

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
Newstead Town Hall – 7:00PM
January 11, 2016

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

Work Session

Minutes from last meeting: Terry made a motion to approve the minutes of December 14, 2015 as amended, seconded by Erik:

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

11190 & 11200 Main Road handicapped parking spots violation

The Code Enforcement Officer sent a violation notice on December 15, 2015 to property owner Andrea Braun regarding the lack of a handicapped parking spot identified and marked appropriately at each site (Peak Motion, Inc. and Fastenal Company), according to New York State Building Code sections 1106.1 and 1106.5, to be corrected in 30 days. Andrea stopped in the office January 7, 2016 to say she has placed the sign at Fastenal, but not at Peak Motion since she sold that site with one acre in April. Our records indicate that she did not file the subdivision plat with Erie County, nor do we have a transfer of ownership. Our records indicate Andrea is the owner of the record for the entire 30-acre parcel, until proven otherwise. She stated she would contact her attorney for proof.

Pending:

14-lot major subdivision – Clarence Center & Utley Roads – Thering: no action

7-lot major subdivision – 12089 Clarence Center Road – Rothlands: no action

1-Lot Minor Subdivision – Scotland & Bloomingdale Roads - Peter Forrestel

Russell Borden and Peter Forrestel appeared. John Potera made a motion to waive the public hearing, seconded by Terry:

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

A four-acre building lot will be separated from the 49-acre parcel on Scotland Road, also having frontage on Bloomingdale. A drainage plan was prepared by Ottney & Miller and sent to Wendel

1-Lot Minor Subdivision – Scotland & Bloomingdale Roads - Peter Forrestel (continued)

for review. Upon two reviews, Wendel recommended approval with three recommendations as follows:

- 1) Based on the information provided, construction of this home will disturb just under one acre of land. This is assumed based on the grading shown for the property. Regulations from NYSDEC state that construction of a single family home with more than one acre of disturbance must include preparation of a SWPPP that includes Erosion and Sediment controls. If applicant disturbs more than one acre of land, they will need to meet these requirements.
- 2) Standing water could collect near the south side of the proposed house if final grading is not done properly. During construction, the owner should confirm that water will not collect in a localized low spot near the home and provide adequate drainage.
- 3) The proposed house will be lower than Scotland Road and water from this road and the proposed driveway will tend to flow towards the home. Adequate drainage should be provided to ensure that this water is diverted away from the east side of the proposed house.

Scott Rybarczyk was in the room and reiterated caution about drainage around the house with water heading downhill toward it.

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

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

Sign Review – 11212 Main Road – George Hauer

George Hauer appeared. He purchased this property in the overlay zone and wishes to use the existing 11' x 8' sign frame and replace the signage with "Hauer Auto Sales", adding his logo, phone number and street address.

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

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

There being no further business, John Potera made a motion to adjourn the meeting at 7:55PM, seconded by John Olaf and all approved.

Respectfully submitted,
Christine Falkowski, Recording Clerk