

**TOWN OF NEWSTEAD - PLANNING BOARD MINUTES**  
**Newstead Town Hall – 7:30PM**  
**April 9, 2012**

MEMBERS

PRESENT: Tom Cowan, Chairman  
Erik Polkowski  
Terry Janicz  
John Olaf  
Don Hoefler  
John Potera  
Andy Kelkenberg

OTHER: Christine Falkowski, Recording Clerk  
Ralph Migliaccio

**Work Session**

Tom reviewed with the Board the many inquiries recently received by the Planning Dept. involving site plan, subdivision, sign review, change-in-use, pre-application conference and rezoning that may become future agenda items.

Discussion regarding lit signs in the Overlay zone will be continued at the next meeting.

**Minutes from last meeting**

John Potera made a motion to approve the minutes of March 5, 2012, seconded by Erik:

Tom Cowan	-Aye
Erik Polkowski	-Aye
Terry Janicz	-Aye
John Potera	-Aye
Don Hoefler	-Aye
John Olaf	-Aye

**Special Event Guideline**

After some discussion, it was decided that this will be a main agenda item at the next meeting on April 23<sup>rd</sup>.

**Training**

Christine distributed a list of four training opportunities for Planning and Zoning Boards offered by various agencies from April 11<sup>th</sup> – May 17<sup>th</sup>.

**PUBLIC HEARING: 1-Lot Minor Subdivision – V/L Utley Road – Paul & Aaron Muck**

The public hearing was called to order at 8:01PM. Don made a motion to dispense with the reading of the legal notice, seconded by Terry:

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

Paul Muck appeared. Paul & Aaron muck own a 50.1 acre parcel that fronts on Keller and Utley Roads. Paul lives at 6470 Utley Road and would like to split off a 175' x 360' lot adjacent to and directly south of his home. CMK Development will be building an 1,800 sq. ft. single story home. Wendel Duchscherer reviewed the drainage plan and recommended approval in a memo dated March 15, 2012. Don Hoefler questioned the drainage plan which depicts an existing swale being eliminated. He questioned some of the existing and proposed elevations as show, which he and Paul discussed and resolved.

**PUBLIC HEARING: 1-Lot Minor Subdivision – V/L Utley Road – Paul & Aaron Muck (continued)**

Andy made a motion to close the public hearing at 8:04PM, seconded by Terry:

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

Paul mentioned other development he is planning within 6 – 12 months. He has a private buyer for the 29-acre flag lot on Keller Road. The 54.9 acre parcel on Hunts Corners and Utley will be developed into approximately eight road frontage lots. The engineering and topo have begun. Andy asked if Paul has considered offering this prime farmland to Kreher's for example. Paul stated he had not considered that and will examine that option along with the financial impact of development.

Paul stated he would ask Ottney Miller to prepare the final plat copies for signature and filing with the Erie County Clerk.

Don made a motion to approve the one-lot subdivision, seconded by Terry:

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

**PUBLIC HEARING: 3-Lot Minor Subdivision – 11241 Stage Road - Kelly Schultz**

The public hearing was called to order at 8:15PM. John Potera made a motion to dispense with the reading of the legal notice, seconded by Terry:

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

Kelly Schultz appeared. This 39.1 acre lot is marked with an X for creating a separate lot at 11241 Stage Road without subdivision approval. This application corrects that issue along with the creation of two additional lots of one acre each. Wendel Duchscherer reviewed the drainage plan and in their second review memo dated April 4, 2012 recommended approval.

John Potera made a motion to close the public hearing at 8:16PM, seconded by Andy:

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

**PUBLIC HEARING: 3-Lot Minor Subdivision – 11241 Stage Road - Kelly Schultz (continued)**

John Potera made a motion to approve the three-lot subdivision, seconded by Andy:

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

Kelly will ask Ottney Miller to prepare the final plat copies for signature and filing with the Erie County Clerk.

Andy Kelkenberg excused himself from the meeting.

**PUBLIC HEARING: 1-Lot Minor Subdivision – 6993 Maple Road - Margaret Meides**

The public hearing was called to order at 8:30PM. John Potera made a motion to dispense with the reading of the legal notice, seconded by Don:

Tom Cowan	-Aye
Erik Polkowski	-Aye
Terry Janicz	-Aye
John Potera	-Aye
Don Hoefler	-Aye
John Olaf	-Aye

Margaret Meides and her daughter appeared. She would like to split off a 1.45-acre lot with 370' of road frontage from her 88.5-acre parcel at 6993 Maple Road. Maple Road is a State highway requiring minimum setback of 65'. Mrs. Meides would like to build a house having a front setback of 50'. On February 24, 2012 the Zoning Board of Appeals approved the 15' variance with the condition that no portion of the porch or other structure be closer to the road than 50'. Wendel Duchscherer reviewed the subdivision plan commenting in a memo dated April 9, 2012 that the plan is missing existing structures, easements, and floodplain limits.

John Potera made a motion, seconded by John Olaf to close the public hearing at 8:35PM:

Tom Cowan	-Aye
Erik Polkowski	-Aye
Terry Janicz	-Aye
John Potera	-Aye
Don Hoefler	-Aye
John Olaf	-Aye

John Potera made a motion, seconded by John Olaf to table this item:

Tom Cowan	-Aye
Erik Polkowski	-Aye
Terry Janicz	-Aye
John Potera	-Aye
Don Hoefler	-Aye
John Olaf	-Aye

Andy Kelkenberg returned to the meeting.

There being no further business, John Potera made a motion to adjourn the meeting at 8:51PM, seconded by Terry and all approved.

Respectfully submitted,  
Christine Falkowski, Recording Clerk