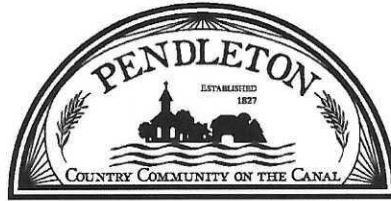


TOWN OF PENDLETON
6570 Campbell Boulevard
Lockport, NY 14094



Noreen E. Lemma, Town Clerk
Phone: (716) 625-8833
Fax: (716) 625-6295
nlemma@pendletonny.us

Town of Pendleton Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the ZONING BOARD OF APPEALS, Town of Pendleton, at the Town Hall, 6570 Campbell Boulevard, Lockport, NY 14094, at 7:00 p.m. on Tuesday, the 23rd day of June 2026 for:

Regency Builders
Sublot 28, Regency Estates Subdivision
SBL # 136.00-1-46.12

Owner is proposing to create a new lot as part of the already approved Regency Estates subdivision off of Campbell Blvd. The proposed lot 28 is fully encumbered by easements and wetland area and is not a buildable lot, the intent of this lot would be for recreational use only. The lot does not meet the minimum lot size or frontage requirements per Town Code. Area variances of 25,000 sq ft for the lot size and 100 ft for the frontage are being requested.

Town Ordinance Affected: §247-11 C (1) Min. Lot Size Requirements
Variance Sought: 25,000 Sq. Ft. Lot Size, 100 Ft. Lot Frontage
Size of Parcel: 1,186,722 Total Sq. Ft., 0 Sq. Ft. Unencumbered, Irregular Lot
Current Zoning: R-2 Residential

Additional information pursuant to this public hearing may be available at
<https://pendletonny.us/calendar-events/>.

A handwritten signature in cursive script, appearing to read "Noreen E. Lemma".

Noreen E. Lemma, Town Clerk

Dated: June 10, 2026

Please Publish: June 16, 2026



PUBLIC HEARING REQUEST TO PETITION FOR A VARIANCE

Fee: \$125.00

TO BE HELD BY: Zoning Board of Appeals

DATE OF HEARING: JUNE 23RD

TIME: 7:00 P.M.

REQUESTED BY: Regency Builders, LLC

PHONE: XXXXXXXXXX

ADDRESS OF PROPERTY: Sublot 28, Regency Estates Subdivision

ADDRESS OF OWNER: 4899 Meyer Rd, Pendleton, NY 14120

To Consider the Following Request: Two variances to the minimum lot size requirement: 1) A variance of 25,000 square feet (sf) to allow an unencumbered lot area of 0 sf. Per Town Code 25,000sf is required. This lot has 1,186,722 total sf but contains sanitary sewer, New York Power Authority, and conservation easements which cannot be counted towards lot area per Section 247-11 C. (5).
2) A variance of 100 feet to allow an unencumbered lot frontage of 0 ft. Per Town Code 100 feet is required. This lot has a minimum lot frontage of 109.46 ft along the ROW but the ROW is within an easement.

Town Ordinances Affected: Town Code Section 247-11 C. (1)

Variance Sought: - Request an unencumbered lot area of 0 square feet, a variance of 25,000 square feet

- Request an unencumbered lot width of 0 feet, a variance of 100 feet

Size of Parcel: 1,186,722 total sf, 0 sf unencumbered

Current Zoning: R-2 Residential


Applicant Signature

5/27/26

Date

Notes: This form must be filed with the Town Clerk, along with the filing fee, 10 days before the date of the Public Hearing. Please bring all documents to the Public Hearing including, Denial for Building Application, Site Survey showing proposed variance, documented reasons for the benefit of relief and any other documents that will support your need for relief. Structures over 1800 SF require a full site plan review by the Town Planning Board, per Town Code §247.34.F (4).

May 28, 2026

Ron Diedrich
Town of Pendleton
6570 Campbell Blvd
Lockport, NY 14094

Re: **VARIANCE REQUEST
REGENCY ESTATES
REGENCY HOMES, LLC; APPLICANT**

Dear Mr. Diedrich,

The Regency Estates subdivision has been approved by the Town of Pendleton and is currently under construction. As the development is approaching construction completion, it has been determined that a number of lots should be adjusted and a new lot, number 28, should be created to address the concerns of the unbuildable areas in the development. The proposed lot 28 is fully encumbered by easements and wetland area and is not a buildable lot. The intent of this lot would be for recreational uses only.

Please find enclosed three (3) copies of the Variance application for lot 28. The application has been completed and includes the original approved subdivision map and a map showing the creation of lot 28 and the requested variances. Also enclosed is the justification for the relief and the fee check in the amount of \$ 125 to cover the filing fee.

We request to be placed on the next available Zoning Board of Appeals agenda. If you have any questions or require any additional information, please feel free to contact me at 989-3342. Thank you for your time and consideration in this matter.

