

Town of Pendleton

Niagara County, New York

Pendleton Park Recreation Area Project 2026



Submitted to:

Niagara River Greenway Commission
PO Box 1132
Niagara Falls, NY 14303

Town of Pendleton

Niagara County, New York

Pendleton Park Recreation Area Project 2026

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**Niagara River Greenway Commission
Consultation and Review Form**

Date of Submittal:

July 1, 2026

Project Registration Number (*office use only*):

Type of Review Required (please check one):

☒ Mandatory Consultation for proposals seeking Greenway Funding

☐ Voluntary Review and/or Endorsement for proposals not seeking Greenway Funding

PROJECT SPONSOR INFORMATION

Name:	Town of Pendleton
Mailing Address:	6570 Campbell Blvd.
State:	NY
Zip Code:	14094
Federal ID#:	16-6002338
Charities Registration #:	n/a

PROJECT TYPE (Please check only ONE)

☐ Trail Development / Improvement

☐ Interpretation / Cultural Monuments

☐ Ecosystem / Riparian Habitat Restoration

☐ Stewardship

☒ Niagara River Greenway Placemaking / Public Access / Wayfinding

FUNDING COMMITTEE

☒ Host Community Standing Committee

☐ Ecological Standing Committee

☐ Buffalo and Erie County Standing Committee

☐ State Parks Standing Committee

☐ Unsure at this time / N/A

TOTAL AMOUNT REQUESTED

\$150,000.00

ADDITIONAL FUNDING FROM OTHER SOURCES

Source	Amount
Town of Pendleton	\$245,309

PROJECT INFORMATION

Project Name:	Town of Pendleton's Park Recreation Area Project
Location (include GPS coordinates if possible):	Depeau Park (43.086118; -78.734601) Town Park (43.108717; -78.773898)
Project Site Address:	Depeau Park, 5571 Tonawanda Creek Road Town Park, 6570 Campbell Blvd
State:	NY
Zip Code:	14094
Minor Civil Division(s):	
County:	Niagara County
Project Proponent Property Interest (own, lease, easement or other):	Pendleton owns the Town Park property at 6570 Campbell Blvd and is currently pursuing the acquisition of Depeau Park from the NYS Canal Corporation (application is filed). The Town has operated and maintained the Depeau Park and its recreational facilities under permit since 1992 (current permit # C-OC-202300124)

AUTHORIZED OFFICIAL

Name:	Joel Maerten
Title:	Town Supervisor
Business Address:	6570 Campbell Blvd.
State:	NY
Zip Code:	14094
Work Number:	(716) 625-8833 x113
Cell Number:	(716) 807-4603
E-Mail Address:	jmaerten@pendletonny.us

PROJECT POINT OF CONTACT

Name:	Joel Maerten
Title:	Town Supervisor
Organization / Firm:	Town of Pendleton
Business Address:	6570 Campbell Blvd.
State:	NY
Zip Code:	14094
Work Number:	(716) 625-8833 x113
Cell Number:	(716) 807-4603
E-Mail Address:	jmaerten@pendletonny.us

Town of Pendleton's Park Recreation Area Project

Section 1 Project Narrative

The Town of Pendleton proposes a coordinated two-site court rehabilitation initiative to restore aging outdoor recreation infrastructure at both its Town Park and Depeau Park. Together, these improvements will restore and modernize existing tennis facilities, open new access to pickleball, and rehabilitate a heavily used roller hockey court to better serve residents across multiple areas of the community. The Town is fully funding the tennis and pickleball improvements at Town Park, while this request seeks Niagara River Greenway support specifically for the Depeau Park phase of the project, located within the Erie Canal National Heritage Corridor.

At Pendleton's Town Park, the project includes resurfacing two existing tennis courts and converting a third court into four pickleball courts. These improvements reflect the Town's broader effort to expand court-based recreation opportunities and respond to growing demand for pickleball among residents of all ages. Having just completed construction of a brand new 9,779 SF Community Center at the park's entrance, the Town Park phase demonstrates the municipality's continued commitment to reinvestment in public recreation infrastructure and compliments the proposed improvements at Depeau Park to extend similar amenities to residents on the east side of the community.

The Depeau Park phase focuses on rehabilitation of the existing court complex located within one of the Town's limited waterfront parks directly across from the Erie Canal (Tonawanda Creek). Improvements include resurfacing two existing tennis courts, conversion of the third tennis court into four pickleball courts, rehabilitation of the existing roller hockey court, installation of new perimeter fencing around the entire court complex, and restoration of an asphalt pedestrian connection between the parking area and court facilities. Greenway signage will be installed. These improvements will modernize deteriorated infrastructure that has remained in active use for decades, introduce new recreational opportunities for users of all ages, and restore safe conditions for continued public recreation.

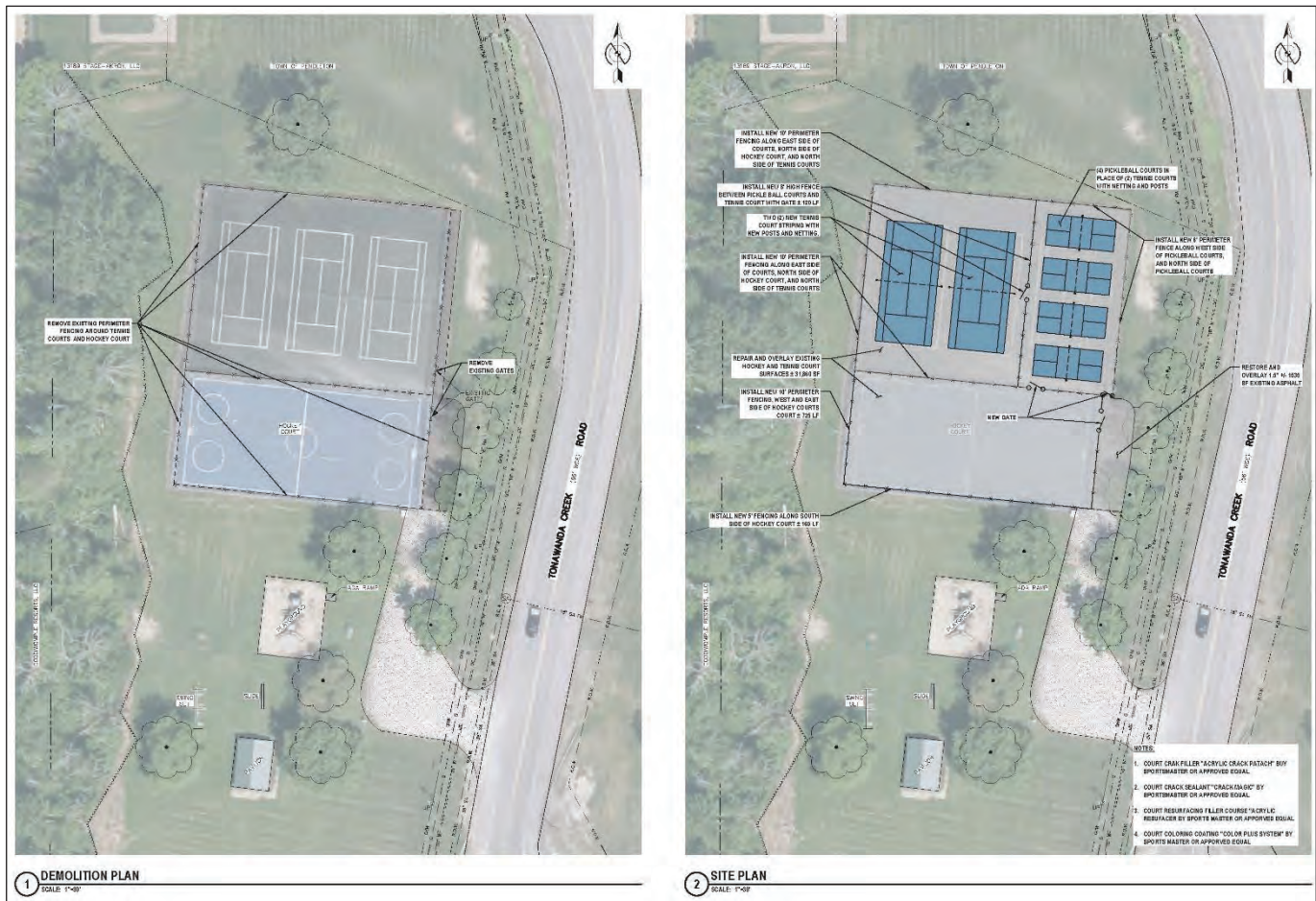
Existing court surfaces at Depeau Park are severely cracked and worn (photographs attached), and perimeter fencing has deteriorated significantly over time, limiting safe and consistent use of the facilities. Despite these conditions, the roller hockey court continues to function as a popular informal recreation destination for local youth and teens, particularly after school hours and during weekends and summer months. Rehabilitation of the court complex will restore these facilities to safe operating condition while expanding opportunities for multi-generational recreation through the addition of pickleball courts and improved circulation within the site.

Depeau Park occupies a unique position within Pendleton's park system as one of the Town's few publicly-accessible properties located directly along the Erie Canal. Depeau Park is within 1/3 mile of the Empire State Trail and two popular restaurant destinations – The Ship Bar & Grill (formerly Ship 'n' Shore) and Uncle G's Ice Cream. Improvements to the court complex will strengthen the role of the park as a canal-adjacent recreation destination and trail rest stop, serving both residents and regional trail users, and are consistent with the Town's local waterfront planning initiatives that identify canal-front public lands as priority locations for recreation investment (maps attached).

The timing of the proposed improvements is a reflection of strategic planning. In 2025, the Town pursued two grants from the NYSOPRHP for the Depeau Park court improvements, but were unsuccessful in each

attempt due to the ownership status of the property. Currently owned by the NYS Canal Corporation, the Town has utilized Depeau Park for recreational purposes under a real estate permit since 1992. After unsuccessful funding attempts in 2025, the Pendleton Town Board actively began the process of acquiring the property from NYS Canal Corporation. The acquisition application has been filed, and the Town anticipates the process will be completed – including the alienation of the property as parkland in perpetuity – well before the 2027 construction season. Under formal Town ownership, funding opportunities for future development will be greatly expanded. Meanwhile, the Town is prepared to proceed with the proposed project and will obtain any and all necessary permits while the acquisition process advances.

Construction drawings for the Depeau Park improvements have been completed and the project has been competitively bid, with American Paving & Excavating selected as the contractor. The Town of Pendleton is requesting \$150,000 in Niagara River Greenway funding toward implementation of the Depeau Park court rehabilitation phase as part of its broader municipal investment in expanding recreation access and supporting long-term public use of Erie Canal corridor parkland.



Section 2

Consistency with the Niagara River Greenway Vision, Principles, Goals, and Criteria

The proposed Park Recreation Area Project advances the Niagara River Greenway vision by improving public access to recreation resources within the Erie Canal corridor, enhancing connectivity to nearby trail infrastructure, and supporting continued investment in canal-adjacent public lands that serve residents and visitors. The project strengthens an existing recreational node located near the Empire State Trail and within one of the Town of Pendleton's limited publicly accessible waterfront park areas, consistent with local waterfront planning initiatives.

Consistency with Greenway Principles

Accessibility

The project restores deteriorated recreation infrastructure within Depeau Park, improving safe public access to tennis, pickleball, and roller hockey facilities for residents and visitors. Rehabilitation of the asphalt pedestrian pathway between the parking area and court complex further improves circulation within the site and supports access for users of varying mobility levels.

Connectivity

Depeau Park is located immediately west of the Erie Canal and approximately 2,000 feet from the Empire State Trail, positioning the site as a supporting recreation destination for cyclists and pedestrians traveling through the corridor. Improvements to the court complex strengthen the park's function as a complementary off-trail recreation stop within the regional greenway network.

Public Well-Being

The project supports multi-generational recreational use by restoring heavily utilized courts that serve youth, teens, families, and older residents. The roller hockey court in particular has long functioned as a popular informal recreation space for local teens. Conversion of one tennis court to pickleball expands opportunities for low-impact activity increasingly favored by older adults while maintaining access to traditional court sports.

Community-Based Planning

The improvements reflect priorities identified through the Town's Parks & Recreation Master Plan and respond to longstanding community use patterns observed at Depeau Park. The project also complements concurrent municipal investment in court improvements at Town Park, demonstrating a coordinated strategy to expand access to court-based recreation across multiple areas of the community.

Partnerships

Implementation of the project requires coordination with the New York State Canal Corporation, which owns the underlying property, and reflects the Town's continued collaboration with regional and state partners in advancing improvements within canal corridor parklands.

Sustainability

The project rehabilitates existing recreation infrastructure within a previously developed footprint rather than expanding into undisturbed areas. Replacement of deteriorated surfaces and fencing extends the useful life of existing facilities and supports long-term maintenance efficiency.

Consistency with Greenway Goals

Improve Access

The project restores safe and functional court facilities within one of Pendleton's limited canal-adjacent parks and enhances pedestrian circulation between parking areas and recreation infrastructure, improving usability of the site for both residents and trail users.

Make Connections

Located near the Empire State Trail, the improved court complex strengthens Depeau Park's role as a supporting recreation destination within the broader Erie Canal corridor network and contributes to the system of publicly accessible recreation assets serving greenway users. Increased visitors will also benefit the local restaurants located between the park, Erie Canal and Empire State Trail.

Promote Long-Term Sustainability

Rehabilitation of existing courts represents a cost-effective reinvestment in established infrastructure that will remain in long-term public use and maintained by the Town of Pendleton.

Spark Revitalization and Renewal

The project upgrades aging facilities within a canal-front public park and supports continued municipal investment in waterfront-accessible recreation areas, reinforcing the Town's broader efforts to enhance public use of the Erie Canal corridor.

Consistency with Greenway Criteria

Consistency with Greenway Principles

The project improves accessibility, strengthens recreation connectivity to the canal corridor, supports public health and wellness, and advances community-based planning priorities.

