

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
Newstead Town Hall – 7:30PM
June 18, 2012

MEMBERS

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

Work Session

Minutes - Don made a motion to approve the minutes of June 4, 2012, as amended, seconded by John Olaf:

John Olaf	-Aye
Terry Janicz	-Aye
Don Hoefler	-Aye
Andy Kelkenberg	-Aye

Special Events review – Andy stated that Tom will be meeting with the Town Board at one of their work sessions in the near future about this topic.

Signage - We have the Village of Akron and the Town of Clarence’s sign code for future discussion.

Subdivision - We have copies of the subdivision code from the Towns of Pembroke, Alden and Clarence for future discussion.

Public Hearing: 1-Lot Minor Subdivision - Pohl & Buckwheat Roads – Marlo Biernacki

The public hearing was called to order at 8:01PM. John Potera made a motion to waive the reading of the legal notice, seconded by John Olaf:

John Olaf	-Aye
Terry Janicz	-Aye
Don Hoefler	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye

Terry Biernacki appeared on behalf of his daughter Marlo, the property owner. The 10.74-acre parcel is at the corner of Pohl and Buckwheat Roads. A buyer is interested in subplot #4. The plan showed subplot #3 with a proposed house on Buckwheat and one on Pohl. Wendel’s first review requested additional existing/proposed grades to confirm that the lot grading type indicated could be achieved with existing topography. Wetland delineation was also requested. A revised plan was then submitted eliminating both house options from subplot #3, and a wetland study reported no wetlands on subplot #4, but did not address subplot #3. Wendel’s second review recommended approval with the comment “with removal of proposed house from subplot #3, this subplot is approved strictly as a subdivision plan. An additional drainage plan with wetland delineation would need to be submitted if a house is to be built”. Mr. Biernacki stated the wetland area is perimeter of old pond dug by Frosty Thayer and that County Line Stone blasting caused it to fill in. He called the surveyor today, and Nussbaumer & Clarke will resubmit the plan to Wendel with the additional information requested.

Terry made a motion to close the public hearing at 8:09PM, seconded by John Potera:

John Olaf	-Aye
Terry Janicz	-Aye
Don Hoefler	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye

Public Hearing: 1-Lot Minor Subdivision - Pohl & Buckwheat Roads – Marlo Biernacki (continued)

Terry made a motion to table decision on this subdivision, seconded by Don:

John Olaf	-Aye
Terry Janicz	-Aye
Don Hoefler	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye

Public Hearing: 1-Lot Minor Subdivision - 5080 Havens Road – Stanley Tatara

The public hearing was called to order at 8:15PM. Stan Tatara and Robyn Ciernack of Schutt & Associates appeared. Don Hoefler recused himself. John Potera made a motion to waive the reading of the legal notice, seconded by Terry:

John Olaf	-Aye
Terry Janicz	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye

Mr. Tatara owns 5080 Havens Road encompassing a 5.5-acre parcel with existing home and the 31-acre parcel surrounding it. He would like to change the lot lines and create one new one-acre lot. Wendel completed their first review, stating that the lot created will only have partial coverage by public waterline as the hydrant is roughly in the center of the lot; and that following discussions with ECWA and the Town Board, Wendel recommends that no building permit be issued without construction of waterline across the full frontage. Ralph feels that the subdivision should not be approved without construction of waterline across the full frontage to adhere to Town of Newstead Code 360-2(D), thereby protecting the buyer. Mr. Tatara submitted a revised plan today illustrating “proposed public water service connection for new lot” and stated that if he is unable to obtain a letter from ECWA, he will extend the water line which he estimates will cost him \$10,000 - \$15,000 as he will have to bust rock. The existing home has a well and will be on a one acre lot.

John Olaf made a motion to close the public hearing at 8:24PM seconded by Terry:

John Olaf	-Aye
Terry Janicz	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye

John Potera made a motion to approve the subdivision with the condition that no building permit be issued without construction of waterline across the full frontage of the newly created lot, seconded by John Olaf:

John Olaf	-Aye
Terry Janicz	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye

Don re-entered the meeting.

Public Hearing: 1-Lot Minor Subdivision - 13819 Knapp Road – John Heinike

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

John Olaf	-Aye
Terry Janicz	-Aye
Don Hoefler	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye

Public Hearing: 1-Lot Minor Subdivision - 13819 Knapp Road – John Heinike (continued)

John Heinike and a family member appeared. John Heinike owns 16.2 acres on Knapp Road with a house and a tree farm. He would like to separate the house, barn and two acres in order to sell each parcel separately. Ralph approved the drainage plan. John Potera made a motion to close the public hearing at 8:32PM, seconded by Andy:

John Olaf	-Aye
Terry Janicz	-Aye
Don Hoefler	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye

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

John Olaf	-Aye
Terry Janicz	-Aye
Don Hoefler	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye

Mr. Heinike stated he would have the appropriate copies made through Ottney Miller for the signing and filing of the subdivision plat.

There being no further business, John Potera made a motion to adjourn the meeting at 8:35PM, seconded by Don and all approved.

Respectfully submitted,
Christine Falkowski, Recording Clerk