Sincerely,



Kenneth C. Zollitsch
Director of Land Planning
4950 Genesee Street, Suite 100
Buffalo, NY 14225

Cc: Town of Pendleton Zoning Board of Appeals
Deborah Maurer, Pendleton Town Clerk
Regency Builders, LLC
File No. 2300035

Regency Estates Lot 28 Variance Request

Justification of Variances

Area variances are being sought for the newly proposed lot 28 in the Regency Estates subdivision. These variances include the following types:

- Lot Area Variance
- Lot Width Variance

We believe that Lot 28 presents a unique situation in the Town and that the variances are justified in this instance. Lot 28 is proposed to consist of the unusable rear lands that were previously part of lots 10-15 and 21-27. These lands were originally intended to be conveyed with the individual lots noted but through further analysis and initial marketing, was determined that if the lots were sold as is it would lead to substantial issues in accessing property that would be separated by Town lands or a stormwater detention facility.

While Lot 28 meets the minimum lot area of 25,000 square feet and lot width of 100 feet, variances are required due to Town Code Section 247-11 C. (5) which specifically excludes the counting of wetland buffers and easement area towards the regulatory requirements. Lot 28 would exceed the minimum code requirements if it were not for this section.

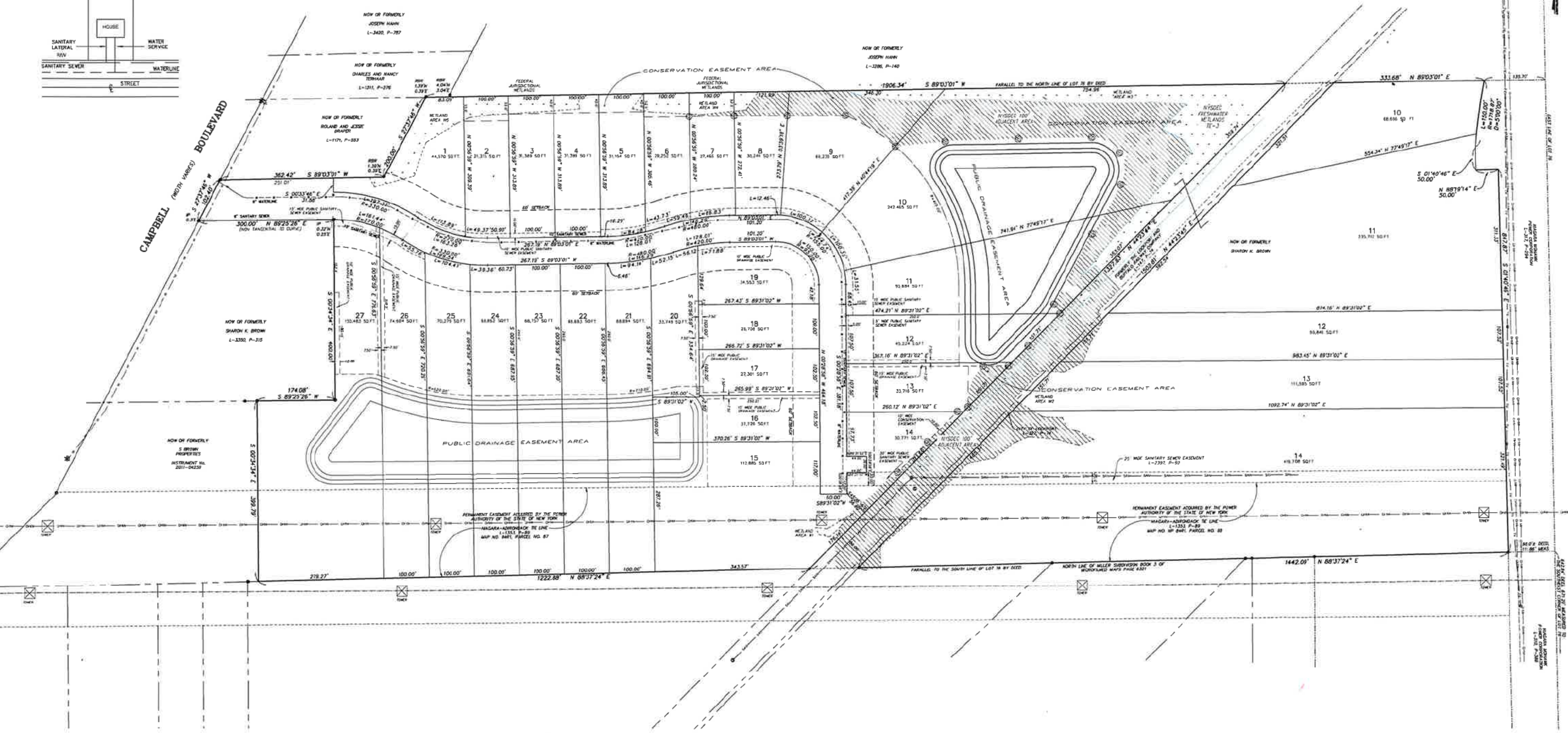
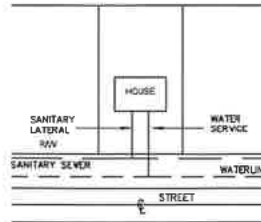
We believe that the above approach is advantageous to the Town so that one property owner controls the remaining undevelopable lands that are occupied by either easements or regulated wetlands. This will reduce the likelihood of disturbances and conflicts that would otherwise occur if the property were to be subdivided amongst 13 property owners as originally proposed. Further complicating the ownership and access to property under the multiple owners of the original subdivision is the active Town trail that runs northeast and southwest and which separated the east and west sides of properties. By combining these lands into one singular property, access will be more tightly controlled and restrictions on the site will be understood.

