASE FEEL FREE TO USE ADDITIONAL PAPER).

APPENDIX E

DEVELOPMENT and PUBLIC REVIEW of DRAFT TOWN of PENDLETON COMPREHENSIVE PLAN 2025 (and ADDENDUM to APPENDIX E)

SUMMARY

In 2003, the Town of Pendleton Planning Board initiated the process of developing an update to the Town Master Plan dated 2010 by sending out the Master Plan Survey questionnaire with the Summer 2003 Town Newsletter to the approximately 2,400 residents and property owners in the Town of Pendleton. The goal of this survey was to get a general consensus on some major future issues, which include: major subdivisions, open space, parks, increased traffic, and willingness to pay for Town provided benefits. The results of the survey were put together in a letter directed to Town Supervisor Brauer on September 18, 2003 and has been available for review in the Town Clerk's office since that date.

After reporting the results of the survey, the Town Planning Board reflected on the effort undertaken to that point, and what would be needed to properly update the Town Master Plan. The Planning Board, with approval of the new Town Board sworn in January 2004, decided it would be best to form a separate sub-committee to update the Town Master Plan 2010.

This subcommittee, called the Town of Pendleton Master Plan Committee, was formed with the directive from Chairman Meinhold and the Town Planning Board to review the Town Master Plan 2010 and other appropriate documentation in order to make recommendations to update it. The Master Plan Committee was composed of members of the appointed boards in the Town such as the Planning Board, Board of Appeals, Conservation Board, Recreation Committee, as well as representation from the Town Board and other designated groups in the Town that have an interest such as the Starpoint School District, Pendleton Senior Citizens, Wendelville Fire Company and Pendleton Concerned Citizens.

The Town Planning Board began work on the update/revision to the Town Master Plan in March 2004, holding meetings every month (with the exception of July and August 2004) since that date. The meetings were advertised on the Town computer website www.pendletonny.us, in the Town newsletter, on the calendar at Town Hall, and at times in the local paper. These meetings were all open to the public and the minutes for all meetings are posted on the Town computer website.

Once appointed Chairman by the Master Plan Committee Chairman, I met with all groups represented on the Town Master Plan Committee to give them a brief overview of the efforts being undertaken and solicit their comments.

Throughout the review process, as chapters of the Master Plan were considered for revision, representative employees of the Town, as well as other members of committees that showed an interest in the topic, were invited to those meetings to solicit their input. As an example, when the Master Plan Committee reviewed Chapter 5- Traffic and Chapter 6- Town Utilities/Drainage, the Town Highway Superintendent attended these meetings to answer questions and provide input to the recommended plan update.

In August 2005 the Master Plan Committee compiled their work to date in a draft plan entitled the "Town Master Plan 2025" which was made available for review on the Town of Pendleton website at www.pendletonny.us. In addition, copies of this draft master plan were available for review in the Town Clerk's office at Town Hall. Throughout the months of September and October 2005, the public was given a constant opportunity to review the Town of Pendleton Master Plan 2025 and to mail or deliver their comments to Town Hall, as well as to comment by email at pendletonmasterplan@pendletonny.us.

During the public review period, meetings were held on Thursday, September 29 and October 20, 2005 at 7 pm in Town Hall. A copy of the attendance list for both meetings is enclosed in this appendix.

At these meetings, all attendees were given a brief overview of the information contained in the Town Master Plan 2025, and were given an opportunity to ask questions. At both the September 29 and October 20 meetings, it was suggested that attendees submit their comments to the Town in writing for consideration as no official record of the public information meetings was to be relied upon for review and consideration. Information was presented at the public information meetings about the next step we will take to finalize the draft Master Plan for the Town Planning Board and the Town Board to consider. An attendance record was kept for both meetings, and is available in this appendix.

At the September 29 meeting, there were 20 people in attendance, in addition to members of the Master Plan Committee. A brief overview of each chapter in the draft Master Plan 2025 was presented by committee members and most attendees were very encouraged by the description of the process provided at the time, and that we were having these open discussion periods to solicit comments.

In addition to local residents and business owners, there were people in attendance from an open space/greenfields committee in the Town of Wheatfield. As a part of the presentation, among other things, the committee solicited input to develop a vision map for future Town development. The discussion primarily focused on areas where we could envision extending our zoning districts for future commercial and industrial development, how the town and groups of concerned citizens could have more input in approval of land subdivisions for residential development, and how the town recreation program was envisioned for the future, including possible extensions of the linear park system (multi-use trails).

Most comments seemed to be in support of the procedures being undertaken to review the draft Master Plan to update it.

