

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
Newstead Town Hall - 7:00PM
November 5, 2018
7:00PM

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

Work Session

Recommend area variance request – 13722 Main – David Glian

Today Mr. Glian submitted written notice that he has withdrawn his application. He has a tenant who will utilize the property for private use (auto storage, not sales).

Minutes from October 29, 2018 meeting:

John Potera made a motion to approve the minutes, seconded by Erik:

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

Preapplication Conference – rezone or variance - 6801 Maple Road - Andrew Mayer

Mr. & Mrs. Mayer appeared. They are considering purchasing this two-acre parcel in the RA zone. The 3618 sq. ft. house has been vacant approximately 20 years. It has been recently posted with a “vacant/abandoned” placard. Mr. Mayer reported that some improvements have been made, such as a new foundation poured, and all floor joists replaced on the first floor. He does remodeling for a living, and he would like to renovate the house into three dwelling units at 1,200 sq. ft. each. RA zoning allows one or two family homes, but not three. Tom advised that a re-zoning to R-3 would be spot zoning and not advisable. The Board agreed they would like to see a re-use of this property and a use variance application was given to him. Regarding construction, David relayed to Mr. Mayer he would need stamped drawings by a professional and fire separation would be required.

Pending:

Amended Site Plan/Special Use Permit – 12690/12666 Main Road – Shields: no action.

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

Dave reported that over the weekend he received an email from Randy that:

- (a) they have a letter from Erie County Health Dept. giving them the OK to proceed on a new bathroom.
- (b) documentation from Frey Well Drilling is forthcoming that the well hydrant will work.
- (c) Douglas Klotzbach will be addressing Wendel's review memo #1 from July 23rd regarding drainage concerns.

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: no action.

Town Code 450-45 Planned Unit Development (PUD) revision: Tom stated we will address this early next year.

Rezoning Application-RA to PUD - 12287 Clarence Center Road:

Tom reiterated that at our last meeting, Mr. Long was notified that he must show us an acceptable sewer proposal by Monday, December 10, 2018. Otherwise, we will return his \$2,400 rezoning application fee.

Roadside stands: The Board agreed that they would like to pursue this topic. Produce must be produced on the premises of the roadside stand, and a violation may be sent to the landowner and to the vendor. Tom and Andy will request work session time.

Air Bnb: Erik stated that if there were an EMS event or fire or altercation at an AirBnb, the Town should have some record of each one. Dave recommended registering them with a special use permit. Every three years an inspection would ensure Code compliance for smoke and carbon monoxide detectors, for example. Tom and Andy will add this to the roadside stands agenda request for Town Board work session time.

Home-Based Business special use permit – Crego Road – Jason Schlabach: no action.

Temporary special use permit recommendations for 2019 renewal: list was distributed.

There being no further business, John Potera made a motion to adjourn the meeting at 8:00 PM, seconded by John Olaf and all approved.

Respectfully submitted;
Christine Falkowski, Recording Clerk