Priority Status

Depeau Park represents one of the Town's limited publicly accessible Erie Canal frontage locations and serves as the only developed park facility on the east side of Pendleton, making improvements to the site a local priority.

Focus Area

The project is located within the Erie Canal corridor and supports recreation infrastructure serving users of the Empire State Trail and surrounding waterfront parkland.

Environmental Soundness

All improvements occur within previously disturbed recreation areas consisting of existing courts, fencing, and paved access surfaces. No work is proposed in undisturbed natural areas or sensitive habitat zones.

Implementable

Construction drawings have been completed, the project has been competitively bid, and a contractor has been selected. The Town Park phase is currently proceeding, the Town has committed the required local match, and is prepared to proceed with the Depeau Park phase following funding authorization, permitting, and acquisition of the property from the NYS Canal Corporation.

Economic Viability

The project represents a targeted reinvestment in existing public infrastructure that supports continued recreational use of canal-adjacent parkland and enhances amenities serving residents and visitors traveling through the corridor and whom also patron the local businesses.

Availability of Local Sponsor

The Town of Pendleton will serve as project sponsor and is providing more than 60 percent of total project costs as a local match.

Ability to Match or Leverage Funds

The Town is requesting \$150,000 in Greenway funding toward a total project cost of \$385,309, with the balance funded through municipal resources (Resolution attached).

Consideration of Other Planning Efforts

The project is consistent with the Town's parks planning initiatives, statewide recreation planning priorities, and regional efforts to strengthen recreation opportunities along the Erie Canal corridor (maps attached).

Clear Benefits

The project restores deteriorated recreation infrastructure, expands access to court-based sports, supports youth and senior recreation, and enhances amenities within a canal-adjacent public park serving nearby trail users and residents.

Section 3

Project Budget

The total cost of the Depeau Park Court Rehabilitation Project is \$395,309, consisting of construction and engineering services required to complete improvements to the existing court complex. The Town of Pendleton is requesting \$150,000 in funding from the Niagara River Greenway Commission to support implementation of the construction phase of the project.

Project costs are summarized as follows:

Planning	\$17,600
Construction	\$377,709
Acquisition	\$
Administration	\$
Operation and Maintenance / Year	\$
TOTAL PROJECT COST	\$395,309

Engineering: \$17,600
Town Park: \$108,095
Depeau Park: \$259,614
Project Sign: \$10,000

The requested Greenway funding of \$150,000 will be applied solely toward construction of the Depeau Park court improvements. The Town of Pendleton will provide the remaining \$245,309 (62%) through municipal funds allocated for recreation capital improvements and engineering services. Construction drawings have been completed and the project has been competitively bid, with American Paving & Excavating selected as the contractor (see attached).

The Town of Pendleton has initiated the process to purchase and acquire the Depeau Park property from the NYS Canal Corporation. While the acquisition is anticipated to be completed by 2027, the project will proceed with NYS construction permits if necessary. Once acquisition is complete, the Town will own and maintain all improvements constructed as part of this project. Long-term operation and maintenance responsibilities will be carried out by the Town's Department of Public Works in coordination with the Recreation Department using existing municipal resources. Routine maintenance activities will include seasonal inspections, surface cleaning, fencing repairs as needed, and upkeep of pedestrian access pathways. These responsibilities are consistent with the Town's established maintenance practices for existing park infrastructure and do not require additional operating funding beyond the Town's normal parks maintenance budget.

The Town has demonstrated its commitment to implementation of this project through completion of engineering design, authorization of procurement, selection of a contractor, and allocation of local matching funds exceeding sixty percent of total project costs. This level of local investment ensures the project is financially viable and ready to proceed upon receipt of funding authorization and required Canal Corporation permits (if necessary).

Section 4

Community Support, Local Planning Consistency, and Project Partners

The proposed project reflects the Town of Pendleton's ongoing commitment to improving recreational access within its canal-adjacent park system and responds directly to longstanding community use patterns at one of the Town's most actively used neighborhood recreation sites. Depeau Park has historically served as an important informal gathering space for youth and teens, particularly at the existing roller hockey court, which is regularly used after school, on weekends, and throughout the summer months. Improvements to the court complex will restore safe play surfaces, improve facility conditions, and support expanded multi-generational recreational use consistent with observed community needs.

The project is supported by the Town Board, which has committed the required municipal match and authorized engineering design and bidding services necessary to advance implementation. The Town has worked with its engineering consultant to prepare construction drawings and bid documentation, and a contractor has been selected through a competitive procurement process. The Town's Recreation Director has also identified Depeau Park as a potential location for future youth programming and intergenerational recreational activities, further reinforcing the importance of rehabilitating the existing court complex.

The proposed improvements are consistent with the Town's 2007 Parks Master Plan and the 2021 Addendum, which reaffirmed the community's interest in expanding accessible and geographically balanced recreation opportunities across Pendleton (excerpts attached). Recent municipal investments at Town Park — including construction of a new Community Center, the inclusive Mason's Mission playground facilities, ADA accessible amenities, and new pickleball courts — demonstrate the Town's broader strategy to modernize recreation infrastructure across multiple park sites. Improvements at Depeau Park extend these efforts to residents on the east side of the community and strengthen the role of canal-adjacent parkland as a public recreation destination.

The project is also aligned with the Town's local waterfront planning initiatives, which identify publicly accessible lands along the Erie Canal corridor as priority locations for recreation investment and community use (maps attached). Because Depeau Park represents one of the Town's limited public access points along the canal, rehabilitation of the court complex supports continued use of this waterfront resource by both residents and visitors traveling through the corridor.

Implementation of the project will occur in coordination with the New York State Canal Corporation, from whom the Town is actively engaged with to acquire the property prior to project implementation. The Town has 30+ years of experience working with Canal Corporation permitting requirements for improvements within canal corridor lands and will obtain all necessary approvals prior to construction. Additional coordination has been undertaken with the Town's engineering consultant and municipal staff responsible for park operations and maintenance to ensure the project is ready for implementation.

The project has received broad support from local officials and community stakeholders (attached) and reflects the Town's continued commitment to maintaining safe, accessible recreation facilities within its publicly accessible Erie Canal parklands.

Section 5

Environmental Setting, Existing Conditions, Property Ownership, and SEQRA

Depeau Park is an approximately 8.5-acre public recreation site located on the west bank of (Erie Canal (Tonawanda Creek) in the Town of Pendleton. The park is situated within the Erie Canal National Heritage Corridor and represents one of the Town's few publicly-accessible waterfront recreation properties. The proposed project area consists entirely of an existing developed recreation footprint that includes three tennis courts, one roller hockey court, perimeter fencing, a small paved parking area, and pedestrian access surfaces that have been in place for several decades and remain in active public use.

The courts at Depeau Park are currently in deteriorated condition, with cracked asphalt surfaces, aging fencing, and worn access connections that limit safe recreational use. Despite these conditions, the roller hockey court in particular continues to function as a popular informal recreation facility for youth and teens. The proposed project will rehabilitate these existing facilities through resurfacing of two tennis courts, conversion of one tennis court into four pickleball courts, resurfacing of the roller hockey court, installation of new perimeter fencing, and restoration of an asphalt pathway connecting the courts to the parking area. All work will occur within previously disturbed areas associated with existing recreation infrastructure.

Depeau Park is currently owned by the New York State Canal Corporation and maintained by the Town of Pendleton under permit. However, because improvements within the park are subject to Canal Corporation review and authorization, the Town is currently in-process of acquiring the property. If permitting is still required after the acquisition is complete, the Town will obtain all required Canal Corporation work permits prior to construction.

Photographs of existing site conditions and construction drawings illustrating the proposed improvements (attached) demonstrate that project activities are limited to rehabilitation of existing facilities within the developed portion of the park.

The Town of Pendleton has completed environmental review for the proposed improvements in accordance with the State Environmental Quality Review Act (SEQRA). By resolution dated April 13, 2026, the Town Board determined that the project constitutes a coordinated Unlisted Action and is not expected to result in significant adverse environmental impacts. A Negative Declaration is anticipated and no further environmental review is expected to be required.

No wetlands, significant upland habitat areas, or known occurrences of rare, threatened, or endangered plant or animal species have been identified within the limits of the proposed work. Project activities are confined to previously graded and constructed recreation surfaces and will not extend into undisturbed open space or canal shoreline areas. Because improvements are limited to resurfacing existing courts, replacing fencing, and restoring paved pedestrian access, the project will not affect ecological resources within the Erie Canal corridor.

The proposed work represents reinvestment in existing public recreation infrastructure and will improve safety and usability of facilities without expanding the developed footprint of the park. No excavation is proposed outside areas that have previously undergone disturbance associated with original court construction. Based on the extent of prior disturbance and the nature of the improvements, no impacts to archaeological or historic resources are anticipated. Should additional coordination be required during

permitting, the Town will comply with all applicable guidance from the Canal Corporation and State agencies.

Construction drawings prepared for the project, along with supporting mapping and planning documentation included with this submission, demonstrate the relationship between existing site conditions and the proposed improvements and confirm that the project is environmentally compatible with continued recreational use of canal-adjacent public land.

Section 6

Project Timeline

The Town of Pendleton is currently engaged with the NYS Canal Corporation to acquire the Depeau Park property. The application has been filed and a survey has been authorized by the Pendleton Town Board. The acquisition process is anticipated to be completed by December 31, 2026, strategically positioning the Town to initiate the proposed project for the spring of 2027.

If the acquisition process is not complete by the spring of 2027, the Town will move forward with the project and obtain the necessary permits from the NYS Canal Corporation in the interim. Construction drawings and contractor selection is already complete, and the contractor will be carrying out the Town Park phase of the project in 2026. The anticipated six-month timeline for the Depeau Park phase of which the requested funding will be applied is:

Months 1–3: Court resurfacing, fencing replacement, and court conversions

Months 4: Pathway reconstruction

Months 5-6: Final landscaping/site restoration (if needed), install signage, and publicize the opening of the newly restored facilities

Town of Pendleton

Niagara County, New York

Pendleton Park Recreation Area Project **2026**

NYS Canal Corporation Operating Permit

Town of Pendleton
6570 Campbell Boulevard
Lockport, NY 14094
Permit # C-OC-202300124
Supersedes Permit # C50178

12/20/2023

Pendleton Park
Area 1 (Left) 5.75 Acres
Area 2 (Right) 2.75 Acres
Public Parkland with Improvements





REAL ESTATE PERMIT

Permit No: C-OC-202300124

Plate No.	6168	Permittee Name	TOWN OF PENDLETON
Use Code	ACC,BEA,ENC,FEN,PAR,PRK	Address	6570 CAMPBELL BLVD LOCKPORT, NY 14094
CPM No.	E-207	Telephone Number	(716)625-8033
CL Sta.	6223+00+/-	Property Description	LAND FOR DEPEAU PARK FOR RECREATION PURPOSES
Side	West	Property Location	Erie Canal CPM-E-207 Canal Stationing: 6223+00+/- West Side
Parcel Nos.	2611,2614_19	Town/Village/City	Town of Pendleton SBL: 166.01-1-28 & 57.1
Buoy No.	N/A		
County	Niagara		
Latitude/ Longitude	43.086053/-78.734875		

GENERAL PERMIT CONDITIONS

1. Permit to use and occupy the above identified New York State Canal Corporation property for the purpose of:

Use and maintenance of NYS Canal Corporation lands aka Depeau Park for recreational purposes, including a picnic area, a playground, swingset, passive recreation areas, road access and parking area, an open-air pavilion, a multi-use sports court, a Canal Buoy Boat display, a monument, and three tennis courts.

This permit shall not be assigned or transferred without the prior written consent of the Canal Corporation. Any attempt to assign, transfer or convey any right, title or interest to the above identified property without such prior written consent will be considered grounds for the automatic revocation of this permit.

2. The fee for this use and occupancy permit shall be \$50.00 per year, beginning January 1, 2024. The Permittee agrees that if the fee is not paid within fifteen (15) days after it has become due, a late charge of two (2) percent per month on the outstanding balance will be due and owing to the New York State Canal Corporation.

Failure to pay the permit fee within fifteen (15) days after it has become due shall be grounds for immediate revocation hereof, which revocation shall be exercised at the sole discretion of the Canal Corporation.

3. Upon payment of the initial permit fee, a canal identification plate will be provided to the Permittee. The canal identification plate must be attached to a stationary object and it must be conspicuously visible from the water.

4. The fee is due at the beginning of the permit period and each succeeding year thereafter unless otherwise stated. The fee by check, bank cashier's check or money order, is payable to the New York State Canal Corporation within thirty (30) days of the date of invoice, at:

New York State Canal Corporation
Post Office Box 22058
Albany, New York 12201-2058

5. The Permittee is responsible for (a) all property repairs, improvements, and maintenance; (b) compliance with applicable Federal, State and local laws, ordinances, codes, and rules and regulations including but not limited to complying with the building code and obtaining local building permits required; and (c) obtaining all other required permits from Federal, State, and local agencies, including, but not limited to, the U.S. Army Corps of Engineers, New York State Department of Environmental Conservation, and Town or City Departments.

6. The Permittee agrees (a) to allow the New York State Canal Corporation, the Power Authority of the State of New York or their representatives to inspect periodically the permit area; (b) to indemnify and to hold harmless the People of the State of New York, the New York State Canal Corporation and the Power Authority of the State of New York from any loss or claim by reason of any use or misuse of the permit area; (c) to maintain the property in a neat, clean, and sanitary condition; (d) not to sub-rent nor assign the permit area; (e) not to place or store any hazardous or toxic materials, as defined in applicable State and Federal laws, on the permit area; and (f) not to make any alterations, excavations, modifications, or improvements of any kind without written permission from the New York State Canal Corporation.

7. The Permittee agrees to provide a certificate of general liability insurance in the amount of \$2,000,000.00 (combined property damage and/or bodily injury, including death) single limit per occurrence for the protection of the Permittee, the People of the State of New York, the New York State Canal Corporation, and the Power Authority of the State of New York, listed as additional insured. General liability insurance, and if applicable any other insurance requirements are to be provided by an insurance company licensed in New York State. The insurance company is required to provide thirty-day written notice of cancellation to the Canal Corporation.

