

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
Newstead Town Hall - 7:00PM
October 29, 2018

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

Work Session

Minutes from October 15, 2018 meeting:

Terry made a motion to approve the minutes as amended, seconded by Erik:

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

Rezoning Application-RA to PUD - 12287 Clarence Center Road

Ron Long and Douglas Klotzbach appeared. Mr. Long distributed a revised sketch plan. Mr. Long shared that Attorney Shawn Hopkins advised that the DEC cannot stop a waste water treatment plant application but can turn it down. Mr. Long indicated that he is not hopeful the Village of Akron will work with him on sewer, but that Leisurewood is interested in a joint package treatment plant. They have a 900 unit capacity and three pumping stations. The Board advised that Murder Creek dries up in the summer, thereby inhibiting flow. Tom notified Mr. Long that he must show us an acceptable sewer proposal by Monday, December 10, 2018. Otherwise, we will return his \$2,400 rezoning application fee. He could re-apply in the future if desired.

Sign Permit Review – 12200 Main – ADESA Auto Auction

Mark Allesandro of ADESA and Andrew Warner of Ulrich Signs appeared. Mark had submitted a sign permit application for an illuminated 8' x 6.5' permanent monument sign to be located at ADESA's entrance in the I-2 zoning district. Mark stated that ADESA is under new management and that this sign is a part of site revitalization. Internal illumination will be of the letters on the sign only.

John Potera made a motion to approve the sign permit, seconded by Terry:

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

Area Variance Recommendations – 13035 Main – Bob Buonanno

Mr. & Mrs. Buonanno appeared. Per the September 24th preapplication conference advisement, the Buonanno's prepared and submitted surveys to illustrate how they want their 2.8-acre parcel divided. They would like to separate the two commercial buildings, creating a 201' x 165' parcel at .76 acres. This would leave the house and a garage on a 1.07-acre parcel at 128' x 366.25'. Mr. Buonanno stated there is one septic system for the commercial property and one for the residential property. This property is in the C-2 zone. Minimum lot width per Town code 450-21(D) requires minimum yards as:

Frontage = 150'

Side setback each side = 30'

Rear setback = 10' unless abutting an R district then its 30'

Don made a motion to recommend a 22' area variance for the residential lot width, seconded by Andy:

Tom Cowan - Aye

Terry Janicz - Aye

Andy Kelkenberg - Aye

Don Hoefler - Aye

John Olaf - Aye

John Potera - Aye

Erik Polkowski - Aye

Pending:

Home-Based Business special use permit voided + reapply at new address:

In 2011, a special use permit was issued for a home-based business for servicing heavy equipment on a .83-acre parcel in the RA zone at 6453 Utley Road. The permit holder reports that he is selling this property. Town code 450-73 (C) (2) states that a change of ownership voids the special permit, which is intended to prohibit sale of a residential property as a commercial enterprise. The permittee plans to purchase a home on 10 acres on Crego Road and would like to operate his home based business there. The Planning Board advised that a site plan for a special use permit would be required, with review and recommendation from the Planning Board to the Town Board, who would hold a public hearing and grant final approval.

Amended Site Plan/Special Use Permit – 12690/12666 Main Road – Shields:

Today, Tom sent another written request via, certified mail to Mr. Shields stating that on December 10th the Planning Board will forward their recommendations to the Town Board for 2019 renewal of temporary special use permits.

Site Plan Application – second warehouse – Fancher Properties, LLC – 13661 Main:

Tom reported that they are working on a test well for new hydrant flow.

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

Special Use Permit Home-Based Business in RA Zone (after merge) – 12471 Stage Road - Tonawanda General Concrete: On October 25, 2018 the Zoning Board granted a 10 '6" area variance to build an addition/lean-to on to an existing building. We anticipate application for a special use permit next.

Town Code 450-45 Planned Unit Development (PUD) revision: Tom stated we will address this at our second meeting in January 2019.

Air Bnb's: A Fall 2018 article from Towns & Topics says that cities and towns across the nation are dealing with unregulated short term rentals. How to classify them and regulate them needs to be developed. There are three that we know of in the Akron-Newstead area, including one just approved by the Village Planning Board in June 2018.

There being no further business, John Potera made a motion to adjourn the meeting at 8:05 PM, seconded by John Olaf and all approved.

Respectfully submitted;
Christine Falkowski, Recording Clerk