

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
Newstead Town Hall – 7:00PM
February 9, 2015

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

Work Session

Minutes from last meeting

John Potera made a motion to approve the minutes of January 26, 2015, seconded by Andy:

Erik - Aye
Andy - Aye
John Potera - Aye
Tom - Aye
John Olaf - Aye

Town Code potential revision - Agricultural home based business/Agri-business

Tom reported that work session time will be scheduled with the Town Board to discuss possibly amending our Right to Farm Law to include agri-business.

Tom reported that when the windmill law is amended, Type 2 windmills will be handled by the Planning Board vs. the Town Board. If a public hearing is necessary as determined by the Planning Board, it will be held by the Planning Board.

Ralph reported that he received a sign permit application for a business conducted on the same premises as a house, 8 square feet maximum, for which one such sign is allowed in all districts without a permit. The sign applied for is 12 sq. ft., plus a fee of \$150 was paid.

John Potera made a motion to waive the sign size requirement, to process the Planning Board review fee of \$100 and to return \$50, seconded by John Olaf:

Erik - Aye
Andy - Aye
John Potera - Aye
Tom - Aye
John Olaf - Aye

Pending

Clarence-Akron Self Storage – 11234 Main - Nothing to report.

Fancher Properties expansion – 13661 Main Road - Nothing to report.

Wargo Enterprises – conditional rezoning - Mr. Wargo will attend our agenda meeting on February 19th and our next Planning Board meeting on February 23rd.

Wind Turbine – 11734 Meahl Road - Applicant has applied to the Zoning Board for an area variance. The public hearing will be held on February 26th.

Used Auto Sales - 12474 Main Road - Larry Fels – Applicant met with Ralph today, and he told them that a bathroom is required for an office, for which they may apply for a plumbing code variance to the State.

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1-lot minor subdivision – 11190 Main Road – Andrea Braun

Clayt Ertel and Ray & Andrea Braun appeared. Andrea Braun owns 30 acres of land at 11190 Main Road. It has 285' of frontage and widens out at the rear to a width of 1,500' up to the bike path/escarpment. NAPA Auto Parts leases the westerly building at 11190 Main, and Fastenal leases the building to the east at 11200 Main. Mrs. Braun plans to sell the NAPA building to include 1+ acre and 125' of frontage. The survey/site plan does not include septic location, but is stamped by a licensed land surveyor. The drainage plan does depict approximate location of septic field on the parcel to be sold. Mr. Ertel stated the septic system was never integrated with both buildings. Wendel reviewed the drainage plan and recommended engineering approval in a memo dated 2/4/15. Tom cautioned Mrs. Braun that if she plans on selling the Fastenal building with remaining 160' of frontage, it must include the back land so as not to landlock it. Another option would be to sell the back land to an adjacent property owner for merging.

The Planning Board would like the buyer of 11190 Main Road to meet with them to discuss site requirements according to our overlay zone. In November 2014, the Planning Board approved a change in use/ownership site plan for Douglas Webster of Peak Motion, Inc. Mr. Webster was planning to purchase 11190 Main from Mrs. Braun.

John Potera made a motion to approve this minor subdivision, seconded by John Olaf:

Erik	- Aye
Andy	- Aye
John Potera	- Aye
Tom	- Aye
John Olaf	- Aye

Ralph shared that he wants to do fire inspections of home-based businesses every other year. There are approximately 12 that have been issued special use permits. Ralph pointed out that this is a New York State code requirement and that he doesn't want to be lax in his duties.

There being no further business, John Potera made a motion to adjourn the meeting at 8:15PM, seconded by Erik and all approved.

Respectfully submitted,
Christine Falkowski, Recording Clerk