

TOWN OF PENDLETON
PLANNING BOARD MEETING MINUTES
July 21, 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. **June 16, 2026 Meeting Minutes**

A motion was made by Dan Vivian & seconded by Tony Dell’Isola to approve the Minutes of the June 16, 2026 Planning Board (PB) meeting. All agreed.

4. **Regency Builders – Campbell Road Final Plat Amendment**

The proposed amendment would attach the lot along the power lines & across the trail to lot #14.

On a motion by Dan Vivian & seconded by Dave Naus the final amendment was recommended for approval. All agreed.

5. **Mr. Blyashuk Pond - 6132 Bear Ridge Road**

SEQR: The Planning Board initiated an extensive review of the short Environmental Assessment Form. On a motion by Mike Zimmerman & seconded by Ron Diedrich a Negative Declaration was issued. All agreed. The Planning Board Chairman was then authorized to sign the SEQR form at that time.

7:10PM Public Hearing

A Public Hearing was opened for the proposed pond.

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The applicant briefed the 0.25 acre pond. The pond must “benched” & signs per town code. Mr. Blyashuk received two variances (side setback & overall size) from the ZBA for the project.

The property is zoned R-1 Residential.

On a motion by Mike Zimmerman & seconded by Nick Kwasniak the Public Hearing was closed at 7:02PM.

The project meets all other Town Code requirements.

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. Mr. Grimmer Pond – 7172 Bear Ridge Road

SEQR: The Planning Board initiated an extensive review of the short Environmental Assessment Form. On a motion by Dan Vivian & 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.

7:15PM Public Hearing

A Public Hearing was opened for the proposed pond.

The applicant briefed the proposed 0.5 acre pond on the 20 acre lot. The pond must “benched” & signs per town code.

The property is zoned R-1 Residential.

On a motion by Dan Vivian & seconded by Tony Dell’isola the Public Hearing was closed at 7:16PM.

The project meets all Town Code requirements.

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.

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7. Braun Rezoning Proposal – Transit Road SBL 151.00-2-20.1

SEQR: The Planning Board initiated an extensive review of the short Environmental Assessment Form. On a motion by Dan Vivian & 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.

The Planning Board reviewed the proposal to rezone the entire 14.9 acre property to medium Commercial. The property is currently zoned Medium Commercial & R-1 Residential. The applicant is proposing a storage unit facility if the rezoning is approved.

On a motion by Mike Zimmerman & seconded by Ron Diedrich the proposal was put to a vote. The Planning Board unanimously recommended approval of the rezoning the property.

The proposal will be sent to the Town Board for final approval.

8. Nexamp Battery Energy Storage System (BESS) – 6000 Donner Road

The Planning Board initially approved the project in June 2026. However, after review, NYS did not approve the town code changes submitted by the town for BESS until July 2026. The Project is on hold until a new Public Hearing is held on August 18, 2026.

The Planning Board is required to review & vote again on the project in conjunction with NYS law.

9. Public/Press Comments and Questions

N/A

10. Adjourn

On a motion by Mike Zimmerman and seconded by Ron Diedrich the meeting was adjourned at 7:54PM. All agreed.

Respectfully Submitted

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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
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 AUGUST 18, 2026 PLANNING BOARD MEETING.