

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
Newstead Town Hall - 7:00PM
October 15, 2018

MEMBERS Tom Cowan, Chairman
PRESENT: Terry Janicz
 Andy Kelkenberg
 Don Hoefler
 John Olaf
 John Potera
 Erik Polkowski
OTHER: David Miller, Code Enforcement Officer
 Christine Falkowski, Recording Clerk
 Carl Klingenschmitt, Conservation Advisory Council Chairperson

Work Session

Minutes from September 24, 2018 meeting: Andy made a motion to approve the minutes, seconded by Don:

Tom Cowan
Terry Janicz
Don Hoefler
Andy Kelkenberg
John Olaf

Town Code 450-Article VII Planned Unit Development (PUD) revision

Carl Klingenschmitt distributed and reviewed with the Board a handout that he created with advice on the Code revision.

Carl left the meeting.

Temporary Special Use Permit Amendment – 11678 Main Road
Champion Auto Locaters – Kevin Gaik

An amended site plan was prepared and submitted on October 5, 2018 by Schutt Engineering. The asphalt display area is amended for *“display of up to 5 motor vehicles for sale (or if no motor vehicles present, display up to 4 tractors or other equipment or 8 golf carts).”*

Terry made a motion to recommend to the Town Board approval of the amended site plan for the temporary special use permit, seconded by John Olaf:

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

Preapplication Conference - Disc Golf Course – 4973 Ayers Road - Tim Flynn

Tim Flynn appeared. He is considering purchasing 48 acres from the Papke's and combining the three lots for creation of a disc golf course. Some parks offer this sport for free, but this would pay-to-play for the public. John Houck, widely known for his disc golf course design throughout the world, would design it. Mr. Flynn provided a written document describing the sport, including a map of the course. He also exhibited the discs and even the target, which is an elevated metal basket. This course would include a parking lot, pro shop, clubhouse, concession stand and night lighting. Programs would be offered such as private lessons, leagues, summer day camps and tournaments. Tom relayed that this is an allowed use in the RA zone with a temporary special use permit requiring a site plan. In the fifth year, the permit would become permanent.

Preapplication Conference - V/L Main & Buell – Steve Bedford

Steve Bedford appeared and displayed a preliminary sketch plan prepared by Kulback's. He is purchasing the 22-acre parcel on the northeast side of Buell Street at Main. Steve is attempting to negotiate also purchasing the .65 acre corner piece where EG Tax is located. At one time this was a tractor dealer so he would like the ground to be tested. Either way, he plans to break ground January 1, 2020 for creation of a new garden center, possibly with a strip plaza on Main Road to rent to small businesses. He will literally move his entire operation from Cedar Street to this location. This sketch depicts 120 parking spaces. This parcel is multi-zoned as C-2, R-1 and R-A zones. Steve anticipates the entire retail component to be within the C-2 zone, and David advised that there is an additional 30' allowance beyond that if necessary.

Pending:

Area Variance Review Sign Permit – 11234 Main Road – Clarence Secure Storage, LLC

A variance approved by the Zoning Board in 2010 for this site (Steve Baldo Chevrolet at the time) was 234 sq. ft. David measured the total current signage at 249 sq. ft. Removal of 15' of signage would solve this problem. In 2010 the sign code only allowed display of time, date, weather and news on a LED sign. The sign code was revised in its entirety in 2014, and it no longer has display restrictions. Mr. Bola will remove 15' of signage; therefore there is no need for sign permit approval.

Preapplication Conference Minor Subdivision – 13035 Main - Bob Buonanno: no action.

Rezoning Application-RA to PUD - 12287 Clarence Center Road (Bright Meadows):

The Planning Board requested a joint meeting with Town Board and the Developer. The Town Board did not agree. Therefore, the meeting with Ron Long will take place on October 29th at 7PM with Ron Long at the next Planning Board meeting.

Amended Site Plan/Special Use Permit–12690 & 12666 Main Road – Shields: David reported that Mike Shields applied for a permit to build a hoop house building which he denied. A few days later Mike applied for a permit to build a 6,000 sq. ft. addition onto an existing structure, which was also denied. David reiterated each time the reason for denial is that site plan approval is required, as previously advised to Mike and to Joe Frey. We need a site plan drawn to scale, with dimensions, accurately representing all uses of the entire two parcels.

Site Plan Application - second warehouse - Fancher Properties, LLC – 13661 Main
David reported that this project is starting to move again.

Site Plan Application - Graystone Manor at Arrowhead Golf Club: no action.

Special Use Permit Home-Based Business in RA Zone (after merge) Tonawanda General Concrete – 12471 Stage Road: no action.

Site Plan Application - 12976 Main – McDonalds exterior remodeling
David offered that this would be an opportunity to address access management per the Overlay Zone to add shared access and/or cross-access with abutting properties. McDonald's is straddled by Uni-Mart and Dollar General---each with its own separate access onto Main Road creating conflicts within a small short distance near the intersection.

Preapplication Conference – One Lot Minor Subdivision - 13199 Dorsch: no action.

Roadside Stand

Andy voiced a complaint about the roadside stand on Main Road in the C-2 zone almost opposite Faith Fellowship. Our Code 450-15(B)(3) allows roadside stands in the RA zone only and “for sale of farm products produced on the premise”. Apparently this stand is operated by a man from Middleport, selling along the front of property owned by H&T Management or Tina Ball. Safety is also a concern for customer vehicle access.

Air BnB's – this topic was discussed briefly and is featured in the Fall 2018 New York Planning Federation newsletter. Christine will distribute the article.

There being no further business, John Potera made a motion to adjourn the meeting at 8:52PM, seconded by John Olaf and all approved.

Respectfully submitted;
Christine Falkowski, Recording Clerk