8. Neither the New York State Canal Corporation nor the Power Authority of the State of New York shall be responsible for any loss of real property or personal property.

9. This permit can be revoked by the Canal Corporation or terminated by the Permittee upon thirty (30) days written notice, whereupon it shall be the responsibility of the Permittee to remove, at Permittee's expense, all structures and works located in the permit area. Upon failure of the Permittee to remove such works and structures, the New York State Canal Corporation or its representatives may without further notice summarily enter upon and remove from said premises any and all encroachments and property of the Permittee at the Permittee's own cost and expense.

10. The Permittee understands that the annual fee may be increased from time to time, at the sole discretion of the Canal Corporation. Failure to pay the increased fee will result in the permit's revocation.

11. In accordance with all applicable statutes, the Permittee agrees not to discriminate because of race, creed, color, sex, national origin, age, disability, or marital status against anyone who uses the permit area or gains access to the permit area if the premises are used for public accommodation or as a public service.

12. A map of the permit area is attached.

13. No right, title, ownership, or interest of any kind in the property is granted by this permit. The Permittee will not claim

such by prescriptive right or otherwise.

14. The area under permit shall exclude the right-of-way of any trail constructed or sanctioned by the New York State Canal Corporation. The Permittee shall not restrict or in any way impede the use of said trail.

15. In addition to the above listed standard conditions, this permit is also subject to the special conditions listed below as/if applicable under, "OTHER CONDITIONS," which are hereby incorporated into this document up to the notation of, "END OF OTHER CONDITIONS."

The permit provisions are severable. If any permit provision is held invalid, it will not affect the remaining permit provisions.

IN CONSIDERATION of the granting of this permit, the undersigned accepts all the described conditions of this permit as well as the Rules and Regulations of the New York State Canal Corporation and the Canal Corporation Occupancy and Work Permit Accommodation Guidelines (TAP 922) which are incorporated as though stated fully in this permit. Any conflict between the conditions described in this permit and the Codes, Rules and Regulations of the New York State Canal Corporation or the Occupancy and Work Permit Accommodation Guidelines shall be resolved in favor of the Codes, Rules and Regulations or Canal Corporation Occupancy and Work Permit Accommodation Guidelines.

ACCEPTANCE OF PERMIT:

Date 5/3/24



Signature of Permittee

ACCEPTANCE OF PERMIT:

Date _____

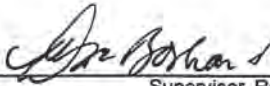
Signature of Permittee (If Joint Application)

APPROVAL

Approval is recommended in accordance with the above described Rules and Regulations of the New York State Canal Corporation and the Canal Corporation Occupancy and Work Permit Accommodation Guidelines (TAP 922) which are incorporated as though stated fully in this permit.

OFFICIAL SIGNATURE:

Date 5/30/2024



Supervisor, Real Property Management

OTHER CONDITIONS

1. This permit supersedes permit C50178 issued to the Town of Pendleton.
2. The fee for this permit will be as noted on General Permit Condition 2 plus 10% of any gross revenue generated on lands covered by this permit if any. This 10% fee and accounting documentation generated for the fee is to be returned with the annual invoice sent to the Town of Pendleton.
3. This condition serves as written permission from the NYS Canal Corporation allowing the Town of Pendleton to enforce local sign ordinances to protect park users and the general public.
4. All accessibility requirements shall be in compliance with the NYS Uniform Fire Prevention and Building Code, Article 13, Part 1100 (Facilities for the Physically Handicapped) and The Americans with Disability Act.
5. The Permittee shall maintain the Canal Land covered by this permit in a neat and clean manner. The removal of dead brush and vegetation is allowed but no cutting of live or dead trees over 3" at breast height will be permitted without prior written approval from the Western Regional Canal Engineer or his agents. Trimming and planting of grass is allowed.
6. If this permit is terminated for any reason, any NYS Canal Corporation property used under this permit must be returned by the Permittee to as good or better condition than before the project as determined by the Western Regional Canal Engineer. All land use must cease, all improvements must be removed, and the area must return to its natural condition (no mowing or maintenance).
7. No grading, cutting, filling or any form of earthwork is allowed on the permit site without written permission from the Western Regional Canal Engineer. No permanent structures, foundations or other encroachments can be added to this permit site without written permission from the Western Regional Canal Engineer, Call 716-686-4403.
8. The permittee shall conduct the operations covered in this permit in such a manner so that they do not interfere with Canal System operations, maintenance and/or safety of the Canal Corporation's personnel or the use of the Canal System by the general public.
9. The permittee is responsible for any environmental clean-up work resulting from their operations on canal land. This includes but is not limited to spills and/or soil contamination.
10. Should any conflict be had between the work granted herein and any current or future Canal Trailway System, the latter shall have priority in all matters and the permittee is required to make any necessary alterations to the work under this permit at their own expense.
11. The issuance of this permit does not bind or commit the Canal Corporation to any future course of action or guarantee that the Canal Corporation will enter into any different type of agreement with the Permittee regarding this property.
12. Inspections & Maintenance of the structures and improvements allowed to reside on Canal property under this permit are the sole responsibility of the permittee.

END OF OTHER CONDITIONS

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NO. **05747**

NEW YORK STATE DEPARTMENT OF TRANSPORTATION
 REAL ESTATE DIVISION
 PERMIT FOR USE OF STATE-OWNED PROPERTY

Orig _____
 Subs _____
 Air _____
 Canal ☒

P.I.N. 5CN0.00.201 Inventory No. _____ Permit Account C50178
 Property Location W/S of canal, parcel 2614 and portion Canal Plate No. _____
of parcel 2611 Cont. No. 19, CPM 207
 Project Erie Barge Canal Use Code REC
 Map No.(s) _____ Parcel No.(s) _____ County Niagara
 Town Pendleton City/Village _____

THIS PERMIT, made this X 6th day of X October, 19 92 between
 Town of Pendleton
 6640 Campbell Blvd.
 Lockport, NY 14094

hereinafter referred to as "Permittee", and the COMMISSIONER OF TRANSPORTATION FOR THE PEOPLE OF THE STATE OF NEW YORK, hereinafter referred to as "the State",

WITNESSETH:

WHEREAS the State is the owner of the above identified property; and

WHEREAS the Permittee wishes to use and occupy said property;

NOW, THEREFORE, the State hereby grants this permit to the Permittee, subject to the following covenants and conditions:

1. The property covered by this permit shall be used only for the purpose of _____
temporarily using area for recreational area including picnic area and
construction of three tennis courts as shown on plans submitted.

and for no other purpose whatsoever.

2. The fee to be charged shall be: \$ 50.00 per year beginning 5-1-92

The Permittee understands and agrees that if the full amount of the fee as stated herein is not paid by the fifteenth day after it has become due, an additional late charge of two percent (2%) per month on the outstanding balance will be due and owing the State.

3. Payment of fee is due on the first of the month unless otherwise stated. Fee must be paid by check, bank cashier's check or money order payable to "Department of Transportation" and mailed or delivered to:

New York State Department of Transportation
 Revenue Unit, Building 5, Room 422
 1220 Washington Avenue
 Albany, New York 12232

4. Permittee, at their expense and for the term of the permit, shall furnish and show evidence of General Liability Insurance coverage issued by an insurance carrier licensed to do business in the State of New York for the protection of the State of New York and Permittee against any claims, suits, demands or judgments by reason of bodily injury, including death, and for any claims resulting in property damage occurring on or in the proximity to the permit area.

Such General Liability Insurance shall be in the amount no less than \$ 2,000,000.00 (combined property damage and/or bodily injury, including death) single limit per occurrence, and name the People of the State of New York as an additional insured.

The Permittee will furnish the State a certificate of insurance, with a (30) thirty day prior written notice of any cancellation or major change in the policy conditions. The Permit shall be voided if insurance is cancelled, modified or lapses.

Approval of this permit shall be contingent upon receipt, by the State, of a copy of a properly executed insurance certificate.

5. Permittee is responsible for any repairs, improvements or maintenance work of any kind on the property at Permittee's expense. The State may, at any time, periodically inspect the premises to determine whether same are in good repair and maintenance, structurally sound, and that there are no unsafe, hazardous, unsanitary, or defective conditions existing.
6. Permittee is responsible to maintain that the occupancy is in compliance with any and all applicable Federal, State, and local laws, ordinances, codes, rules and regulations affecting the use of the property. Permittee shall not conduct or allow any use or activity on the premises inconsistent with law and shall not conduct or allow any use or activity on the premises which may require a permit or other approval by a government agency without having lawfully obtained such permit or approval.
7. All arrangements of services for utilities, removal of garbage, rubbish, litter, snow and ice will be made by the Permittee at the Permittee's expense, unless hereafter specified. The State shall have no responsibility for providing any services not specifically set forth in writing herein. Permittee shall comply with all local and State building standards in the installation or repair of any utilities including but not limited to electricity and plumbing. Permittee is responsible for keeping and maintaining the premises herein in a safe and clean condition, for the regular and prompt removal of garbage, rubbish, litter, snow and ice. Permittee shall be responsible for preventing damages to the plumbing system and premises caused by lack of heat or water damage from leaks.
8. The State shall have no responsibility whatever for the loss or destruction of any improvements made by the Permittee or for personal property stored or being used on the premises.
9. Permittee hereby agrees to admit State representatives and prospective purchasers or permittees to examine these premises during reasonable business hours.
10. Permittee agrees to indemnify and save harmless the State from any claim or loss including legal expenses by reason of the use or misuse of the premises under this permit and/or from any claim or loss by reason of any accident or damage to any person or property being on said premises caused by Permittee, its employees, agents or invitees.
11. This permit shall be automatically renewed for successive terms of one month each unless cancelled by either party. Cancellation by the State requires thirty (30) days written notice, except for cause, in which event cancellation can be required on ten (10) days written notice. Permittee may cancel this permit by giving thirty (30) days written notice.
12. The parties acknowledge that this instrument is not a lease but is merely a permit to occupy and use and therefore a landlord-tenant relationship is not hereby created, and further, that since this is not a lease, Section 5-321 of the General Obligations Law does not apply to this permit to the extent permitted by law.
13. Permittee will not sublet the premises nor assign or transfer the Permit to any other parties in part or in whole without the prior written consent of the State. Failure to comply with this provision may result in ten (10) days written notice of cancellation of the Permit by the State, and the State may immediately take possession and terminate all rights of the Permittee as of such moment.

14. The Permittee understands and agrees that the fee charged by the State may periodically be updated to reflect fair market value and the Permittee will enter into a new permit for the new fee if it wishes to remain in occupancy. Failure to execute a new permit will require Permittee to immediately vacate the premises.

IN ADDITION TO THE ABOVE PROVISIONS, CANAL PERMITS ALSO INCLUDE PARAGRAPHS 15 AND 16.

15. No alterations, excavations, improvements or modifications of any kind may be made to the Canal lands or system without express written permission from the State in the form of a Canal Work Permit.
16. Unless express written permission is granted to the Permittee by the State, no permanent buildings, structures or additions to existing buildings or structures will be allowed on the Canal lands or system. Any existing buildings at the time of the issuance of the permit shall be used for seasonal occupancy only.
17. Additional Provisions to Permit, if any:

" If any of the provisions of this permit are held invalid, such invalidity shall not effect or impair other provisions herein which can be given effect without the invalid provisions, and to this end the provisions of this permit are severable."

This permit supersedes Waterways Permit 77-06-46

- a. The permittee agrees that the State property shall be used solely for the purpose as stated in the permit.
- b. The granting of this permit is for the occupancy of said land by the permittee for the purposes stated herein, and no leasing, renting or commercial use of the land or structures within the limits of the permit will be allowed.
- c. No additions to the layout shown on the sketch shall be permitted without first receiving the written consent of the Commissioner of Transportation.

ACCEPTANCE:

In consideration of the granting of the Permit, the undersigned accepts all of the above terms, conditions and provisions.

STATE OF NEW YORK)
COUNTY OF _____) SS: Signed Town of Pendleton
BY: X Shirley R. Conner
ITS: X Supervisor
(Title)

FOR INDIVIDUAL ACKNOWLEDGEMENTS

On the _____ day of _____, 19 _____, before me personally came _____

to me known to be the individual described in and who executed the foregoing instrument and acknowledged that they executed the same.

STATE OF NEW YORK)
COUNTY OF Niagara) SS: _____ (Notary Public)

FOR CORPORATION ACKNOWLEDGEMENTS

On the 6th day of October, 19 92, before me personally came _____

Shirley R. Conner

she

to me known, who, being by me duly sworn, did depose and say that ~~they~~ she reside at _____

4933 Mapleton Road

_____ in the Town of Pendleton
she is _____
that ~~they are~~ she is the Supervisor of the Town of Pendleton,
the corporation described in and which executed the foregoing instrument; that they signed their name thereto by
order of the Board of Directors of said corporation.

