

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall - 6:30PM

November 9, 2020

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

Site Plan Application – Arrowhead Golf – 12292 Clarence Center Road - Solar Farm

Buffalo Solar Solutions

Mark Overall and Brian _____ of Buffalo Solar Solutions appeared. Arrowhead Golf Club is proposing a 175kW ground mounted solar array to provide utility savings to the Arrowhead Golf Course, Clubhouse and new Sterling wedding venue. On October 26, 2020 the Newstead Town Board entered into a solar PILOT agreement with Arrowhead Timberlodge LLC for a 15-year period. Wendel completed three reviews and recommends approval. The solar array will be located north of The Sterling’s parking lot, approximately 1,200 feet north of Clarence Center Road. Mr. Overall had expressed concern about the ability of driving posts into the ground before it freezes. Dave Miller determined that a building permit cannot be issued until the site plan has been approved by the Town Board, construction documents submitted, and the building permit approved.

John Potera made a motion to recommend approval to the Town Board, seconded by John Olaf:

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

Change in Use/Occupancy Site Plan – 11678 Main Road – Ace Paving Company of WNY LLC

Andy McGarva appeared. Kevin Gaik owns this .62-acre property in the C-2 and Overlay zones, where he has a special use permit to operate Champion Auto Locators.

Several Board members visited the site and shared the following observations:

- Not a good fit, nor is it an allowed use by Code. John Potera advised that paving is considered industrial per the Federal Government (Census).
- Not in the C-2/Overlay zones, which is intended to improve visual quality and enhance the overall character of the area.
- Poor accessibility; getting the 32’ trailer in and out would be problematic.
- Due to the hazardous intersection of Main & North Millgrove, NYSDOT straightened the road, and eventually installed a traffic light. Could be unsafe especially during rush hour.
- Outgrown the site before you even start
- Andy has been there with a snowmobile trailer and found the site difficult to maneuver.
- Considering the investment, he may be sorry if it doesn’t work out.

Tom stated Mr. McGarva would need a full site plan application that would go to the Town Board with the Planning Board’s non-recommendation. Dave added that the SEQR process could require a traffic study. Mr. McGarva stated he was also interested in the red shed for use as a potter retail shop. Dave advised that retail to retail sales could be approved by the Planning Board

John Potera made a motion to table this item, seconded by Terry:

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

Work Session

Minutes from last meeting

John Potera made a motion to approve the October 19, 2020 minutes, seconded by Terry:

John Potera - Aye
Terry - Aye
Tom - Aye
Andy - Aye

Training

The mandatory training by Comp Alliance has offered some evening sessions. Wednesday's conflict with Court Night and Mondays with Town Board. Therefore, we have made a final selection of December 10th at 6PM.

Overlay Zone backland development

Relative to the Town of Clarence, Christine spoke with Tim Lavocat, who referred her to Jon Bleuer, Director of Community Development, Office of Planning and Zoning. Mr. Bleuer sent an email stating that when a project must contain several parcels for the purpose of financing or varied ownership, they consider this through "Unified Development" 229-108.4. With their most recent zoning district, they formalized the process, which he provided in detail.

Temporary Special Use Permit Renewals for 2021

Business Name	Owner Name	Reason	Location	Issued
Champion Auto Locaters	Kevin Gaik	used auto sales in C2	11678 Main	2003
Smith Auto Sales & Service	John Smith, Jr.	used auto sales in C2	11372 Main	2017
Dealer's Choice	Larry Fels	used auto sales in C2	11520 Main	2019
M. Shields Enterprises, LLC	Mike Shields	used auto, equipment, sales, repair + storage	12690 Main	2017

Andy made a motion to recommend the above used auto sales temporary special use permits to the Town Board for 2021 renewal, seconded by John Olaf:

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

Home-Based Business in RA Zone

WNY Woodworks	Tom Pacenzia	custom woodworking shop	12050 McNeeley	2018
Tonawanda General Concrete	Sam Torrelli	concrete contracting	12509 Stage	2019
United Technology Services	Anthony Cinotti	lab+computer repair	12884 Nice	2019
Pet Rescue Rx	Glenn Buckley	on-line pet pharmacy	7429 Sandhill	2019

Terry made a motion to recommend the above home-based business temporary special use permits to the Town Board for 2021 renewal, seconded by John Potera:

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

Pending Items:

- Site Plan Application - MGA Research - 13311 Main Road – new structure: No action.
- Site Plan Application – Bedford’s Courtyard – Phase II development: No action.
- Site Plan – 12474 Main @ Cummings – vacant barn - Absolute Property Maintenance: No action.
- Special Use Permit-Home-Based Business in RA Zone— 6653 Dye Road: No action.

2021 Meeting Schedule

The draft schedule was distributed and will be finalized next meeting.

Shipping Container Structures

Dave mentioned that he has had requests about shipping container homes and residential shipping container storage. This topic will be researched and discussed in the future.

Drainage ditch

Dave mentioned that the ditch west of Buell Street to Cummings needs cleaning out. It is filled in and causing pooling. He recommended the Planning Board to look into it.

There being no further business, John Potera made a motion to adjourn the meeting at 8:08PM, seconded by John Olaf and all approved.

Respectfully submitted;
Christine Falkowski, Recording Clerk