The same was true for the October 20 public information meeting. The same brief overview was given at this meeting, and again, the main discussion focused on a vision map for extending the existing commercial and industrial zoning districts, how the town and groups could have more input regarding subdivision development, and the

future changes to the Town recreation program, including possible extensions of the linear park system.

Members of the Master Plan Committee also met with the Town Business Development Committee, and attended a Starpoint School Board meeting during the public comment period.

In addition to comments stated above, other comments were made at the meetings regarding extension of the sewer districts in order to encourage residential and commercial development, addressing stormwater drainage issues brought on by changes to the EPA and NYSDEC rules and regulations, consideration to develop Town Code requirements to allow for development of unique zoning districts such as planned unit developments, and changes to the Town Code that would allow for more opportunity for public input during the SEQR review process for any new land subdivision development. Most of these comments were addressed in writing to the Town Master Plan Committee.

Written comments received throughout the public comment period were collected and copied for the Master Plan Committee to review. In addition to the comments made during the public information meetings, there were about 15 individuals and groups who submitted written comments on the draft Town Master Plan. Of these, comments to note came from Steve Doleski, Chief Environmental Permit Administrator for the NYSDEC-Region 9 office in Buffalo and David Britton of CRA Infrastructure & Engineering, our Town Engineer.

The Master Plan Committee met a number of times in November to consider all comments received. One comment to note from the Planning Board Administrative Assistant was a legal recommendation pursuant to NYS General Municipal Law to rename this plan to be called the Town of Pendleton Comprehensive Plan 2025.

A copy of all the comments received will be filed with the record documents at Town Hall for development of the Town of Pendleton Comprehensive Plan 2025.

James A. Sacco Jr. – Chairman
Town Master Plan Committee
Town Planning Board
Email: jasacco@pendletonny.us
Master Plan Email: pendletonmasterplan@pendletonny.us

ADDENDUM to APPENDIX E

The Town Master Plan Committee submitted the Town Comprehensive Plan 2025 to the Town Planning Board for consideration in December 2005. The Town Planning Board made the last updates to the Town of Pendleton Comprehensive Plan 2025 and it was referred to the Town Board with recommendation to hold a public hearing along with the public review process in accordance with the NYSDEC Part 617 regulations for State Environmental Quality Review (SEQR) and consideration for ultimate adoption in accordance with Section 272-a of NYS Town Law.

At the January 2006 Town Planning Board meeting, the most recent update to the draft Town Comprehensive Plan was presented to the Planning Board for review by the Town Engineer. The draft Plan was reviewed and returned to the Town Engineer for final preparation and presentation to the Town Board at the work meeting scheduled for Tuesday, January 24.

The Town Board has scheduled a public hearing for the draft Town Comprehensive Plan at 7:30 pm before their March 7 meeting. The Town Engineer also sent out requests for lead agency notifications and the public comment period as a part of the State Environmental Quality Review (SEQR) process for this project. All Planning Board members were encouraged to attend the public hearing on said project.

After the March 7 public meeting, the Town Engineer in drafting an update to the Comprehensive Plan as well as the Final Generic Environmental Impact Statement (FGEIS) drafted responses to all comments received to date for consideration. A copy of the comments and responses has been made available for all Planning board and Master Plan Committee members to review. The SEQR public comment period extended through Friday, March 24. A request was made to the Planning Board members to support and assist the Town Engineer in reviewing and responding to comments on the Comprehensive Plan in order to procure the SEQR process.

After the SEQR public comment period, the Final Generic Environmental Impact Statement (FGEIS) for the TOWN COMPREHENSIVE PLAN 2025 was prepared by the Town Engineer along with input from the Town Planning Board. Preparation of the FGEIS was to respond to comment received, as a part of the NYSDEC Part 617 State Environmental Quality Review (SEQR) review process, which must be completed prior to consideration for ultimate adoption in accordance with Section 272-a of NYS Town Law.

The Town Board received the FGEIS at the April 4, 2006 meeting and approved it for a 30-day day public review and comment period. The public was notified that comments on the Town Comprehensive Plan 2025 could be made to the Town Board during a public review and comment period for the FGEIS. Comments can be sent to Town Hall in writing, or by email. No comments were received during the FGEIS public comment period.

In May 2006 the Planning Board was alerted to the fact that members of the Town Board had requested an informal meeting with the Planning Board at our work meeting scheduled for June 9, 2006 to discuss issues and questions about the Comprehensive Plan and recommendations for possible minor changes to the Comprehensive Plan and Vision Map based on the record to date.

