

# TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall – 7:00PM

February 6, 2017

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

## Work Session

### Minutes from last meeting

Terry made a motion to approve the minutes of January 23, 2017, seconded by Don:

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

### Draft solar ordinance

A first draft that Tom prepared was briefly reviewed. A special meeting to work on this project will be held on Monday, February 13, 2017 at 7:00PM. Drew Reilly will join us that evening. February 27<sup>th</sup> is when Tom would like us to be ready to make a recommendation to the Town Board. Christine stated she heard from Dan at Cypress Creek again, who relayed that in May, the State incentives will become more difficult to obtain. She also heard from a property owner who asked if he could have a solar farm and if he could be on a committee.

### Junkyards – Tom reiterated that:

- Billo Road is 90% cleaned up.
- Michael Shields has until February 15<sup>th</sup> to remove a half dozen tractor trailers, that 50% is already cleaned up and that vehicles are still being sold with an expired permit.

### Amendments to maximum structure height law; minor subdivision requirements

Solar will be a separate local law. One local law will be created to address structure height and minor subdivision amendment, once we are ready to make a recommendation. Christine has made an inquiry to Nathan regarding minimum lot sizes in the R-A District and regarding lot restrictions for two dwellings on one lot.

### Preapplication Conference – Subdivision – Utley & Clarence Center Roads – Richard Thering

Richard Thering appeared. The Thering Family owns a 50-acre parcel at Clarence Center and Utley Roads. Mr. Braunscheidel, the adjacent neighbor to the west on Clarence Center will purchase and merge to his land a large portion of this acreage. Richard will be forming an LLC, which is helpful in eliminating the need for all owners' written authority to subdivide. Mr. Thering displayed oversized drawings that Mike Metzger had prepared depicting road frontage lots on Utley approximately 1.5 acres each. Apparently gas is available on Utley Road and is currently going in on Clarence Center Road. John Olaf shared that the cost is \$2,000 per property. Richard may only subdivide two lots initially, and will call this subdivision "Nutley Acres". He will visit the office for an application and direction.

**Site Plan Application – 11342 Main Road – Quad Pharma – Group V Real Estate, Inc.**

In attendance were: Mary Powell and Peter Casilio, property owners; along with Jason Utzig of C & S Companies and Stephanie Hunt of Silvestri Architects. Jason presented the site plan along with elevation drawings. This 2.36-acre parcel is in the I-2 and Route 5 Overlay Districts. The existing warehouse, manufacturing and office space total 18,500 sq. ft. The proposed manufacturing and warehouse addition of 21,602 sq. ft. will bring the total buildings to 40,102 sq. ft. Code requires 76 parking spaces (to include four handicapped accessible spaces). Site improvements include demolition of two rear parking lots with a reconfigured rear lot, an underground stormwater detention facility, site utilities and landscaping.

Wendel completed two reviews and recommends approval with the comment “It is still unknown whether the existing septic field will be adequate or if a larger field will be needed. If substantial changes to the septic field are required, the site plan approval process may be reopened”. Mike expressed concern that the existing parking of 110 spaces is being reduced to 76 even though the space is doubling. Mary conveyed that part of the new space is a warehouse with shipping and receiving docks to the rear. Plan B for overflow parking, if necessary, is to utilize adjacent property that they own as well. In fact, an access road east of the parcel boundary is outside of the parcel boundary but is used for Quad Pharma. This is a non-exclusive easement road that is owned by Main Street Distribution Warehouse Group, LLC, who is owned by Group V Real Estate, Inc. Previously, an area variance was obtained to build 10’ from the western property line.

The company was started with three people, has grown to 39 employees, with 50 – 60 new jobs being created. Quad Pharma was bought by Kinex Pharmaceuticals, which was bought out by Athenex. In fact, the name on the monument sign just recently changed to Athenex.

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

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

**Pending:**

- Major Subdivision – Howe & Barnum Roads - CMK Builders: pending application submission with drainage plan and Erie County Health Dept. approval.
- Niagara Specialty Metals expansion – no action.
- Niagara Label expansion – no action.
- 2-lot Minor Subdivision: V/L Meahl Road – Wideman: Recently the office has been receiving numerous inquiries from buyers. Therefore, another letter was sent reiterating the need for subdivision approval in order to legally separate lots before they are sold. A copy was also sent to Ottney & Miller since the drainage plan they prepared requires necessary revisions for Town Engineer approval recommendation.
- 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