

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
Newstead Town Hall – 7:00PM
April 6, 2015

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

Work Session

Minutes from last meeting

Don made a motion to approve the minutes of March 23, 2015 as amended, seconded by John Olaf:

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

Tom reported the following:

The Town Board agreed with the Planning Board's proposed conditions for renewal of the special use permit at 13546 Stage Road, but wants to renew it through October 1st rather than December 31, 2015.

The Town Board would like reasons why the two conditions are recommended to be waived relative to the rezoning of 5055 Havens Road for Mr. Wargo. The Planning Board would now like a signed agreement to the conditions imposed on the waived conditions, or a bond.

The Town Board will schedule public hearings for the wind turbine variances that they need to approve.

Regarding the proposed addition to Kelly Schultz's auction building, the Town Board would like an updated master plan, a drainage plan, comments from the Fire Companies, a disability parking plan and a regular parking plan for the site. Regarding disability parking, the Planning Board stated the proposed addition is supposed to be for storage, not for public access.

Further changes are being proposed to the windmill law, and it will be made available for our review.

Tom stated he will meet with the Town Board at their April 13th work session regarding the above topics.

Pending

Clarence-Akron Self Storage – 11234 Main Road: Christine reported that the site plan application she received on Friday has been revised. This has been forwarded to Scott Rybarczyk along with the NYSDEC Notice of Intent and an "assessment of infiltration" letter for his review.

Special Use Permit/Site Plan - Used Auto Sales - 12474 Main - Larry Fels: Ralph reported he was told by Kumar that Mr. Fels did receive a variance to the plumbing code from New York State. He expects to receive written notice. Therefore, Mr. Fels will most likely move forward with his application.

Special Use Permit/Site Plan (expired) – Used Auto Sales – 11372 Main – John Smith, Jr.: no action.

Special Use Permit/Site Plan – Wind Turbine – 8268 Fletcher – Darren Kanehl: no action.

6-lot major subdivision – 12089 Clarence Center Road – Rothlands: no action

Fancher Properties expansion: Ralph reported that a "for sale" sign is posted at the property.

Sketch Plan: Major Subdivision application – 11198 Clarence Center Road - Otto Thering

Mr. & Mrs. Thering appeared. A sketch plan was presented with 14 road frontage lots, leaving a 125' opening that narrows to 75' along the north side of the bike path. The northwest quadrant of this 50-acre parcel appears to contain federal and state wetlands, a ditch and to be heavily treed. Tom relayed that our master plan says we should use backland when possible. Mr. & Mrs. Thering were encouraged to review the Open Development Law for development of the "back land". Mr. Thering stated he would prefer such driveway to be along the ditch vs. along the bike path. Tom suggested phasing the project as (1) road frontage lots and (2) open development lots. Don shared that new stormwater regulations should be considered, and cautioned that any road has to meet Town standards. Mr. Thering expressed concern about gas availability to the site, to which the Board replied that a development of this size would probably compel the gas company to provide new service. Tom explained where the Havenwood subdivision is located and suggested the Therings check it out due to the similarity in phased development. Mr. Thering stated his son, Kenny, will be handling the subdivision application when he is in town.

Pre-Application Conference: Wind Turbine – 8228 Cedar Street - Rich Campbell

Rob Hach, Wind & Solar Specialists – Alta, Iowa

Mr. Hach appeared. Mr. Campbell owns a 13-acre parcel with 1,349' of road frontage and is 462' deep. The structures on site are a house and a barn. He would like to install a 140' type 2 wind turbine 80' from the south property line and 132' from the west property line. As submitted, the location would require an area variance from the Town Board to meet the setback requirements. Plan B would be to cut down trees and place the turbine directly in the center to meet the fall zone. Customer must decide.

Pre-Application Conference: Food Truck – 11720 Main Road - Harold Frey

Cancelled.

Site Plan Approval from January 13, 2014 - extension request – 13399 Main Road

Green Kangaroo Self Storage

This expansion project was approved on January 13, 2014. A written request was received from Stephen Development to extend commencement of site work for 12 months. Terry made a motion to approve a one-year extension of site work beginning at the July 13, 2015 expiration date through July 13, 2016, seconded by Andy:

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

There being no further business, John Potera made a motion to adjourn the meeting at 8:45PM, seconded by John Olaf and all approved.

Respectfully submitted,
Christine Falkowski, Recording Clerk