

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall – 7:00PM

October 3, 2016

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

Work Session

Minutes from last meeting

Don made a motion to approve the minutes of September 26, 2016, seconded by Terry:

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

2016 Training – Christine reported (1) We offered a fee for services for Ms. Bacher of Pace Law School to provide a workshop in Newstead specifically on municipal solar ordinances. There are sufficient budget funds earmarked for training. Ms. Bacher replied positively, therefore we need to select a date as soon as possible and (2) Christine receives frequent communication from Cypress Creek Renewables, a solar farm company. Daniel Compitello has offered to make a free presentation on what a proposed solar farm would look like and require. We agreed, and he is scheduled for Monday, November 7th at 6:30PM. The Board felt that both opportunities may be educational toward equipping them with the ability to recommend a solar farm ordinance to the Town Board.

Junkyards

Tom is scheduled to meet with the Town Board tonight during work session, where he will relay what we have found regarding:

- (1) Myron Prystajko - Wahl Road on the Newstead/Alden border
- (2) Michael Shields – 12690 Main Road (has special use permit to sell vehicles).

Radon

Mike reported the Town of Marilla has the highest radon levels in the entire country. He would like the Planning Board to propose a local law requiring homes be tested for radon prior to occupying.

Change in Use/Occupancy & Sign Permit – 11520 Main Road – Car Repair

Fast Fins Automotive - Dave Finsterbach

This location was most recently occupied by Phantom Garage, who received sign permit approval in December 2015. Now, a vacancy has made the location available for Dave Finsterbach to rent from property owner, Kelly Pinto. Mr. Finsterbach previously worked at Bitterman's Automotive for 15 years, which went out of business. He will be fixing cars only and has his own customer base.

John Potera made a motion to approve this action, seconded by John Olaf:

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

3-lot minor subdivision application – Howe & Barnum Roads – CMK Builders

Kevin Stoldt appeared. The 14-lot major subdivision application pending for 11599 Howe Road is already attracting buyers. Kevin would like to immediately sell 2 lots, one of which is in the center of the 28-acre parcel. Therefore, due to one existing house, he would like to create 3 new lots now. These lots must still be a part of the major subdivision application and reviewed for drainage when that is submitted.

John Potera made a motion to waive the public hearing, seconded by Terry:

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

John Olaf made a motion to approve this minor subdivision, seconded by Erik:

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

Pending:

- Quad Pharma – 11342 Main Road: Mike reported that he and Christine met last week with property owner, Mary Powell, President of Casilio Companies and with Silvestri Architects. This is an irregular-shaped 2.36-acre parcel with an 18,500 sq. ft. building where Quad Pharma specializes in manufacturing pharmaceuticals. In 2014 the company was acquired by Kinex. The facility needs to expand by maximizing their building footprint to 37,000 sq. ft. with a high bay warehouse to the rear along with a one-story manufacturing addition. Mike advised them that Code requires one parking spot for every 1,000 sq. ft. They may need variances for side setback and for height. Mike also advised that fire lanes and firetruck turnaround are to be considered. Mary Powell expressed her desire that this tenant remain in Newstead.
- 1-lot Minor Subdivision: Ayers & Dorsch – Kidder: Wendel review memo #2 was received today **not** recommending engineering approval based on 2 comments provided. The memo was immediately sent to Mr. Kidder.
- Major Subdivision – 11599 Howe Road - CMK Builders: see 3-lot minor subdivision above.
- Major Subdivision – 4893 South Newstead Road - CMK Builders: no action
- Site Plan Application: Niagara Label expansion: Mike reported the proposed expansion location is where their septic system is, which would require moving it. Applicant feels they have sewer approval in place, but Mike states the Village reports this is not so. Their current wetland delineation expires in the spring of 2017.
- Subdivision: Utley Road – Thering: no action
- 2-lot Minor Subdivision: V/L Meahl Road – Wideman: A letter was sent to Mr. Wideman on September 30th documenting application history and inquiring about status.
- Site Plan – (6) Storage Buildings: 11167 Main Road – Schultz: no action

There being no further business, John Potera made a motion to adjourn the meeting at 8:17PM, seconded by John Olaf and all approved.

Respectfully submitted,
Christine Falkowski, Recording Clerk