ELEANOR M. DEPEAU
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN NIAGARA COUNTY
MY COMMISSION EXPIRES DEC. 31, 1993

Eleanor M. Depeau
(Notary Public)

RECOMMENDED: _____
Regional Real Estate Officer Date

APPROVED: Commissioner of Transportation
for the People of The State of New York

By _____
Director, Real Estate Division Date

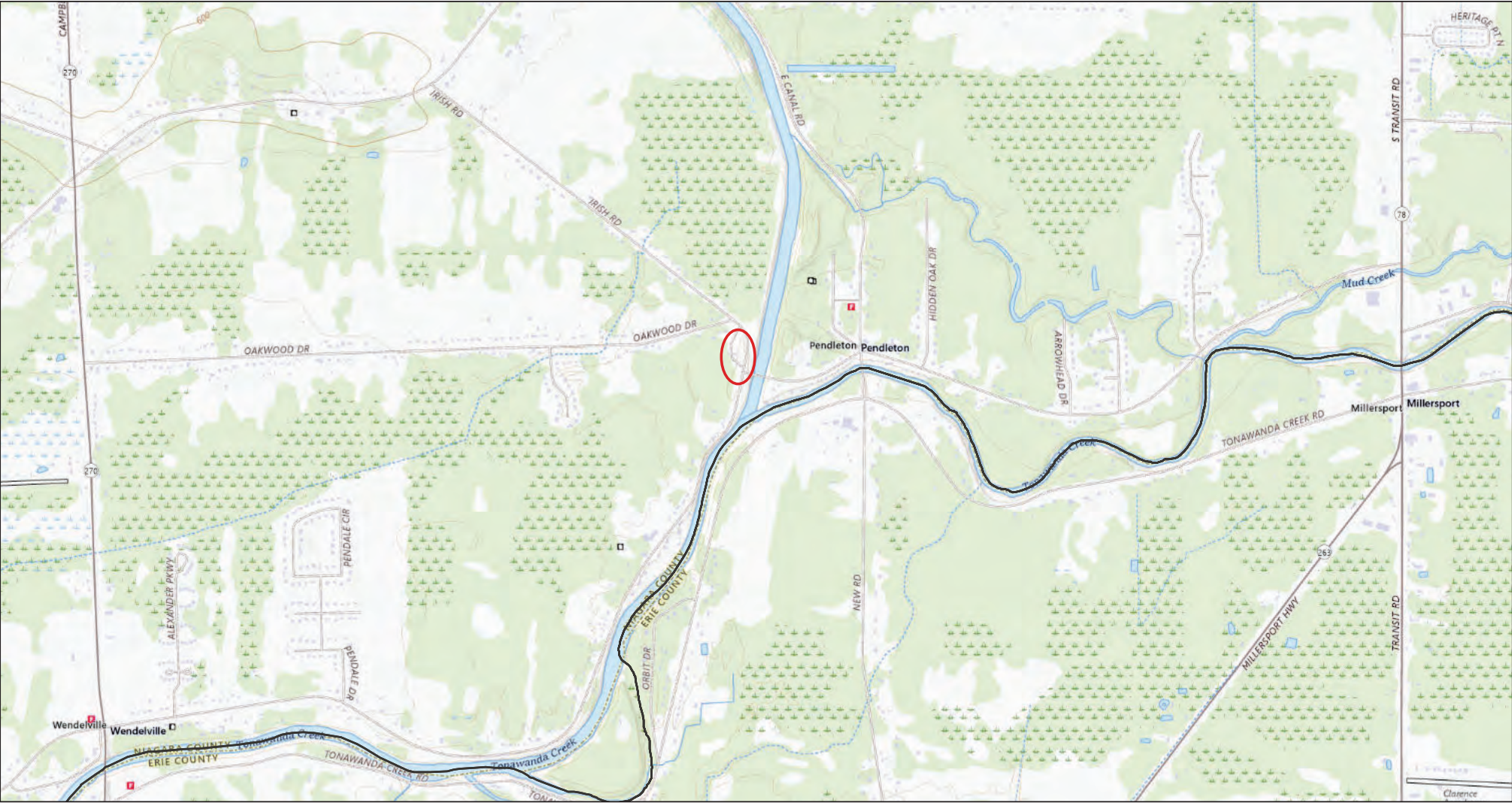
Town of Pendleton

Niagara County, New York

Pendleton Park Recreation Area Project **2026**

Maps
&
Photographs

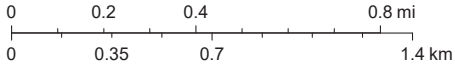
ArcGIS Web Map



4/30/2026, 11:41:30 AM

Counties

1:24,000



USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS



SITE LOCATION



DEPEAU PARK IMPROVEMENTS
SITE LOCATION MAP
OAKWOOD DRIVE AND TONAWANDA CREEK ROAD
TOWN OF PENDLETON
NIAGARA COUNTY, NEW YORK

EXHIBIT

1

PROJECT NO. 25J1-0053

Depeau Park

Pendleton, NY



Google Earth

© 2025 Google

700 ft



24

Buffalo Niagara



PHOTO 1 - EXISTING ASPHALT PAVEMENT AND WALKWAY AREA NEAR SPORTS COURTS



PHOTO 2 - EXISTING HOCKEY COURT FENCING [EAST SIDE]



**NUSSBAUMER
& CLARKE, INC.**
ENGINEERS AND SURVEYORS

DEPEAU PARK IMPROVEMENTS
OAKWOOD DRIVE AND TONAWANDA CREEK ROAD
TOWN OF PENDLETON



PHOTO 3 - EXISTING HOCKEY COURT SURFACE



PHOTO 4 - EXISTING TENNIS COURT SURFACE



**NUSSBAUMER
& CLARKE, INC.**
ENGINEERS AND SURVEYORS

DEPEAU PARK IMPROVEMENTS
OAKWOOD DRIVE AND TONAWANDA CREEK ROAD
TOWN OF PENDLETON



PHOTO 5 - EXISTING TENNIS COURT FENCING [WEST SIDE]



PHOTO 6 - EXISTING TENNIS COURT FENCING [NORTH SIDE]



**NUSSBAUMER
& CLARKE, INC.**
ENGINEERS AND SURVEYORS

DEPEAU PARK IMPROVEMENTS
OAKWOOD DRIVE AND TONAWANDA CREEK ROAD
TOWN OF PENDLETON



PHOTO 7 - EXISTING GRAVEL PARKING LOT



PHOTO 8 - EXISTING PLAYGROUND STRUCTURE [FRONT SIDE]



**NUSSBAUMER
& CLARKE, INC.**
ENGINEERS AND SURVEYORS

DEPEAU PARK IMPROVEMENTS
OAKWOOD DRIVE AND TONAWANDA CREEK ROAD
TOWN OF PENDLETON



PHOTO 9 - EXISTING PLAY EQUIPMENT [SLIDE AND SWING SET]



PHOTO 10 - EXISTING PAVILION AREA AND GRILL



**NUSSBAUMER
& CLARKE, INC.**
ENGINEERS AND SURVEYORS

DEPEAU PARK IMPROVEMENTS
OAKWOOD DRIVE AND TONAWANDA CREEK ROAD
TOWN OF PENDLETON



PHOTO 11 - EXISTING PLAY EQUIPMENT [CLIMBER]



PHOTO 12 - EXISTING PLAYGROUND [BACK SIDE]



**NUSSBAUMER
& CLARKE, INC.**
ENGINEERS AND SURVEYORS

DEPEAU PARK IMPROVEMENTS
OAKWOOD DRIVE AND TONAWANDA CREEK ROAD
TOWN OF PENDLETON



PHOTO 13 - EXISTING PAVILION



PHOTO 14 - LAWN/GREEN SPACE

[SOUTHERN PORTION OF THE PROPERTY]



**NUSSBAUMER
& CLARKE, INC.**
ENGINEERS AND SURVEYORS

DEPEAU PARK IMPROVEMENTS
OAKWOOD DRIVE AND TONAWANDA CREEK ROAD
TOWN OF PENDLETON



PHOTO 15 - EXISTING LAWN AREA



PHOTO 16 - EXISTING LAWN AREA



**NUSSBAUMER
& CLARKE, INC.**
ENGINEERS AND SURVEYORS

DEPEAU PARK IMPROVEMENTS
OAKWOOD DRIVE AND TONAWANDA CREEK ROAD
TOWN OF PENDLETON

Town of Pendleton

Niagara County, New York

Pendleton Park Recreation Area Project **2026**

Budget
&
Drawings

January 29, 2026

Joel Maerten
Town Supervisor
Town of Pendleton
6570 Campbell Boulevard
Lockport, NY 14094



Re: Town of Pendleton
Town Parks Court Improvement Project, Contract 2025-2
Award Recommendation Letter
File No. 25J1-0053.001

Dear Mr. Maerten;

In accordance with the Invitation to Bid, sealed bids for the Town Parks Court Improvement Project, were opened and publicly read aloud by the Clerk/Treasure beginning at 10:00 a.m. on January 21, 2026, in the Town Clerks office of the Town Hall.

A total of three (3) bids were received. Nussbaumer & Clarke, Inc. (Nussbaumer) has reviewed all bids for completeness and accuracy of amounts. Enclosed for the Town's use and information is one (1) copy of the tabulation of bids. The following is a summary, arranged in order of bid amount.

	Base Bid	Alternate Bid	Total Bid
American Paving & Excavating	\$ 108,095.00	\$ 259,614.00	\$ 367,709.00
Louis Del Prince and Sons, Inc.	\$ 127,896.00	\$ 240,897.00	\$ 368,793.00
Essential Construction Services	\$ 155,756.00	\$ 272,882.00	\$ 428,638.00

Nussbaumer thoroughly reviewed the proposal from American Paving & Excavating (American) and spoke with the individual responsible for preparation of the bid. Based upon our review of American's proposal and our conversation, Nussbaumer is satisfied in American's understanding of the full project scope and expectations. American is a firm we are well aware of, having had previous successful dealing(s) with this firm. American is also well known throughout WNY for this type of work.

Accordingly, Nussbaumer herein recommends that the Base Bid for the Town Parks Court Improvement Project, Contract 2025-2 be awarded to the lowest responsible bidder, American Paving & Excavating, 5880 Thompson Road, Clarence Center, NY 14032, in the amount of \$108,095.00 contingent upon review and approval of the Town Attorney.

Should you have any questions, please do not hesitate to contact us at your convenience.

Sincerely,

NUSSBAUMER & CLARKE, INC.

Joseph D. Evans, CCM
Construction Project Manager

Enclosure: Bid Tab

CLIENT: Town of Pendleton

PROJECT: Town Parks Court Improvement Project
Contract 2025-2

BIDS OPENED: Wednesday, January 21, 2026

BID TABULATION SHEET



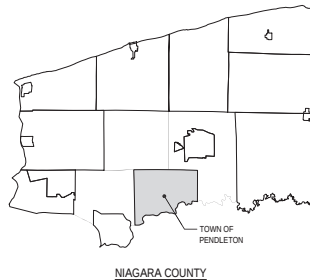
NUSSBAUMER PROJECT NO.: 25J1-0053.001

				American Paving & Excavating 5880 Thompson Road Clarence Center, NY 14032		Essential Construction Services 1941 Harlem Road Buffalo, NY 14212		Louis Del Prince and Sons, Inc. 580 Cayuga Road Cheektowaga, NY 14225-1312	
ITEM NUMBER	ITEM DESCRIPTION	ITEM QUANTITY	UNITS	Unit Price	Amount Bid	Unit Price	Amount Bid	Unit Price	Amount Bid
BASE BID - PENDLETON PARK COURT IMPROVEMENTS									
1	Resurface and Seal Courts	1	LS	\$32,760.00	\$32,760.00	\$70,200.00	\$70,200.00	\$75,000.00	\$75,000.00
2	Exterior Court Equipment	1	LS	\$30,084.00	\$30,084.00	\$8,640.00	\$8,640.00	\$20,800.00	\$20,800.00
3	Asphalt Path Work	1	LS	\$11,911.00	\$11,911.00	\$8,700.00	\$8,700.00	\$14,976.00	\$14,976.00
4	Fencing Installation	1	LS	\$28,340.00	\$28,340.00	\$63,216.00	\$63,216.00	\$12,120.00	\$12,120.00
5	Contingency Allowance	1	LS	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
ADD ALTERNATE 1 - DEPEAU PARK COURT IMPROVEMENTS									
1	Resurface and Seal Courts	1	LS	\$59,872.00	\$59,872.00	\$93,600.00	\$93,600.00	\$86,212.00	\$86,212.00
2	Exterior Court Equipment	1	LS	\$30,906.00	\$30,906.00	\$8,640.00	\$8,640.00	\$16,600.00	\$16,600.00
3	Asphalt Path Work	1	LS	\$12,001.00	\$12,001.00	\$18,924.00	\$18,924.00	\$12,986.00	\$12,986.00
4	Fencing Installation	1	LS	\$151,835.00	\$151,835.00	\$146,718.00	\$146,718.00	\$120,099.00	\$120,099.00
5	Contingency Allowance	1	LS	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
TOTAL AMOUNT OF BASE BID					\$108,095.00		\$155,756.00		\$127,896.00
TOTAL ALTERNATE 1					\$259,614.00		\$272,882.00		\$240,897.00
GRAND TOTAL (Base Bid + Alternate 1)					\$367,709.00		\$428,638.00		\$368,793.00

TOWN PARKS COURT IMPROVEMENT PROJECT CONTRACT 2025-2

TOWN OF PENDLETON, NEW YORK

6570 CAMPBELL BOULEVARD AND TONAWANDA CREEK ROAD
DECEMBER 2025



TOWN SUPERVISOR
JOEL MAERTEN

TOWN BOARD
JOSEPH HICKMAN
SCOTT LOMBARDO
WOLFGANG BUECHLER
DYLAN RUMBOLD

TOWN CLERK
DEBORAH MAURER

HIGHWAY SUPERINTENDENT
DAVID FISCHER



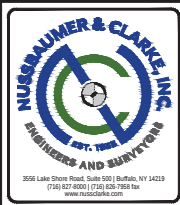
PROJECT LOCATION MAP
SCALE: NTS

NUSSBAUMER & CLARKE, INC.
ENGINEERS AND SURVEYORS
3556 Lake Shore Road, Suite 500 | Buffalo, NY 14219
(716) 827-8000 | (716) 826-7958 fax
www.nussclarke.com

DRAWING INDEX		
SHEET NO.	DRAWING NO.	DRAWING TITLE
1	G-001	COVER SHEET
2	G-002	GENERAL NOTES AND LEGEND
3	C-101	PENDLETON PARK DEMOLITION PLAN AND SITE PLAN
4	C-102	DEPEAU PARK DEMOLITION PLAN AND SITE PLAN
5	C-501	SITE DETAILS



