

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall – 7:00PM

DRAFT November 7, 2016

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

“Solar Code & State Regulations” workshop was presented by Cypress Creek Renewables at 6:30PM.
Regular meeting began at 8:00PM.

Work Session

Minutes from last meeting

Don made a motion to approve the minutes of October 17 2016, seconded by Andy:

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

Solar Farm Moratorium/Research/Training

- Daniel Compitello of Cypress Creek Renewables made a free presentation earlier this evening, which was very well done and informative.
- Jessica Bacher of Land Law Use Center is scheduled to make a presentation on Tuesday, December 13th. This will include reviewing the NYS model solar energy law.
- Christine spoke with Drew Reilly at Wendel, who (a) shared the New York State Unified Solar Permit Expedited Solar Permit Process for Small-Scale Roof-Mounted Residential and Commercial Solar Electric (b) shared a sample draft law from the Town of Wheatfield, who is also in a moratorium and (c) offered to come to a Planning Board meeting to help with the Town’s writing of a draft solar law.

Junkyards

Myron Prystajko - Wahl Road on the Newstead/Alden border: Mike reported that progress is being made with moving the vehicles from Newstead to Alden where they are permitted.

Michael Shields – 12690 Main Road (has special use permit to sell vehicles): no action.

Smith Auto Sales & Service - 11372 Main Road: site plan conditions

Mike reported that site work has halted with the only progress being a small amount of asphalt poured at the entrance. Mr. Smith must comply with conditions set forth in this special use permit prior to opening for business.

1-lot Minor Subdivision Application: Ayers & Dorsch Roads - James Kidder

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

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

James Kidder submitted an application on August 1, 2016 for a one-lot minor subdivision of a 2.31-acre parcel on the corner of Dorsch and Ayers Roads. A preliminary wetland investigation was completed by

1-lot Minor Subdivision Application: Ayers & Dorsch Roads - James Kidder (continued)

Earth Dimensions where approximately .26-acre of wetland, including a portion of a regulated stream was identified. After the fourth review, Wendel recommended engineering approval in a memo dated 10/28/16.

Erik made a motion to approve the subdivision with the condition that no building permit be issued until on-site sanitation be designed to meet the minimum specification of the Erie County Health Department, seconded by Don:

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

Site Plan Application–(3) Lean-To Additions to Storage Buildings - 11167 Main - Kelly Schultz

Kelly Schultz submitted a site plan application on November 2, 2016 for three lean-to additions to storage buildings as follows: 16 x 80’ along the east side of a 4,800 sq. ft. building, 10 x 80’ on the back side of the pumpkin bleachers and 16 x 90’ on the back side of the red barn. Engineering review was waived by Mike Borth. Kelly reported that the purpose is to get picnic tables, stanchions, etc. under cover. The ground surface will be millings, and the colors will match the roof colors. Christine sent the required referral to Erie County Planning on November 2nd.

John Potera made a motion to recommend the site plan to the Town Board, seconded by Terry:

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

Pending:

- Radon recommendation for local law – tabled.
- Maximum structure height: Mike reported that he and Nathan will be getting together this week.
- Review for 2017 - Temporary special use permits and home-based business special use permits in RA zone: Tom reported that this will be tabled for discussion at our next meeting.
- Quad Pharma expansion - 11342 Main Road: Christine reported that negotiations are underway for widening the parcel to the west via land purchase.
- 13-lot Major Subdivision – Howe & Barnum Roads - CMK Builders: no action
- 5-Lot Major Subdivision – 4893 South Newstead Road - CMK Builders: Christine reported that Kevin Stoldt applied for a one-lot minor subdivision this afternoon for the most northerly lot. This application will be forwarded to Wendel for engineering review.
- Niagara Label expansion: Village/Town agreement in process by Village Attorney
- Utley Road Subdivision– Thering: Tom reported that Otto Thering passed away last week.
- 2-lot Minor Subdivision: V/L Meahl Road – Wideman: no action.
- 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 8:30PM, seconded by John Olaf and all approved.

Respectfully submitted; Christine Falkowski, Recording Clerk