Town Board members Joe Frawley, Dave Leible and Marty Korkuc attended the informal June 9, 2006 Planning Board of the Town Board at our work meeting to make comments and suggested changes on issues of concern found in the Town Comprehensive Plan 2025. Members of the Town Planning Board and others initiated review of the issues brought up by the Town Board members so that could be addressed at the July 2006 work meeting.

The Town Planning Board reviewed the comments and respective changes and final changes were made to the Town Comprehensive Plan and Vision Map for referral back to the Town Board in December 2007.

Town of Pendleton

MASTER PLAN Meeting

9/29/05

Attendees

Name

Address & Phone (optional)

Stella Sherry - 5968 Tonawanda Cr. Rd -

JACK & MEHINDA HUTCHISON 2194 Lockport Rd 731-317.

Pam Kowalik

Buffalo News

Bruce Bryant

5342 Irish Road, Pendleton.

Gary & Pat Vergils

5491 Tonawanda Cr. Rd.

Marie Vergils

5491 Ton. Cr. Rd. N.

Dave Conant

Vernon and Joanne Hamner 5643 Fick St. 6259138

Ben Bobyk

5201 T E K

Eric DuVell

Lockport US 21

Michael Blas

5330 Irish Rd

Bill BOURDEN

6528 Camptown Rd

OCT. 20 MASTER PLAN COMMITTEE
PLEASE SIGN IN

<u>NAME</u>	<u>ADDRESS</u>	
Henry Kneute	6069 Tonawanda Ck. Rd.	Pendleton
Barrison Kneute	" "	" "
Michael Calzone	7281 Radale Dr.	"
Valerie Jawak	5880 TONAWANDA CREEK	"
Michael Blas	5330 Irish Rd	"
LINDA BIERNAT	7012 HIDDEN OAK	"
ED HARMAN	4734 LOCKPORT RD.	"
Shirley Lindemann	6799 Bear Ridge	"
James Sheehan	307 Joe McCarthy Amberst	
Linda Mussen	576 PTANGA. TROP 359	Pendleton
MICHAEL TERRITO	6747 TOWNLINE.	"
JOS TERRITO SR.	6843 TOWNLINE Rd	

APPENDIX F

CHANGES TO TOWN OF PENDLETON MASTER PLAN 2010

by

TOWN of PENDLETON MASTER PLAN COMMITTEE

November 2005

(and ADDENDUM to APPENDIX F – DECEMBER 2007)

The following is a list of the major changes to the Town of Pendleton Comprehensive Plan 2025 from the original document entitled Town of Pendleton Master Plan 2010 (hereinafter respectfully referred to as the Comprehensive Plan 2025 and Master Plan 2010):

- * The document was named "Town of Pendleton Comprehensive Plan 2025" instead of "Master Plan" to be consistent with references in NYS General Municipal Law.

- * Existing Setting: As referenced in Chapter 2 - Existing Setting, the appropriate data has been updated to reference the existing setting in the Town of Pendleton during the year 2005.

- * Natural Development Constraints: As referenced in Chapter 3 - Natural Development Constraints, the appropriate citations for wetlands, poor soil stability and floodplains have been updated.

- * Land Subdivisions in Pendleton: In Chapter 4 - Land Use, a table has been included to show the proposed land subdivisions in the Town of Pendleton, the number of lots, and the planning/development stage each project is at when the Comprehensive Plan 2025 was developed.

- * New types of Zoning Districts: In Chapter 4 - Land Use, a paragraph has been written to allow for a policy to be developed which may require a new or updated local law to allow for new types of zoning districts that are in contrast to conventional zoning codes so that mixed uses can be a part of this development. Such laws are often referred to as Planned Unit Development (PUD) local laws.

- * Proposed changes in Town Zoning: In Chapter 4 - Land Use, and on the Vision Map prepared for future development of the Town of Pendleton, areas where existing Commercial, and Industrial Zones can be considered for extension in the Town are addressed. Language has been written into Chapter 4 to ensure that each and any proposed change to the Zoning Regulations is appropriate for the land and compatible with the existing land uses in that area.

- * Definition of a theme for Town: As referenced in Chapter 4 - Land Use Objective No. 5, and throughout the Comprehensive Plan 2025, language has been included to allow for a theme to be adopted for the Town of Pendleton based on the Town's history and the relaxation/recreation theme for business development in the Town. The appropriate theme may also allow for development of changes to the zoning code and/or adoption of construction standards in the Town Code for that purpose.

- * Limits on number of building permits issued: The Town should consider setting limits on the number of building permits issued each year for new residential home construction. Care should be exercised when and if the Town decides to adopt such a limit to ensure that the purpose of such a limit is justifiable, and that implementation is performed in a way to ensure it is not arbitrary and capricious.

