

**TOWN OF PENDLETON**  
**PLANNING BOARD MEETING MINUTES**  
**May 19, 2026**

**MEMBERS PRESENT:** John Higgins, Dan Vivian, Anthony Dell’Isola, Nick Kwasniak, Ron Diedrich, Dave Naus, Mike Zimmerman

**Members Excused:**

**Others Present:** Dave Britton Town Engineer, Theodore Joerg Town Attorney

1. Meeting called to order by the Chairman at 7:00PM.

2. **Informal Business**

N/A

3. **April 21, 2026 Meeting Minutes**

A motion was made by Dave Naus & seconded by Nick Kwasniak to approve the Minutes of the April 21, 2026 Planning Board (PB) meeting. All agreed.

4. **Campbell Blvd LLC – Site Sketch Review – 7235 Campbell Blvd**

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

**7:05PM Public Hearing**

A public Hearing was opened for the proposed project.

The project was briefed by Mr. Rick Haught, Project Engineer. The proposal includes two new buildings (~ 10,000SF & 8,300SF) to store vehicles & equipment along with paving the back lot. The proposed project received a variance from the ZBA for setback.

There was one comment regarding the lack of retail in the front of the complex per town code.

The property is zoned CO-1 Light Commercial.

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On a motion by Mike Zimmerman & seconded by Tony Dell'Isola the Public Hearing was closed at 7:09PM.

On a motion by Dan Vivian & seconded by Mike Zimmerman the project was recommended for conditional approval for a required permit (LOMR-F) from FEMA & for a retail establishment in the front building. The project meets all other town codes.

The measure was passed unanimously by the Planning Board.

**5. Mr. Jonmarie – 5417 Oakwood Dr. - Two Lot Minor Subdivision**

**SEQR:** The Planning Board initiated an extensive review of the Short Environmental Assessment Form. On a motion by Nick Kwasniak & 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.

**7:15PM Public Hearing**

A public Hearing was opened for the proposed project.

Mr. Jonmarie briefed the proposed split. The 12.6 acre parcel will be split into two lots. The lots will be ~ 0.75 acres & 11.8 acres. The project meets all town codes.

On a motion by Mike Zimmerman & seconded by Dave Naus the Public Hearing was closed at 7:17 PM.

The property is zoned R-2 Residential.

The project meets all town codes.

On a motion by Dan Vivian & seconded by Mike Zimmerman the project was recommended for approval.

The measure was passed unanimously by the Planning Board.

**6. 6060 Dunnigan Enterprises, LLC – 6060 Dunnigan Rd.- Two - Lot Minor Subdivision & Rezoning Request.**

**SEQR:** The Planning Board initiated an extensive review of the Short Environmental

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Assessment Form. On a motion by Dave Naus & seconded by Tony Dell'Isola a Negative Declaration was issued. All agreed. The Planning Board Chairman was then authorized to sign the SEQR form at that time.

**7:25PM Public Hearing**

A public Hearing was opened for the proposed project.

The project was briefed by Mr. Rick Haught, Project Engineer. The proposal includes splitting the ~32.0 acre property into two lots. The first lot will be 9.2 acres & the second lot will be ~ 22.8 acres. The applicant requests the 9.2 acre lot be zoned Light Industrial for an upcoming business project. The 22.8 acre lot is requested to be zoned Medium Commercial for a possible future multi-family project.

The property is zoned Light Industrial, Medium Commercial, & R-2 Residential.

On a motion by Dave Naus & seconded by Mike Zimmerman the Public Hearing was closed at 7:26PM.

On a motion by Dan Vivian & seconded by Mike Zimmerman the property split was recommended for approval.

The measure was passed unanimously by the Planning Board.

Per the town code, the Planning Board will make a recommendation to the Town Board for the zoning request.

On a motion by Nick Kwasniak & seconded by Dave Naus the recommendation for rezoning approval was unanimously passed by the Planning Board.

**7. Regency Builders – Rezoning Request– Killian & Townline Roads**

The project was briefed by the project engineer, Mr. Ken Zollitsch, GPI. The proposed project would rezone all but the easternmost portion (11.5 acres of wetlands) of the lot to R-2 Residential. The lot is currently zoned R-2 Residential & Light Industrial for the proposed ~100 home major subdivision.

Per the town code, the Planning Board will make a recommendation to the Town Board for the zoning request.

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On a motion by Ron Diedrich & seconded by Nick Kwasniak the rezoning proposal was put up for a vote. There were five votes in favor & two votes against the proposal.

Issues of concern over rezoning the property:

- a. The entire lot is in a flood plain
- b. The lot is in an Agricultural District
- c. NYSEG easement runs through the property
- d. The Town has limited Light Industrial zoned lots

Motion was approved by a 5 to 2 vote.

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

N/A

**9. Adjourn**

On a motion by Dan Vivian and seconded by Ron Diedrich the Meeting was adjourned at 8:12PM. All agreed.

Respectfully Submitted

John Higgins, Planning Board Chair  
Town of Pendleton

cc: *via email only*  
All Members of Planning Board  
Mr. Joel Maerten, Town Supervisor  
Mr. Claude Joerg, Town Attorney  
Mrs. Noreen Lemma, Town Clerk  
Mr. Miranda Freiert, Assessor  
Mr. David Fisher, Highway & Water/Sewer Superintendent  
Mr. Dylan Rumbold, Councilman  
Mr. David Kantor, Councilman  
Mr. Tim Lukasik, Councilman  
Mr. Wolfgang Buechler, Councilman

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Mr. Theodore Joerg, Town Prosecutor  
Mr. John Sansone, Town Prosecutor  
Mr. David Britton, Town Engineer  
Mr. Troy Barnes, Building Inspector  
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 JUNE 16, 2026 PLANNING BOARD MEETING.