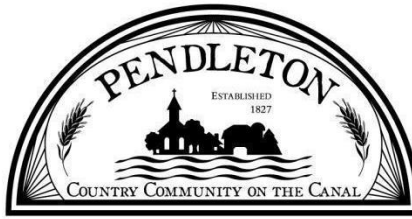


TOWN OF PENDLETON
6570 Campbell Boulevard
Lockport, NY 14094



*Supervisor Joel Maerten
Councilman Wolfgang Buechler
Councilman David Kantor
Councilman Timothy Lukasik
Councilman Dylan Rumbold*

At the meeting of the Town Board of the Town of Pendleton, Niagara County, New York, held in the Board Room at the Town of Pendleton Town Hall, 6570 Campbell Boulevard, Lockport, New York, 14094 at 7:00 p.m. on April 13, 2026.

Resolution Approving Special Use Permit

WHEREAS, the Planning Board of the Town of Pendleton did recommend to the Town Board the issuance of a Special Use Permit for a telecommunications tower project to be located on property at 6699 East Canal Road (SBL 151.00-1-53.1) (the "Project") by a unanimous vote at the January 20, 2026 meeting; and

WHEREAS, the Town Board scheduled a public hearing for a Special Use Permit (SUP) for the Project as required by Town Code § 247-16C by resolution at the February 9, 2026 meeting and such public hearing was scheduled for March 9, 2026; and

WHEREAS, the public hearing on March 9, 2026 was cancelled due to lack of sufficient public notice as required; and

WHEREAS, a public hearing was scheduled for March 23, 2026 by resolution of the Town Board on March 9, 2026; and

WHEREAS, a public hearing for the issuance of a Special Use Permit for the Project was held on March 23, 2026 and a resolution approving the Special Use Permit was passed by the Town Board at the work session meeting following the public hearing; and

WHEREAS, it has been identified that a resolution stating a Negative Declaration under the State Environmental Quality Review Act (SEQR) for the Special Use Permit was not presented and approved preceding the adoption of the resolution approving the Special Use Permit for the Project; and

WHEREAS, the Town Board desires to ensure full compliance with SEQR by reconsidering and re-issuing its determination after completion of environmental review; and

WHEREAS, a resolution declaring a Negative Declaration under the State Environment Quality Review Act for the Project was presented and approved at the April 13, 2026 meeting of the Town Board; and

WHEREAS, the Town Board, having completed its obligations under SEQR, hereby reconsiders approval of a Special Use Permit for the Project; and

WHEREAS, it is appropriate for the Town Board to approve a resolution for the issuance of a Special Use Permit for the Project succeeding the approval of a Negative Declaration under SEQR.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of April 2026 that the Town Board reconsidered and approves a Special Use Permit for the telecommunications tower project to be located on property at 6699 East Canal Road (SBL 151.00-1-53.1).

FURTHER, BE IT RESOLVED, that this approval supersedes and replaces any prior approvals granted for this Project.

FURTHER, BE IT RESOLVED, that this Special Use Permit is subject to annual review according to Town Code § 247-16C(5) and is valid for a period of one (1) year. This resolution shall take effect immediately.