The intended property owner of Lot 28 is the developer who understands the site constraints and concerns regarding the existing easements and wetlands on the site. He acknowledges that structures, including a single family home and any accessory buildings, may not be built on this lot and that it would be used for recreational purposes only.

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY IS A VIOLATION OF SECTION 1000, PARAGRAPH 1 OF THE NEW YORK STATE EDUCATION LAW.

SANITARY SEWER FACILITIES, EXISTING AND PROPOSED, AND WATER SUPPLY FACILITIES, EXISTING AND PROPOSED, SHOWN ON THIS SUBDIVISION MAP ARE FOR THE PURPOSE OF COMPLIANCE WITH NEW YORK STATE SUBDIVISION LAW. G.P.I. ENGINEERING, LANDSCAPE ARCHITECTURE AND SURVEYING, L.L.P. ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF SANITARY SEWER AND WATER FACILITIES SHOWN ON THIS MAP OR FOR THE APPROVAL, CONSTRUCTION OR ACCEPTANCE BY APPROPRIATE GOVERNMENT AGENCIES OF SAID FACILITIES.



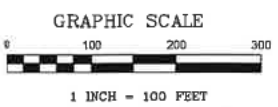
WEST SUBDIVISION AREA: 39.971 ± Acres
EAST SUBDIVISION AREA: 21.477 ± Acres
TOTAL SUBDIVISION AREA: 61.448 ± Acres

OWNERS CONSENT FOR FILING
OWNER _____ DATE _____
APPROVED BY THE TOWN OF PENDLETON ENGINEER
TOWN ENGINEER _____ DATE _____
APPROVED BY THE TOWN OF PENDLETON PLANNING BOARD
CHAIRPERSON _____ DATE _____
FILED IN THE NIAGARA COUNTY CLERK'S OFFICE AS INSTRUMENT NO.: _____
DATE: _____

NOTE:
ALL IMPROVEMENTS WILL BE INSTALLED UNDER TOWN PERMITS WITH ALL PLANS CONSISTENT WITH PRELIMINARY PLANS.
THE PUBLIC DRAINAGE EASEMENTS SHOWN ON THIS SUBDIVISION MAP SHALL BE GRANTED TO THE TOWN OF PENDLETON. THE RESPONSIBILITY OF THE TOWN OF PENDLETON SHALL BE LIMITED TO STORM PURPOSES ONLY AND SHALL NOT INCLUDE BANK STABILIZATION, AESTHETIC CONSIDERATIONS OR DROPPING OR SILTING CLAMMATION AT DETENTION FACILITIES.
SANITARY SEWER EASEMENTS SHOWN ON THIS SUBDIVISION MAP ARE TO BE GRANTED TO THE TOWN OF PENDLETON.
DRIVEWAYS FOR LOTS 14 & 15 TO BE LOCATED ON THE NORTH SIDE OF LOT.
LANDSCAPE BUTTERING TO BE DETERMINED IN THE FIELD FOR THE REAR OF LOTS 13 & 14 AND ALONG NORTH SIDE OF ENTRANCE ROAD.
Ⓜ INDICATES MONUMENT TO BE SET WHERE LOT LINES INTERSECT THE EDGE OF WETLANDS/CONSERVATION AREAS



PURSUANT TO CHAPTER 605 OF THE LAWS OF 1985, I CERTIFY THAT THIS SUBDIVISION MAP WAS PREPARED UNDER MY DIRECTION AND THE OUTBOUNDS SURVEY OF THE PREMISES CONTAINED THEREIN SAID SUBDIVISION WAS PREPARED UNDER MY DIRECTION AND IS SHOWN ON MY SURVEY DATED _____