- * New Residential Zoning for multi-family zones: In Chapter 4 - Land Use, a paragraph has been written to recommend consideration for a new zoning district (R-3) for multi-family housing for senior citizens. As shown on the proposed Vision Map for the Town of Pendleton, this type of zoning district is encouraged, if deemed appropriate, at the 5-corners area or east of the Erie Canal and north of Fisk Road.
- * Traffic Studies: As referenced in Chapter 5 - Traffic, the appropriate traffic studies, which were finalized after the Master Plan 2010 was accepted by the Town, are referenced in the Comprehensive Plan 2025 with the recommendation to perform additional traffic studies as deemed appropriate to mitigate future traffic impacts.
- * Recreation Programs: In Chapter 7 - Recreation, the public and private recreation facilities, along with the programs that exist in the Town of Pendleton have been updated.
- * Recreation Expenditures: In Chapter 7 - Recreation, a paragraph has been written to recommend the Town Board designate a group to prioritize the list of recreation expenditures.
- * Multi-use Trails: In Chapter 7 - Recreation and Chapter 8 - Open Space, objectives and policies have been written to prioritize integration of multi-use trails into the future physical development of the Town of Pendleton.
- * Open Space Plan for Town: As referenced in Chapter 8 - Open Space, and throughout the Comprehensive Plan 2025, language has been included to prioritize development of a Town Open Space Plan and the means, including public financing for implementation.
- * Implementation Plan: Chapter 9 - Implementation Plan has been written, consistent with the NYS Town Law requirements, as the communities list to prioritize actions to be implemented in the Comprehensive Plan 2025. This plan is subject to change on a regular basis as it provides a consistent policy foundation for all Town decisions. These proposed actions have been grouped as low, medium and high priorities. They also have been separated as regulatory, capital improvement or administrative projects in Chapter 9.
- * Environmental Quality Review: Chapter 10 - Environmental Quality Review has been written to provide a basis, consistent with the NYSDEC Part 617 regulations of State Environmental Quality Review, for changes to the Town Code which would incorporate the consideration of Environmental Factors into existing planning, review and decision-making processes at the earliest possible time.
- * Appendix A has been updated to account for the changes in the Town Population since the Master Plan 2010 was accepted by the Town, and to add the Starpoint Central School District Profile.

- * Appendix B has been updated to correctly reference the appropriate NYSDEC, EPA and U.S. Army Corps of Engineers requirements for Federal and NYS designated wetlands.
- * Appendix D contains the September 18, 2003 report of the survey report developed by the Town of Pendleton Planning Board.
- * Appendix E contains the summary of procedures used and public review of the draft Town of Pendleton Comprehensive Plan 2025.
- * Appendix F contains this list of the substantive changes to the Master Plan 2010 as found in the Comprehensive Plan 2025.
- * Map Inserts (update): The Town Zoning Map has been updated for the Comprehensive Plan 2025. In addition, the Wetlands, Floodplains, Waterline, Sewerline and Vision Maps have been updated as an overlay to the Town Zoning Map.
- * Map Inserts (new): The Town Topography Map is a new map to be inserted in the Comprehensive Plan 2025. It is an overlay to the Town Zoning Map.

ADDENDUM to APPENDIX F

The following is a list of the major changes to the Town of Pendleton Comprehensive Plan and Vision Map (hereinafter called the Comprehensive Plan and Vision Map) from the Town of Pendleton Comprehensive Plan 2025 (hereinafter called the Comprehensive Plan 2025) that went through the SEQR Public Comment process in 2006 that came about as a result of comments from three Town Board members at the June 9, 2006 Planning Board work meeting:

- Vision Map – the R-3 Zone was eliminated from consideration as a potential future zoning district on this map.
- Chapter 4: Land Use – Specific examples of proposed types of new Zoning Districts, such as the R-3 Zone and other optional types of development to possibly be defined by Town Code, were eliminated from this Chapter.
- Chapter 5: Traffic – Specific language taken from the NFTC Corridor Study, which includes but is not limited to the statement that “the town of Pendleton should only consider the NFTC Corridor Study recommendations at a time when the Phase I Traffic and Land Use Management Plan study recommendation is completed and deemed acceptable to the town” was included in the Town Comprehensive Plan to adequately define these specific recommendations.
- Chapter 8: Open Space – Specific examples of incentives and recommended options for encouraging the maintenance of Open Space were eliminated from this Chapter.
- Chapter 9: Implementation Plan – The categories of High, Medium and Low Priority Issues found in this chapter of the Comprehensive Plan 2025 were eliminated and replaced by the one category “Priority Issue” and ranked accordingly.