

**TOWN OF NEWSTEAD - PLANNING BOARD MINUTES**

**Newstead Town Hall – 6:00PM**

**November 17, 2014**

MEMBERS Tom Cowan, Chairman  
PRESENT: Terry Janicz  
Erik Polkowski  
Don Hoefler  
John Potera  
Andy Kelkenberg  
John Olaf  
OTHER: Christine Falkowski, Recording Clerk  
Ralph Migliaccio, Code Enforcement Officer

**Work Session**

**Minutes from last meeting**

Erik made a motion to approve the minutes of November 3, 2014 as amended, seconded by John Potera:

Erik - Aye  
Don - Aye  
Terry - Aye  
John Potera - Aye  
Tom Cowan - Aye

**2015 proposed meeting schedule** - Final meeting schedule for 2015 was distributed.

**Town Code revisions** - tabled

- Windmills
- Agricultural home based business/Agri-business
- Width vs. frontage language
- Greenspace vs. setback language
- Frontage per parcel in Overlay

**Pending**

Fancher Properties expansion – DOS hearing November 20th  
Major subdivision: Utley/Clarence Center Roads  
Minor subdivisions: Carney Road, Clarence Center Road, Main Road

**Change in use/ownership site plan – 13025 Main Road - Queen City Vapor, LLC – Nick Pietrzykowski**

Nick Pietrzykowski of QVC LLC appeared. Nick would like to rent 13025 Main Road from Dominic Buonanno. Queen City Vapor is a retail store that specializes in healthy lifestyle alternatives with their main products being electronic cigarettes. They also sell handmade goat’s milk soap, jewelry, cosmetics and soy candles made by individuals with disabilities. They do not sell tobacco or tobacco pipes. Nick currently operates a store in Warsaw, New York at 84 N. Main Street; he will be opening a store in Batavia in a few months and would like to open a store in Newstead. This property is zoned for mercantile. Vapor cigarettes can be sold to 18-year olds, and the product is locked behind the counter. Nick would like to erect an 8’ x 2.5’ fascia sign above the door and window. He plans to alter the 8’ x 2’ Subway sign in the metal sign hanger to say “Queen City Vapor”, lit by a solar light only. The Board asked him to add the street number “13025” to the sign. Nick plans to open before Christmas. Andy made a motion to approve the change in use/ownership site plan, seconded by Terry:

Erik - Aye  
Don - Aye  
Terry - Aye  
John Potera - Aye  
Tom Cowan - Aye  
Andy Kelkenberg - Aye  
John Olaf - Aye

**Planning Board meeting**

**November 17, 2014**

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**Site plan/special use permit application - wind turbine – 8249 Greenbush Road - Toby Schrock**

Bill Court of Sustainable Energy Developments appeared. An application has been submitted for a special use permit for the installation of a type 2 wind energy conversion system to provide on-site electricity to Mr. Schrock's 43 acre property at 8249 Greenbush Road. The project will consist of a single Bergey Excel 10kW wind turbine on a 140 ft. steel, lattice, self-supporting tower. Ralph reviewed the application and relayed to the Board that it is sufficient. John Potera made a motion to recommend approval of the project to the Town Board, seconded by Don:

Erik	- Aye
Don	- Aye
Terry	- Aye
John Potera	- Aye
Tom Cowan	- Aye
Andy Kelkenberg	- Aye
John Olaf	- Aye

**Change in use/ownership site plan – 11190 Main Road - Peak Motion, Inc. – Douglas Webster**

Andrea L. Braun owns a 30-acre parcel at 11190 Main Road. This parcel has two separate buildings; one is operated by Fastenal at 11200 Main and the other by NAPA Auto Parts at 11190 Main. 11190 Main is for sale, and apparently NAPA does not wish to purchase it. Mr. Webster has a contract with the owner to purchase the building with approximately one acre. This would require a subdivision application from the owner. Mr. Webster's business is Peak Motion, Inc., where he provides CNC machining services. Erik made a motion to approve the change in use/ownership site plan, seconded by Don:

Erik	- Aye
Don	- Aye
Terry	- Aye
John Potera	- Aye
Tom Cowan	- Aye
Andy Kelkenberg	- Aye
John Olaf	- Aye

**Lot Line Revision – Dye Road**

Ralph distributed the definition of subdivision per Newstead Town Code. His interpretation of the Code is that if a property owner wants to move a lot line without creating an additional lot, that it is creating a new lot that requires a drainage plan review. This will provide assurance that stormwater will not impact an adjacent lot. A subdivision application is still required, but he will waive the greenspace fee due to no additional lot creation.

There being no further business, John Potera made a motion to adjourn the meeting at 7:00PM, seconded by John Olaf and all approved.

Respectfully submitted,  
Christine Falkowski, Recording Clerk

**At 7PM, a training opportunity is offered at the Town Hall for the Town, Planning, Zoning, Ethics and Conservation Boards. Four hours of credit will be earned and can be carried over to 2015.**