

**TOWN OF NEWSTEAD - PLANNING BOARD MINUTES**

**Newstead Town Hall – 7:00PM**

**April 7, 2014**

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

**Work Session**

**Minutes of April 7, 2014**

Terry made a motion to accept the minutes of April 7, 2014, seconded by John Potera:

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

**Rezone 42.41 acres from C-2 & R-A to I-1 Zone - 13311 Main Road and vacant land Main Road  
Newstead Properties LLC aka MGA Research**

Susan Stone, Bob Bennett, Patrick Miller and Craig Peterson appeared. MGA Research has two facilities in Newstead. The location at 13311 Main Road is adjacent to Golden Pond Estates. The first 1,000' of this 10.41 acre parcel is zoned C-2 with the remainder being zoned I-1. MGA would like to rezone this entire parcel to I-1.

MGA plans to acquire the adjacent 55.6 acre vacant land parcel to the west owned by Pizzorno Family Trust. The first 500' is zoned C-2 with the remainder zoned R-A. They would like to rezone the entire C-2 portion to I-1 and part of the R-A portion to I-1; with the rear acreage remaining R-A. The properties would be merged. Mr. Miller confirmed that the total parcel depth is 3,667' and that the total rezone to I-1 depth is 2,100'.

Mr. Miller stated the rear portion remaining R-A is wooded and that the existing woods will remain. He also stated that Phase I will happen for sure, which will double the size of the existing building located within the first 1,000' depth. Phase II may never happen due to existing land in Michigan already properly zoned, but it may come to New York. If it does, it would be a battery laboratory for large format batteries (automobile and electrical storage). It is a potential huge market, to include wind generation. They have a deal with Ford Motor Company now and it may grow.

Don stated that the current development footprint for their 12790 Main road location is about three acres. Is the proposed battery expansion expected to need more than 2/3 of the 12790 operation? The answer given was that a few years ago, their annual sales were \$20 Million which is currently \$50 – 60 Million. Most of MGA's income is from outside of New York State, and he is criticized for that. He lives here and wants to employ college graduates here. Mr. Miller has not spoken to Golden Pond Estates, but he has to Kreher, who farms this land. They could stop farming this land if Phase II happens.

This package was forwarded to Erie County Planning on April 2<sup>nd</sup>. John Potera made a motion to recommend this rezoning request to the Town Board, seconded by Terry:

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

**Pending items**

- Five Corners Business Park – 13760 Indian Falls Road  
A one-lot minor subdivision application was received on 3/31, reviewed by Ralph, and sent to Wendel for engineering review. Easements are needed for drainage and driveway access.
- Niagara Specialty Metals – 12600 Clarence Center Road  
Site plan application for a 6,400 sq. ft. storage building was received on 3/21, reviewed by Ralph, and sent to Wendel for engineering review. More drainage detail is needed + stamp on drawing. Ralph stated this building must have bathrooms and that they could apply to New York State for a variance to the NYS plumbing code.

No action on the following pending items:

- 13399 Main Road – modular home sales & display – need site plan application
- Whiting Door expansion – need site plan application
- Buck's Motorsports – need site plan variance applications
- Thering – Utley and Clarence Center Road. Need preapplication meeting for subdivision application.
- Shields – need special use permit/site plan application
- Wargo dust suppression deadline is in May. We sent a reminder letter a few months ago. The Planning Board feels it is the Town Board's responsibility to follow up on this site plan condition.

**Sign law review**

More minor changes were agreed upon for the draft sign code. Christine will make those revisions for the next meeting. Tom asked the Board to be ready to finalize then.

There being no further business, John Potera made a motion to adjourn the meeting at 9:00PM, seconded by Terry and all approved.

Respectfully submitted,  
Christine Falkowski, Recording Clerk