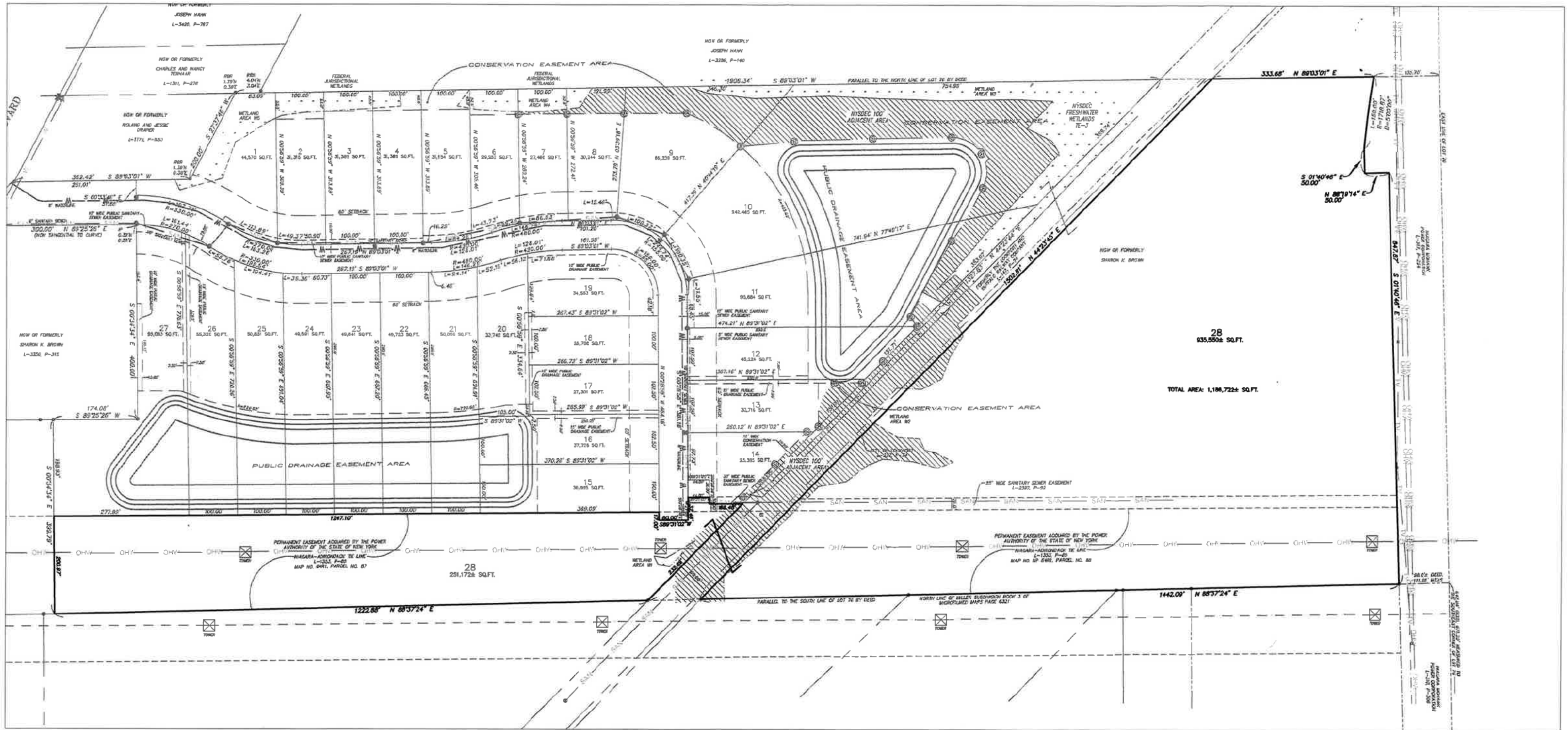


Regency Estates
TOWN OF PENDLETON, NIAGARA COUNTY, NEW YORK
BEING PART OF LOT 76, TOWNSHIP 13, RANGE 7, HOLLAND LAND SURVEY

GPI
GPI ENGINEERING, LANDSCAPE ARCHITECTURE & SURVEYING, L.L.P.
ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE
4950 GENESSEE STREET, SUITE 100
SUFFALO, NEW YORK 14223
(716) 633-4844 FAX 633-4940

JOB No.: 2300035 DATE: APRIL 28, 2025

LOT #	LOT WIDTH PER CODE (FT)	LOT WIDTH PROVIDED (FT)	LOT AREA PER CODE (SF)	LOT AREA PROVIDED (SF)
28	100	0	25,000	0



LOT 28 - VARIANCE EXHIBIT

	GPI ENGINEERING, LANDSCAPE ARCHITECTURE & SURVEYING, LLP
	ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE
	4950 GENESEE STREET, SUITE 100 BUFFALO, NEW YORK 14225
	(716) 633-4844 FAX 633-4940

Job No. WNY-2300035.00 Date: May 2026
Scale: 1" = 200'