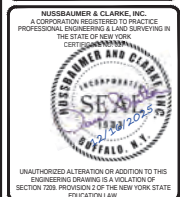
	1	2	3	4	5	6																																																			
	GENERAL NOTES: 1. TOPOGRAPHICAL INFORMATION BASED UPON SURVEY PERFORMED BY NUSSBAUMER & CLARKE, INC. FEBRUARY 22, 2022. HORIZONTAL DATUM: NAD83 NEW YORK STATE PLANES, WEST ZONE, US FOOT VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) 2. REFER TO EXISTING CONDITIONS FOR SURVEY LEGEND. ALL BIDDERS ARE REQUIRED TO INSPECT THE PROJECT SITE IN ITS ENTIRETY PRIOR TO SUBMITTING THEIR BID, AND BECOME FAMILIAR WITH ALL CONDITIONS AS THEY MAY AFFECT THEIR BID. CONTRACTOR AND SUB-CONTRACTOR SHALL BE FAMILIAR WITH ALL DRAWINGS AND SPECIFICATIONS PRIOR TO COMMENCING THE CONSTRUCTION. 3. LOCATIONS OF ANY UTILITIES SHOWN ON THESE PLANS ARE APPROXIMATE ONLY. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF SUCH UTILITIES, PROTECTING ALL EXISTING UTILITIES AND REPAIRING ANY DAMAGE DONE DURING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ON-SITE COORDINATION WITH UTILITY COMPANIES AND PUBLIC AGENCIES AND FOR OBTAINING ALL REQUIRED PERMITS AND PAYING ALL REQUIRED FEES. 4. WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, THE LOCATION, ELEVATION AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR AND THE INFORMATION FURNISHED TO THE ENGINEER FOR RESOLUTION OF THE CONFLICT. 5. THE CONTRACTOR SHALL MAKE ALL ARRANGEMENTS FOR THE ALTERATION AND ADJUSTMENT OF GAS, ELECTRIC, TELEPHONE AND ANY OTHER PRIVATE UTILITIES BY THE UTILITY OWNER AT NO ADDITIONAL COST TO THE OWNER. 6. CONTRACTOR SHALL BE RESPONSIBLE FOR REVIEWING ALL DRAWINGS AND SPECIFICATIONS TO DETERMINE THE EXTENT OF EXCAVATION AND DEMOLITION REQUIRED TO RECEIVE SITE IMPROVEMENTS. 7. ANY DISCREPANCIES OR CONFLICTS BETWEEN THE DRAWINGS AND EXISTING CONDITIONS, EXISTING CONDITIONS TO REMAIN, TEMPORARY CONSTRUCTION, PERMANENT CONSTRUCTION AND WORK OF ADJACENT CONTRACTS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER BEFORE PROCEEDING. ITEMS ENCOUNTERED IN AREAS OF EXCAVATION THAT ARE NOT INDICATED ON THE DRAWINGS, BUT ARE VISIBLE ON SURFACE, SHALL BE THE CONTRACTOR'S RESPONSIBILITY AND SHALL BE REMOVED AT NO ADDITIONAL COST TO THE OWNER. 8. ANY ALTERATIONS TO THESE DRAWINGS MADE IN THE FIELD DURING CONSTRUCTION SHALL BE RECORDED BY THE GENERAL CONTRACTOR ON "AS-BUILT" DRAWINGS. 9. ALL AREAS DISTURBED BY THE CONTRACTOR'S OPERATIONS OUTSIDE THE PROJECT LIMITS, SHALL BE RESTORED TO THE ORIGINAL CONDITION BY THE CONTRACTOR AT NO ADDITIONAL COST AND TO THE SATISFACTION OF THE OWNER. 10. ALL KNOWN EXISTING STATE, COUNTY AND VILLAGE LOCATION LINES AND PRIVATE PROPERTY LINES HAVE BEEN ESTABLISHED FROM AVAILABLE INFORMATION AND ARE INDICATED ON THE PLANS. 11. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT HIS EMPLOYEES, AS WELL AS PUBLIC USERS FROM INJURY DURING THE ENTIRE CONSTRUCTION PERIOD USING ALL NECESSARY SAFEGUARDS, INCLUDING BUT NOT LIMITED TO, THE ERECTION OF TEMPORARY WALKS, STRUCTURES, PROTECTIVE BARRIERS, COVERING, OR FENCES AS NEEDED. 12. EXISTING TREES TO REMAIN SHALL BE PROTECTED FROM CONSTRUCTION ACTIVITIES. NO STOCKPILING OF MATERIAL, EQUIPMENT OR VEHICULAR TRAFFIC SHALL BE ALLOWED WITHIN THE DRIP LINE OF TREES TO REMAIN, WHEN NECESSARY OR AS DIRECTED BY THE ENGINEER, THE CONTRACTOR SHALL ERECT TEMPORARY BARRIERS FOR THE PROTECTION OF EXISTING TREES DURING CONSTRUCTION. 13. THE CONTRACTOR SHALL CALL UDOT NY AT LEAST 72 HOURS, SATURDAYS, AND HOLIDAYS EXCLUDED, PRIOR TO EXCAVATING AT ANY LOCATION. 14. NO FILLING SHALL OCCUR AROUND EXISTING TREES TO REMAIN WITHOUT THE APPROVAL OF THE OWNER OR OWNER REPRESENTATIVE. 15. TEMPORARY EROSION CONTROL MEASURES SHOWN ON THE DRAWINGS (INCLUDING SILT FENCE, COMPOST FILTER TUBES, OR SILT SOCKS) SHALL BE INSTALLED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THESE TEMPORARY EROSION CONTROL MEASURES THROUGHOUT THE PROJECT WHICH COST SHALL BE INCIDENTAL TO THE PROJECT. 16. ALL EXCESS SOIL FROM CONSTRUCTION ACTIVITIES SHALL BE DISPOSED OF BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER. REMOVAL ACTIVITIES SHALL BE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS AT NO ADDITIONAL COST TO THE OWNER. SOIL MATERIALS MAY BE DISPOSED OF AT HIGHWAY DEPARTMENT PROPERTY (6640 CAMPBELL BOULEVARD). ALL EXCAVATED FILL MATERIAL WHICH DOES NOT MEET THE REQUIREMENTS OF THE CONTRACT DOCUMENTS SHALL BE REMOVED AND DISPOSED OF OFF-SITE AT NO ADDITIONAL COST. 17. ALL EXISTING DRAINAGE FACILITIES TO REMAIN SHALL BE MAINTAINED FREE OF DEBRIS, SOIL, SEDIMENT, AND FOREIGN MATERIAL AND OPERATIONAL THROUGHOUT THE LIFE OF THE CONTRACT. REMOVE ALL SOIL, SEDIMENT, DEBRIS AND FOREIGN MATERIAL FROM ALL DRAINAGE STRUCTURES, INCLUDING BUT NOT LIMITED TO, DRAINAGE INLETS, MANHOLES AND CATCH BASINS WITHIN THE LIMIT OF WORK AND DRAINAGE STRUCTURES OUTSIDE THE LIMIT OF WORK THAT ARE IMPACTED BY THE WORK FOR THE ENTIRE DURATION OF CONSTRUCTION. 18. CONTRACTOR'S STAGING AREA MUST BE WITHIN THE CONTRACT LIMIT LINE AND IN AREAS APPROVED BY OWNER. ANY OTHER AREAS THAT THE CONTRACTOR MAY WISH TO USE FOR STAGING MUST BE COORDINATED WITH THE OWNER. 19. THE CONTRACTOR SHALL KEEP ALL STREETS, PARKING LOTS AND WALKS THAT ARE NOT RESTRICTED FROM PUBLIC USE DURING CONSTRUCTION BROOM CLEAN AT ALL TIMES. THE CONTRACTOR SHALL USE ACCEPTABLE METHODS AND MATERIALS TO MAINTAIN ADEQUATE DUST CONTROL THROUGHOUT CONSTRUCTION. 20. CONTRACTOR SHALL COORDINATE ALL WORK WITH THE OWNER. 21. DEEP PUMP CATCH BASINS AND STORMWATER BASIN SHALL BE CLEANED FOLLOWING CONSTRUCTION AND SHALL FOLLOW THE OPERATION AND MAINTENANCE PLAN THEREAFTER. 22. HAULING OF EARTH MATERIALS TO AND FROM THE SITE SHALL BE RESTRICTED TO THE HOURS OF 7:00 AM TO 6:00 PM MONDAY THROUGH FRIDAY.																																																								
E	<table><tr><th colspan="3">SURVEY</th></tr><tr><th>FEATURE</th><th>EXISTING</th><th>PROPOSED</th></tr><tr><td>PROPERTY LINE</td><td>---</td><td>---</td></tr><tr><td>R.O.W.</td><td>---</td><td>R.O.W. ---</td></tr><tr><td>MUNICIPAL BOUNDARY</td><td>---</td><td>NASSAU COUNTY DINE COUNTY</td></tr><tr><td>ROAD CENTERLINE</td><td>---</td><td>---</td></tr><tr><td>EASEMENT</td><td>---</td><td>---</td></tr><tr><td>MAJOR CONTOUR & LABEL</td><td>--- 100 ---</td><td>--- 100 ---</td></tr><tr><td>MINOR CONTOUR & LABEL</td><td>--- 101 ---</td><td>--- 101 ---</td></tr><tr><td>BENCHMARK</td><td>BM</td><td></td></tr><tr><td>TEMPORARY BENCHMARK</td><td>TBM</td><td></td></tr><tr><td>CONTROL POINT</td><td>CP</td><td></td></tr><tr><td>MONUMENT</td><td>MON</td><td></td></tr><tr><td>IRON BAR</td><td>IB</td><td></td></tr><tr><td>SURVEY NAIL</td><td>NAIL</td><td></td></tr></table>						SURVEY			FEATURE	EXISTING	PROPOSED	PROPERTY LINE	---	---	R.O.W.	---	R.O.W. ---	MUNICIPAL BOUNDARY	---	NASSAU COUNTY DINE COUNTY	ROAD CENTERLINE	---	---	EASEMENT	---	---	MAJOR CONTOUR & LABEL	--- 100 ---	--- 100 ---	MINOR CONTOUR & LABEL	--- 101 ---	--- 101 ---	BENCHMARK	BM		TEMPORARY BENCHMARK	TBM		CONTROL POINT	CP		MONUMENT	MON		IRON BAR	IB		SURVEY NAIL	NAIL							
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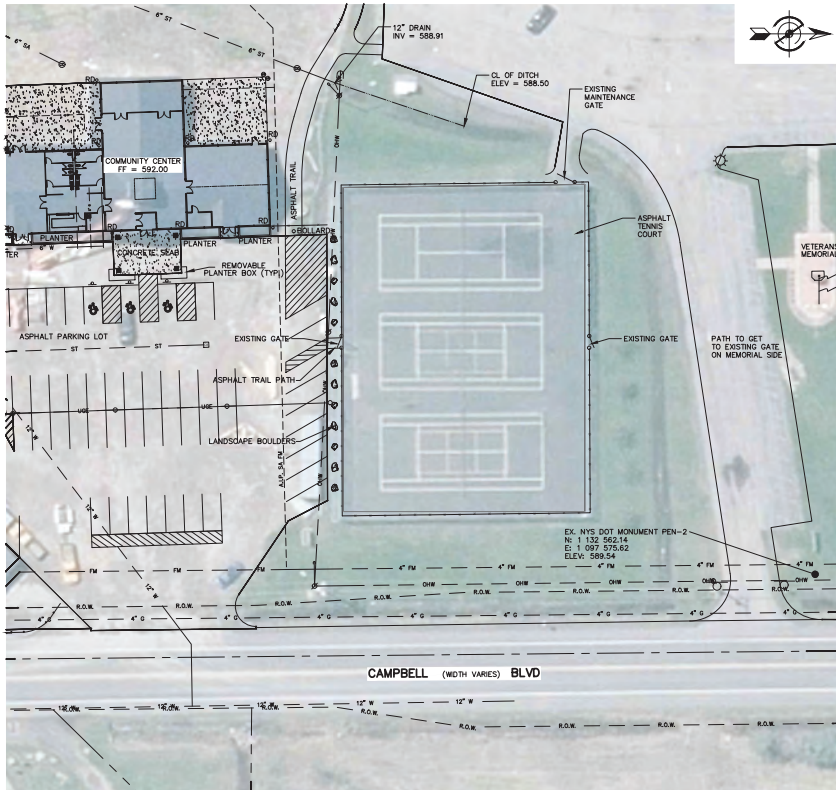
TOWN PARKS COURT
IMPROVEMENT PROJECT
TOWN OF PENDELTON, NIAGARA COUNTY, NEW YORK

GENERAL NOTES AND LEGEND

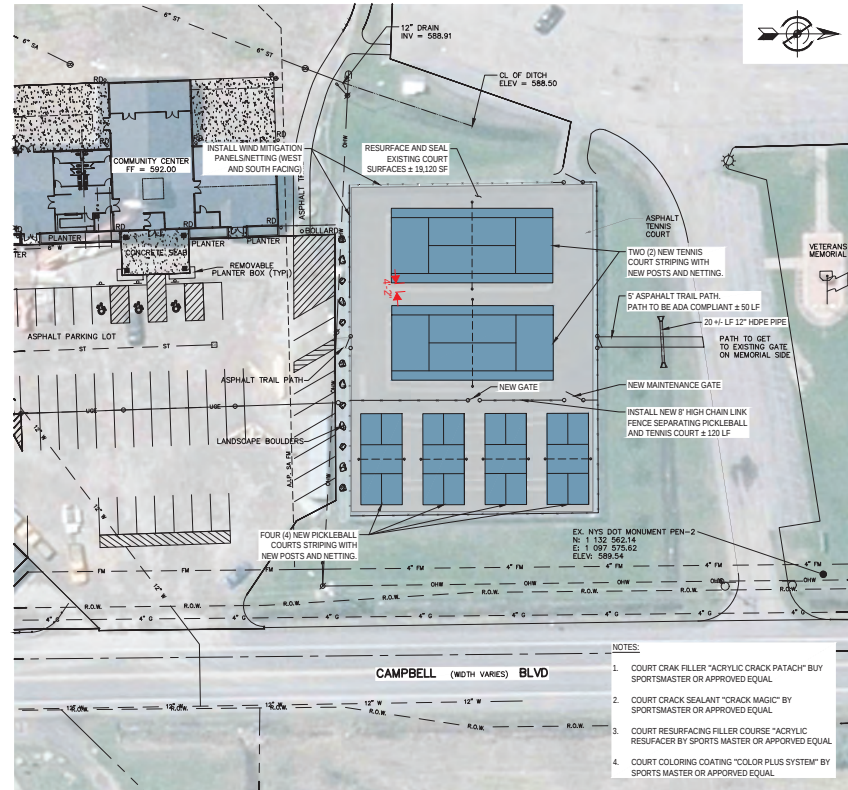
ISSUED		
NO.	DESCRIPTION	DATE
1	FOR CONSTRUCTION	12/01/2025



PROJECT NUMBER	25J1-0053.001
DATE	DECEMBER 2025
DRAWN BY	VBS
DESIGNED BY	AKM
CHECKED BY	TAR
APPROVED BY	DMB
SCALE:	AS NOTED
SHEET No.	2 OF 5
G-002	



1 EXISTING/DEMOLITION PLAN
SCALE: 1"=30'

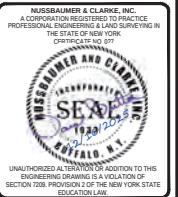


2 SITE PLAN
SCALE: 1"=30'



TOWN PARKS COURT
IMPROVEMENT PROJECT
TOWN OF PENDELTON, NIAGARA COUNTY, NEW YORK
PENDLETON PARK DEMOLITION
PLAN AND SITE PLAN

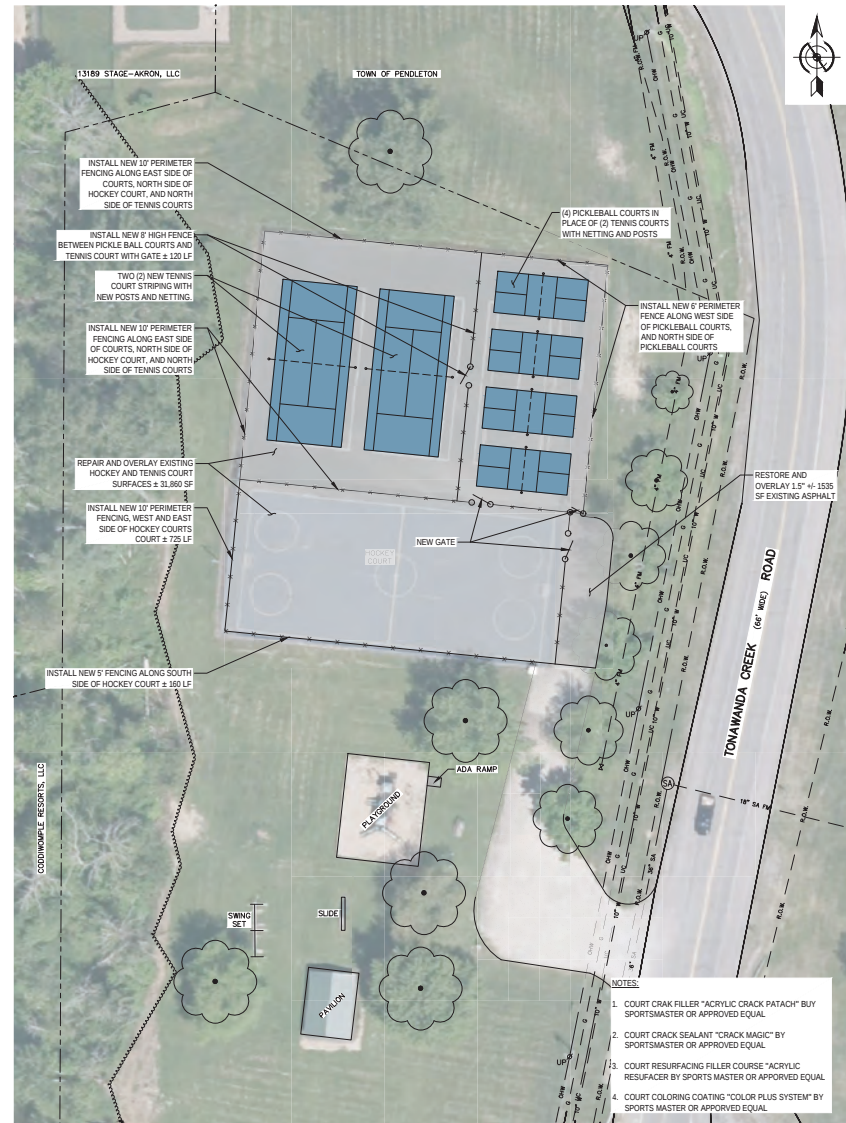
ISSUED		
NO.	DESCRIPTION	DATE
1	FOR CONSTRUCTION	12/01/2025



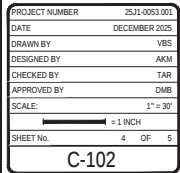
PROJECT NUMBER	25J1-0053.001
DATE	DECEMBER 2025
DRAWN BY	VBS
DESIGNED BY	AKM
CHECKED BY	TAR
APPROVED BY	DMB
SCALE:	1" = 30'
SHEET NO.	3 OF 5

C-101

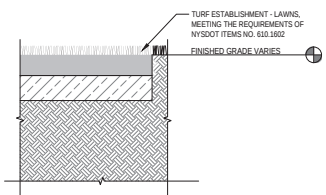
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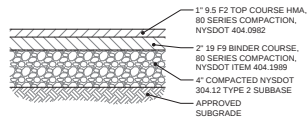
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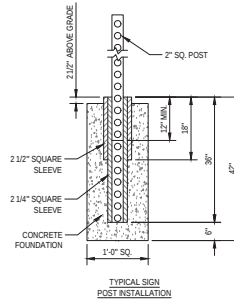
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1 LAWN RE-ESTABLISHMENT AND RESTORATION (N.I.C.)
SCALE: NTS

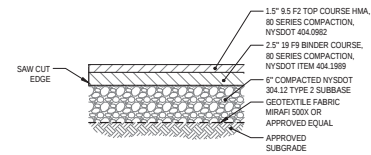


2 STANDARD ASPHALT TRAIL SECTION
SCALE: NTS

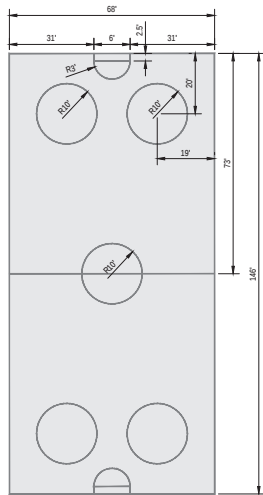


SIGN INSTALLATION NOTES:
1. SINGLE SIGNS SHALL BE 7'-0\"/>

3 TYPICAL SIGN POST (N.I.C.)
SCALE: NTS



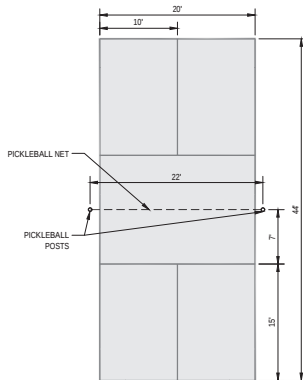
4 STANDARD PARKING LOT PAVEMENT SECTION (N.I.C.)
SCALE: NTS



NOTES:

1. LINE PARKINGS PAVEMENT PRIMER "STRIPE-RITE" BY SPORTSMAN OR APPROVED EQUAL.
2. LINE PAINT PAVEMENT MARKINGS "TEXTURED LINE PAINT" BY SPORTSMAN OR APPROVED EQUAL.
3. ALL DIMENSIONS ARE TO THE OUTSIDE OF EDGE OF LINES.

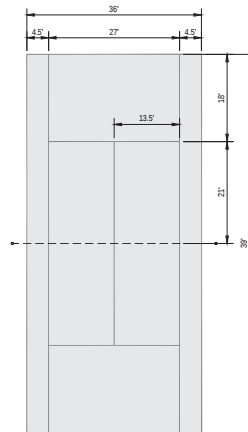
5 ROLLER HOCKEY COURT LAYOUT
SCALE: NTS



NOTES:

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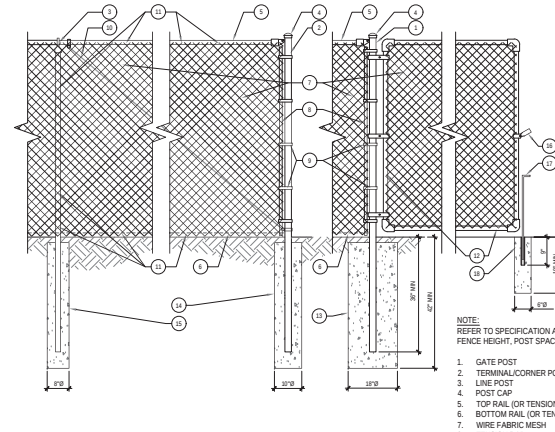
6 PICKLEBALL COURT LAYOUT
SCALE: NTS



NOTES:

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3. ALL DIMENSIONS ARE TO THE OUTSIDE OF EDGE OF LINES.

7 TENNIS COURT LAYOUT
SCALE: NTS



NOTE:
REFER TO SPECIFICATION AND PLANS FOR FENCE FINISH, FENCE HEIGHT, POST SPACING, POST AND RAIL SIZES.

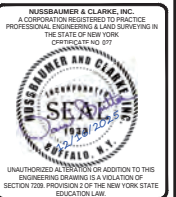
1. GATE POST
2. TERMINAL CORNER POST
3. LINE POST
4. POST CAP
5. TOP RAIL (OR TENSION WIRE AS NOTED)
6. BOTTOM RAIL (OR TENSION WIRE AS NOTED)
7. WIRE FABRIC MESH
8. TENSION BAR
9. TENSION BANDS
10. TRUSS ROD
11. FABRIC TIES
12. GATE
13. GATE POST FOOTING
14. TERMINAL POST FOOTING
15. LINE POST FOOTING
16. LATCH AND LOCKING HARDWARE
17. 5/8" GATE KEEPER
18. PROVIDE KEEPER FOOTINGS FOR GATE IN CLOSED AND SECOND KEEPER FOOTING FOR GATE IN OPEN POSITION.

8 TYPICAL FENCE DETAILS
SCALE: NTS



TOWN PARKS COURT
IMPROVEMENT PROJECT
TOWN OF PENDELTON, NIAGARA COUNTY, NEW YORK
SITE DETAILS

ISSUED		
NO.	DESCRIPTION	DATE
0	FOR CONSTRUCTION	10/20/2021



PROJECT NUMBER	2531-0053.001
DATE	DECEMBER 2020
DRAWN BY	VBS
DESIGNED BY	AKM
CHECKED BY	TAR
APPROVED BY	DMB
SCALE:	AS NOTED
SHEET NO.	5 OF 5

C-501

1:2023-05-01 Penetration - Degree County V, CAD-05 AutoCAD Desktop V-Cad 2018 3D V-C-501 SITE DETAILS.dwg 10/21/2025 TOWNPARK

Town of Pendleton

Niagara County, New York

Pendleton Park Recreation Area Project **2026**

Authorizing Resolutions
&
Local Planning Documents

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 CLERK'S CERTIFICATION

STATE OF NEW YORK

SS:

COUNTY OF NIAGARA

I, the undersigned Clerk of the Town of Pendleton, Niagara County, New York,
DO HEREBY CERTIFY:

THAT I have compared the attached proceedings of the Town Board of said Town, including the Resolution contained therein with the originals thereof on file in my office and that the same are true and correct copies of said originals and of the whole of said originals so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 7th day of May 2026.



Noreen E. Lemma
Town Clerk of Pendleton

RESOLUTION 101-26

AUTHORIZING APPLICATION FOR GRANT FUNDING

Motion by Councilman Rumbold, seconded by Councilman Buechler, the following resolution was

ADOPTED: Ayes 5 Maerten, Buechler, Kantor, Lukasik, Rumbold

Nays 0

Absent 0

WHEREAS, the Town of Pendleton has an opportunity to apply for grant funding through the Niagara Greenway Commission for a specific project; and

WHEREAS, funding may be used for the approved Park Recreation Area Project; and

WHEREAS, approval to submit all necessary grant application and approval documentation is appropriate.

Adopted: April 13, 2026

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

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I, the undersigned Clerk of the Town of Pendleton, Niagara County, New York,
DO HEREBY CERTIFY:

THAT I have compared the attached proceedings of the Town Board of said Town, including the Resolution contained therein with the originals thereof on file in my office and that the same are true and correct copies of said originals and of the whole of said originals so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 7th day of May 2026.

Noreen E. Lemma
Town Clerk of Pendleton

RESOLUTION 100-26

SEQR TYPE II DETERMINATION

Motion by Councilman Lukasik, seconded by Councilman Buechler, the following resolution was

ADOPTED: Ayes 5 Maerten, Buechler, Kantor, Lukasik, Rumbold

Nays 0

Absent 0

WHEREAS, the Town of Pendleton (Town) is considering various improvements at the Depeau Park located in the Town of Pendleton, Niagara County. Depeau Park is currently owned by New York State, and any proposed site improvements by the Town are required to be completed by Permit with the New York State Canal Corporation. In general, the park improvements include replacement of the existing fencing, resurfacing the existing court surfaces, new posts and nets for tennis courts, and pickle ball courts, existing parking lot restoration, expanding the gravel parking, and constructing a restroom facility.

WHEREAS, after comparing the thresholds in 6 NYCRR 617.4 and 617.5 under SEQR, the Town has determined that the proposed improvements do not meet the definition or thresholds of a Type 1 or Type 2 action and therefore potential environmental impacts will be reviewed under SEQRA as a uncoordinated unlisted action.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Pendleton on this 13th day of April 2026 that as an action under SEQR, the project is not expected to categorically have significant adverse impacts on the environment and therefore it is anticipated that a Negative Declaration of no adverse impact be issued and that no further review under SEQR will be required.

This resolution shall take effect immediately.

Adopted: April 13, 2026



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TOWN OF PENDLETON, NEW YORK

6570 Campbell Blvd.
Lockport, New York 14094

2021 Addendum to the Pendleton Town Parks Master Plan of 2007

History of Pendleton: The Town of Pendleton is a country community located on the Erie Canal and Tonawanda Creek on Niagara County's southern border. Founded in 1827, Pendleton is a mix of agricultural lands and modern subdivisions, serving as Niagara County's gateway to the City of Buffalo and its many suburbs. Over the last few decades, the Town has experienced significant growth, increasing its population from 6,050 to 6,700 from 2000 to 2019 (U.S. Census). There were 972 new residential homes constructed between 1990-2018.

As the Town has grown and more families and young professionals seek out open space, modern subdivisions, and the quality school districts offered in Pendleton, so has the desire and demand for equivalent services and amenities. As of 2019 the Town's population boasts a median age of 44.5 with approximately 1,072 youths (kindergarten to 12th grade) enrolled in public or private school. At the opposite end of the age spectrum an estimated 1,661 residents (25%) are of age 60 or greater and 385 of age 75 and over. Thus, the leaders of Pendleton face challenges to enhance the quality of life for its residents of all ages and abilities as it expects this pattern of growth to continue in the long-term.

15 years of parks and recreation development

The 2007 Town Park Master Plan offered various alternative approaches to park development between the two main parks. Focus has drifted away from "Park #2" for a multitude of reasons including, but not limited to:

- a lack of immediate need; wetland and environmental concerns;
- adequate space for public parking; proximity to new residences and businesses;

- change in vision, shifting focus from recreation and entertainment amenities to developing a natural space;
- changing trends in organized sports interests and the potential affect on the use of Town park property;
- lack of sufficient funding sources to develop both parks.

Therefore, park development is focused on more accessible town properties including DePeau Park and the Main Town Park.

DePeau Park

Community interest is renewed for further development of DePeau Park, a small 1-acre park located at the corner of Oakwood Dr. and Tonawanda Creek Road across from the Erie Canal. The Park currently consists of tennis courts, a rollerblading court for roller hockey, some playground equipment and a small shelter.



Needs

DePeau Park is lacking restroom facilities. Further updates under consideration could include a parking lot expansion and paving, tennis court resurfacing, street hockey court resurfacing, and environmental improvements (landscaping, tree planting, etc).



Pendleton Town Park “#1”

Pendleton Town Park is a destination location within the Town and continues to draw more and more visitors and residents each year, particularly as organized sports leagues have expanded to meet the demands of the growing population and our youths.

Thus, “Park #1” is the main community park and public gathering space, consisting of approximately 23 acres surrounding Pendleton’s municipal facilities and Historical Society Museum, referred to locally as the “Pendleton Center”. The Pendleton Department of Public Works operates adjacent to the south end of the Park, establishing ease for park maintenance. The Park is primarily used for active recreation and organized Town events including Fourth of July celebrations, Farmers Market, and various community events.



The majority of the property is developed and contains baseball diamonds, batting cages, tennis courts, basketball and volleyball courts and newly installed handicap-accessible playground equipment.

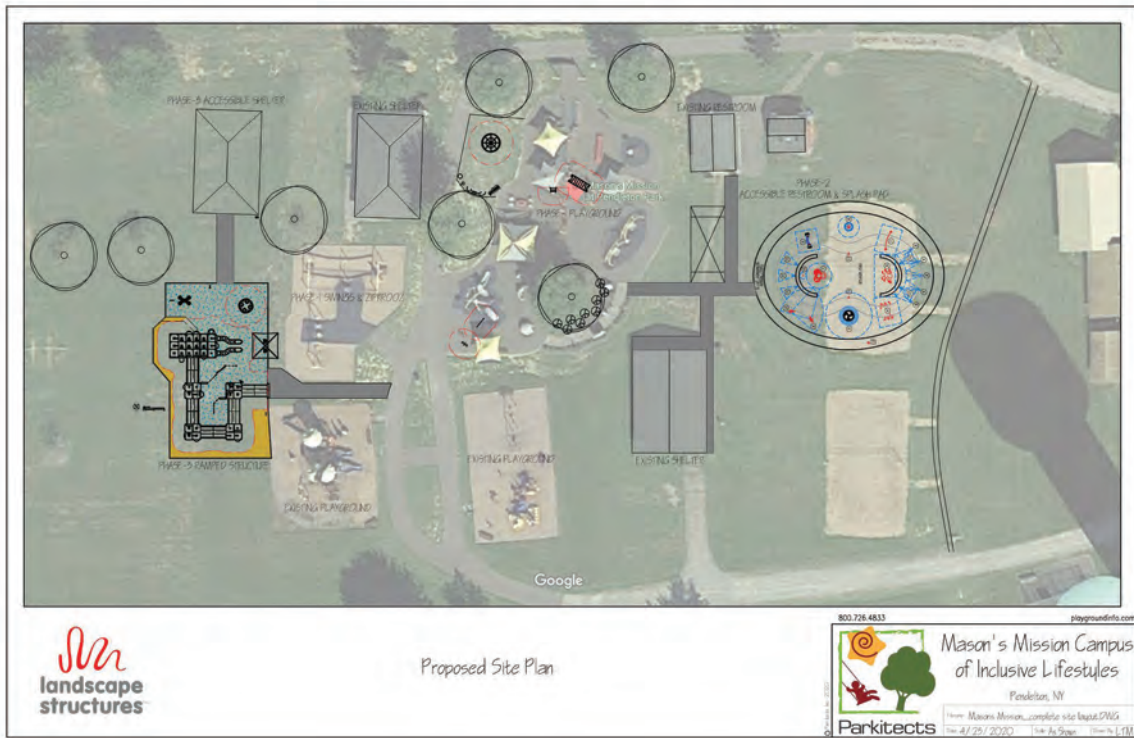
Various improvements have been made to athletic facilities over the years. There are permanent restroom facilities and a recent New York State grant has been awarded to the Town to construct a new handicap-accessible restroom facility. Several pavilions with handicap-accessible picnic tables and barbecue grills offer patrons amenities for relaxation and large gatherings.

Mason's Mission

The focal point of the Park's development has occurred over the last five years through a local grassroots partnership between the Town and the Mason's Mission Foundation of Western New York, a non-profit based in Pendleton. Collaborative efforts leveraged two grants of over \$263,000 sponsored by New York State Senator Robert Ort to construct the first phase of an inclusive state-of-the-art recreational playground facility for handicapped and disabled children.



The Mason's Mission Foundations' fundraising efforts raised the balance of funds in just eight months. At a total cost of approximately \$480,000 the Phase I grand opening was held in September 2017. The facility quickly became a destination attraction in Western New York, bringing countless new visitors to Pendleton Town Park and forging new partnerships, donors and intrigue. Mason's Mission has since completed similar special needs facilities in the communities of Hamburg and Tonawanda, New York.



The 11,500 square-foot Phase I project, completed in 2017, includes a unique playground structure, two sets of swings, and robust safety surfacing. All equipment is handicap-accessible.



Phase II estimated to cost \$345,500 will install a 7,200 square-foot splash pad-themed water park; Phase III will construct a roughly 6,200 square-foot ramped play structure estimated to cost \$362,395.



Community and private donations, combined with the state grants, have enabled the *Mason's Mission Campus of Inclusive Lifestyles* to continue to expand and grow with popularity as additional components and amenities for special needs children have been added.

The Pendleton DPW contributes as many resources as possible to support these efforts, and Town Officials are dedicated to supporting the resources required to administrate funding programs. This collaborative partnership of the foundation's fundraising and community engagement efforts and the Town of Pendleton's resources have enabled this multi-phase community development project to continue progressing with final completion anticipated for 2023.

Trail Development

Rails-to-Trails

Pendleton Town Park is also the main trailhead for Pendleton's Rails-to-Trails, constructed over the past 15 years or so along the abandoned railbed of the former Erie-Lackawanna Railroad Line, and passing along the southern edge of the park. The first three phases, begun in 2005 with a matching grant from the New York State Office of Parks, Recreation, and Historic Preservation, constructed 3.3 miles of asphalt trail along the old Erie Railroad lines traversing through the center of Town from Mapleton Road to Meyer Road.



In 2013 the Town was awarded a NYSDOT grant for Phase IV and constructed additional asphalt non-motorized trail from Killian Road to Townline Road. The Town looks to further expand both non-motorized and motorized trail improvements where feasible. The Town of Lockport has completed the extension of this trail from its Pendleton border along Lockport Road to a direct northeastern connection with the new Erie Canal Trail at the Stevens St. canal bridge in the City of Lockport, and can be expanded at the southwestern end to the new River Rd. Greenway Trail in North Tonawanda, thus developing the entire segment into a regional multi-use trail.

History, Culture and Community

Market Station

The Pendleton Rails-to-Trails is constructed along and runs parallel to the International Railway Company's (IRC) electric railway that extended from the City of Buffalo through Pendleton to Lockport in the late 1800s. When the IRC electric train began offering freight service in the early 1900s, local Pendleton businessman Benjamin Andrus expanded his existing general store and built a new market station on property he purchased along the new IRC electric train line and built a new market station.



The Market Station provided service to all farmers in the area to store their fruits and vegetables before they could be shipped to Buffalo markets via the IRC. Business boomed until the early 1930s when major fruit and vegetable farming moved to the west coast.

Production in Niagara County declined and, subsequently, so did the need for cold storage in the area. The IRC passenger line ended in 1937, and the building was sold to Pendleton in 1946 for use as a highway garage. While strategically located adjacent to Town Park and the Historical Museum, it has been mostly utilized as a storage building for Town equipment.

In recent years a new community group has formed to promote the history of “Pendleton Center” and to coordinate with the Town about repurposing the historic Market Station as a public space or event center. The Pendleton Business & Community Association received a grant in 2017 to display historic train photo murals on the outer walls and to design and install a “Pendleton Center” Market Station rooftop sign. The sign is installed and the building has been painted as an Eagle Scout project from local Boy Scout Troop 47.



As such, “Pendleton Square” has emerged as a comprehensive plan for the Town Park and adjacent trail system. The plans include further rehabilitation of the old trolley Market Station into space for special events as well as a commercial retail area for local vendors and park concessions.

Community Center & Historical Museum

At present, there are limited facilities of sufficient capacity and dependable availability within the Town for hosting seniors, veterans, community groups and fundraisers, clubs, special events and celebrations. The Town has two very active senior citizen groups, a well-run historical society, and a growing Veteran’s Association. Representatives of these and other groups have made a continuous call for meeting space in the form of a community center. In addition, the Historical Society’s current meeting facility and log cabin-style museum, located adjacent to Town Hall, is in severe disrepair and is in desperate need of a new facility.

The 2007 Master Plan identified widespread community support for a community center at either town park, ranking third to only trail development and playground equipment, respectively. An informal windshield recreational survey in 2016 again demonstrated wide support for the facility.

With development focused on Town Park #1, the Town has sought out various avenues of funding to construct a community center. In 2019-2020 the Town developed a cost-share funding proposal to address both community needs where funding has historically been sparse. In August 2020, the Niagara County Ad Hoc Committee awarded a grant through the Niagara River Greenway Fund for the construction of a new community center at the “Pendleton Center” adjacent to the Market Station to serve as the main focal point and physical gateway to Pendleton Town Park and to all features that the park offers.



(left: New Community Center 2025)

“Pendleton Center” is the ideal location to erect a centrally located rustic post-and-beam all-season Town Park Community Center, a reconstructed and landscaped parking area, patio and gazebo for future phases of development.

The community center will serve as an event center during the summer as well as the ability to close its French style doors for winter use. The existing Historical Society Museum will be preserved and renovated by connecting to the new community center by recreating a historic old Pendleton canal storefront facade. The existing gravel parking lot will be paved and landscaped to allow for a possible gazebo to be placed in the middle to act as a focal point for special holiday Town events.

Implementation

Further development of the Pendleton Town Park system is contingent on state, federal and/or private funding assistance. Most commonly, state and federal grant funding opportunities are cost-share programs and should thus be considered during the Town's annual budget process. The following sections of the 2007 Parks Master Plan offer a substantial baseline to identify and advance potential projects and funding sources.

Section VI of the 2007 Parks Master Plan provides cost estimates for various town park improvements. The Pendleton Town Board shall re-evaluate such projects for feasibility and community desire; update applicable cost estimates; correlate to potential funding sources in ***Section VII***.

Section VII of the 2007 Parks Master Plan provides a list of potential funding sources for recreation and park development projects. Several programs are still offered while various new programs have been created. Town Officials shall re-evaluate this list to capitalize on the park and recreation improvements made throughout the Town over the last fifteen years.

Adoption Statement

Resolution to adopt 2021 Addendum

TOWN OF PENDLETON
6570 Campbell Boulevard
Lockport, NY 14094



Deborah K. Maurer, Town Clerk
Phone: (716) 625-8833
Fax: (716) 625-6295
dmaurer@pendletonny.us

TOWN CLERK'S CERTIFICATION

STATE OF NEW YORK

SS:

COUNTY OF NIAGARA

I, the undersigned Clerk of the Town of Pendleton, Niagara County, New York,
DO HEREBY CERTIFY:

THAT I have compared the attached proceedings of the Town Board of said Town, including the Resolution contained therein with the originals thereof on file in my office and that the same are true and correct copies of said originals and of the whole of said originals so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 9th day of June 2021.

Deborah K. Maurer
Town Clerk of Pendleton

RESOLUTION 114-21

MASTER PARK PLAN

Motion by Councilman Evchich, seconded by Councilman Graham, the following resolution was

ADOPTED: Ayes 5 Maerten, Evchich, Fischer, Graham, Leible

Nays 0

WHEREAS, the Town of Pendleton with funding from the New York State Council of the Arts, initiated preparation of the Master Plan for Pendleton Town Parks, which is a master plan for the existing park called Town Park adjacent to Town Hall and a new park called Community Park which is south of Feigle Road and east of Campbell Boulevard; and

WHEREAS, the Master Plan for Pendleton Town Parks adopted in 2007 contains a plan for improvements to Town Park such as new picnic shelters, upgraded picnic shelters, a paved trail, a restroom/concession building and new parking, etc. and a plan for the Community Park that includes a community center, path system, playgrounds, pond, amphitheater, picnic areas; etc., and

WHEREAS, the process of preparing the Master Plan for Pendleton Town Parks involved a steering committee made up of Town residents and included three public input meetings, including a children's design workshop; and

WHEREAS, an addendum to the original Master Plan for the Town of Pendleton Parks has been prepared, in anticipation of a more thorough review as soon as practical.

NOW, THEREFORE, BE IT RESOLVED, that the Master Plan for Pendleton Town Parks is hereby readopted and reaffirmed with addendum and that it is the policy of the Town of Pendleton to seek funding for, and implement the general recommendations in the Plan.

[2007 Master Plan for Pendleton Town Parks and 2021 Master Plan Addendum are posted on the Town's website and available in the Town Clerk's office.]

Adopted: April 26, 2021

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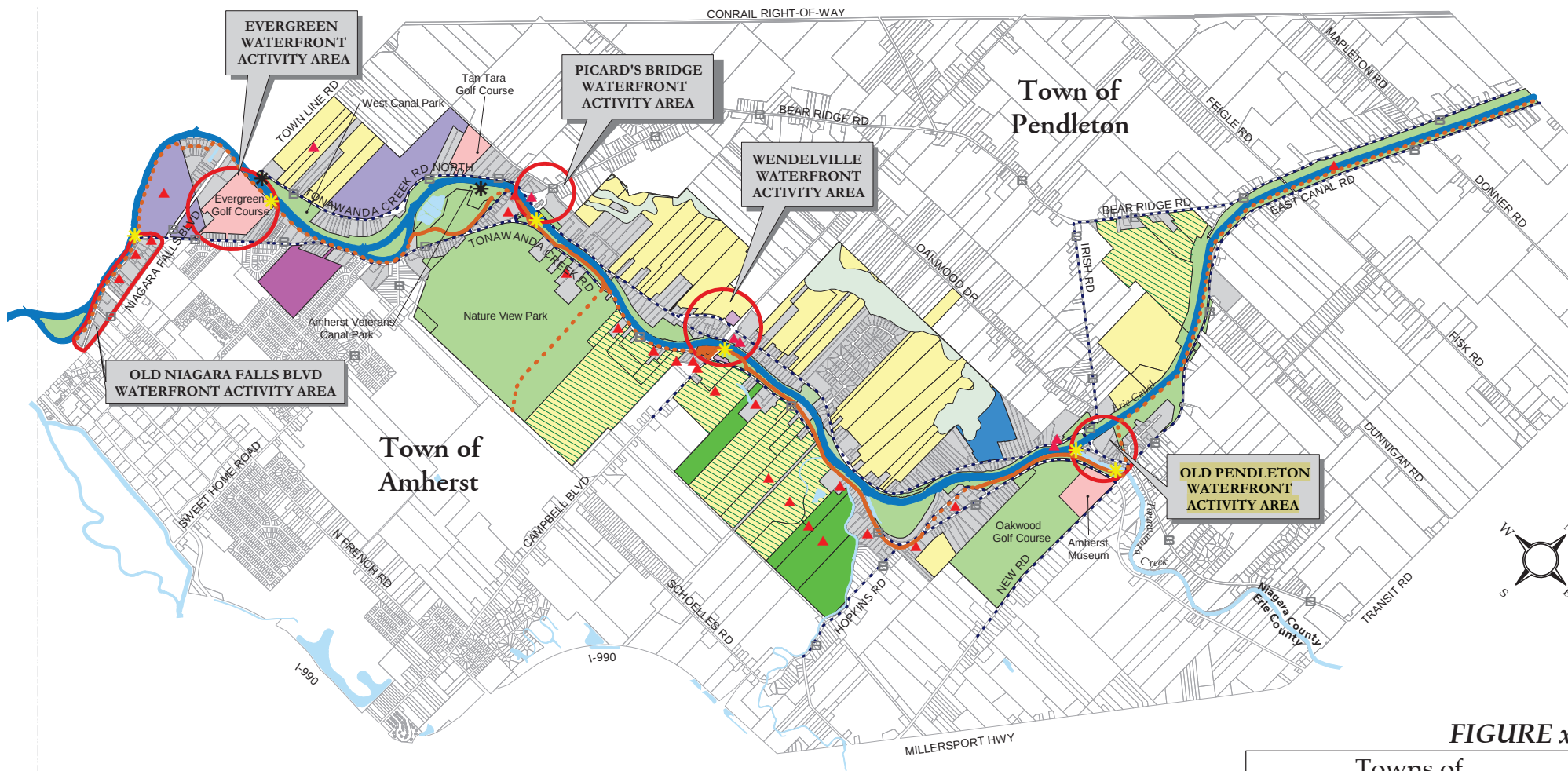


FIGURE x

PLAN FOR PROPOSED LAND AND WATER USES

PERMANENT OPEN SPACE

- ERIE CANAL GREENWAY
(land presently in public ownership, including land owned by the Canal Corporation)
- PROTECTED FARMLAND
(farmland with conservation easements)

RECREATION FACILITIES

- CANALWAY TRAIL
(existing/future)
- BOAT LAUNCHES
(existing/future)
- EXISTING ATTRACTION
- PRIVATE MARINAS
(existing)
- BICYCLE ROUTES
(future)
- SCENIC ROADS
(future)

AREAS OF PRESERVATION INTEREST

- NATURAL AREAS
(private islands, floodplains, and wetlands)
- PRIME FARMLAND WITHIN EXISTING AGRICULTURAL DISTRICTS
- OTHER PRIME FARMLAND
(including parcels > 15 acres outside of existing Agricultural Districts)
- HISTORIC SITES

PROPOSED WATERFRONT ACTIVITY AREAS

- PROPOSED WATERFRONT ACTIVITY AREAS

INSTITUTIONAL LAND USES

- CEMETERIES
- TOWN OF AMHERST WASTEWATER TREATMENT FACILITY
- VOLUNTEER FIRE DEPARTMENTS
- SCHOOLS AND CHURCHES

OTHER LAND

- OTHER PRIVATE LAND USES IN THE WATERFRONT REVITALIZATION AREA

MAP NOTES

0 3000 Feet

Towns of
Amherst & Pendleton,
New York

JOINT LOCAL WATERFRONT REVITALIZATION PROGRAM

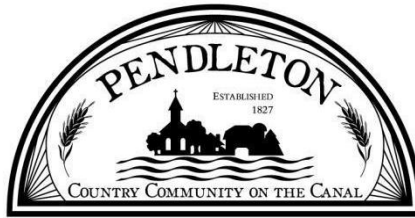
Town of Pendleton

Niagara County, New York

Pendleton Park Recreation Area Project **2026**

Letters of Support

TOWN OF PENDLETON
6570 Campbell Boulevard
Lockport, NY 14094



Joel Maerten, Supervisor
Phone: (716) 625-8833
Fax: (716) 625-6295
jmaerten@pendletonny.us

May 6, 2026

Honorable Rich Andres
Chairman, Niagara County Parks Recreation & Tourism
Ad Hoc Committee
175 Hawley Street
Lockport, NY 14094

Dear Chairman Andres:

On behalf of the Town of Pendleton, I am writing to express my strong support for our application for Niagara River Greenway funding to advance the Depeau Park phase of our coordinated court rehabilitation initiative. This project represents a significant investment in public recreation infrastructure and continued enhancement of our limited Erie Canal waterfront assets.

The Town has developed a comprehensive two-site approach to modernizing aging outdoor recreation facilities at both Town Park and Depeau Park. While the Town is fully funding improvements at Town Park, including resurfaced tennis courts and expanded pickleball access, this application focuses specifically on the Depeau Park phase to ensure that our entire community offers equitable access to high-quality recreational opportunities.

Depeau Park occupies a unique and important role within our park system as one of Pendleton's few publicly-accessible properties located directly along the Erie Canal and in close proximity to the Empire State Trail. In recognition of its importance, we have also initiated the process of acquiring the property from the New York State Canal Corporation to gain full control over its development and to strategically position the Town for future competitive grant opportunities.

The existing court complex, however, has deteriorated significantly over time. Cracked court surfaces, aging infrastructure, and failing fencing have limited safe use of the facilities. Despite these conditions, the park continues to be heavily utilized—particularly by local youth and teens who rely on the roller hockey court as a regular gathering space.

The proposed project will comprehensively rehabilitate this court complex through resurfacing of existing tennis courts, conversion of one court into four pickleball courts, restoration of the roller hockey surface, installation of new perimeter fencing, and improvements to on-site pedestrian access. These enhancements will restore safe conditions, expand multi-generational recreational opportunities, and strengthen Depeau Park's role as a canal-adjacent destination for both residents and visitors.

The Town of Pendleton has demonstrated its commitment to this project through completion of engineering design, competitive bidding, and the allocation of substantial local funding. With more than 60 percent of the total project cost committed by the Town, we are prepared to move forward immediately upon receipt of funding and required permits. Support from the Niagara River Greenway Commission will be instrumental in allowing us to complete this important phase of work and continue investing in the long-term use and vitality of our Erie Canal corridor parkland.

Thank you for your consideration of this request and for your continued efforts to enhance recreation and public access along the Niagara River Greenway. Should you require any additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Joel Maerten". The signature is written in a cursive, flowing style.

Joel Maerten



April 30, 2026

Honorable Rich Andres
Chairman, Niagara County Parks Recreation & Tourism
Ad Hoc Committee
175 Hawley Street
Lockport, NY 14094

Dear Chairman Andres:

As the Niagara County Legislator who represents the Town of Pendleton, I write today in support of the town's application for Niagara River Greenway funding to advance the Depeau Park phase of its coordinated court rehabilitation initiative. I appreciate your consideration of this request and am proud to support this important investment in public recreation and waterfront access.

The Town of Pendleton has developed a thoughtful, two-site plan to restore and modernize aging outdoor recreation infrastructure at both its Town Park and Depeau Park. While the town is fully funding improvements at Town Park—including resurfacing tennis courts and expanding access to pickleball—this application focuses on the Depeau Park phase, ensuring that residents across the community benefit from high-quality recreational amenities.

Depeau Park, located along Tonawanda Creek within the Erie Canal corridor, is one of the Town's few publicly accessible waterfront properties and plays a unique role in the local park system. However, the existing court complex has deteriorated significantly. The tennis courts and roller hockey surface are cracked and worn, and the surrounding fencing no longer provides a safe or reliable environment for users. Despite these conditions, the park remains a popular destination, particularly for local youth who regularly utilize the roller hockey court.

This project will comprehensively rehabilitate the Depeau Park court complex, including resurfacing two tennis courts, converting a third into four pickleball courts, restoring the roller hockey surface, installing new perimeter fencing, and improving pedestrian access within the site. These upgrades will not only restore safe conditions, but also expand recreational opportunities for residents of all ages by introducing facilities that reflect growing demand, particularly for pickleball.

Importantly, Depeau Park's proximity to the Empire State Trail and nearby local businesses positions it as a natural hub for both residents and regional visitors. Enhancing this space will strengthen its role as a canal-side destination and support broader waterfront revitalization efforts. The Town's ongoing process to acquire the property from the New York State Canal Corporation further demonstrates a long-term commitment to stewardship and investment in this valuable community asset. The Town has already completed planning, design, and competitive bidding for this project, underscoring its readiness to move forward. Support through the Niagara River Greenway will be critical in bringing this phase to completion and ensuring that Depeau Park can continue to serve as a safe, vibrant, and accessible recreational space for years to come. For these reasons, I respectfully request that every consideration be given to the Town of Pendleton's application. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Anthony J. Nemi".

Anthony Nemi
Vice Chairman
Niagara County Legislature



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

RANKING MINORITY MEMBER
Banks
COMMITTEES
Children and Families
Cities
Consumer Affairs and Protection
Economic Development, Job Creation,
Commerce and Industry
Energy

April 28, 2026

Niagara River Greenway Commission
PO Box 1132
Niagara Falls, NY 14303

To Whom It May Concern,

I am writing in strong support of the Town of Pendleton and its application for Niagara River Greenway funding to advance the Depeau Park phase of its coordinated court rehabilitation initiative. I appreciate your consideration of this request and am proud to support this important investment in public recreation and waterfront access.

The Town of Pendleton has developed a thoughtful, two-site plan to restore and modernize aging outdoor recreation infrastructure at both its Town Park and Depeau Park. While the Town is fully funding improvements at Town Park—including resurfacing tennis courts and expanding access to pickleball—this application focuses on the Depeau Park phase, ensuring that residents across the community benefit from high-quality recreational amenities.

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This project will comprehensively rehabilitate the Depeau Park court complex, including resurfacing two tennis courts, converting a third into four pickleball courts, restoring the roller hockey surface, installing new perimeter fencing, and improving pedestrian access within the site. These upgrades will not only restore safe conditions, but also expand recreational opportunities for residents of all ages by introducing facilities that reflect growing demand, particularly for pickleball.

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The Town has already completed planning, design, and competitive bidding for this project, underscoring its readiness to move forward. Support through the Niagara River Greenway will be critical in bringing this phase to completion and ensuring that Depeau Park can continue to serve as a safe, vibrant, and accessible recreational space for years to come.

For these reasons, I respectfully request that every consideration be given to the Town of Pendleton's application. Thank you for your time and consideration, and please do not hesitate to contact me if I can provide any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Paul Bologna', is positioned above the printed name.

Paul Bologna
Member of Assembly
144th Assembly District