

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall – 7:00PM

May 16, 2016

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

Minutes from last meeting: John Potera made a motion to approve the minutes of April 25, 2016, seconded by Erik:

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

Subdivision code amendment – Local Law #1-2016 – the *proposal* drafted by Ralph and Nathan was distributed.

Pending:

- **Site Plan - 13661 Main Road – Pole Barn & Driveway - Fancher Properties, LLC:**
Tom stated that Wendel has completed their first review of the proposed 11,776 sq. ft. cold storage building. There are many issues that need to be addressed. Engineering review must be completed along with the adjacent property purchase deed and survey in hand before forwarding the site plan proposal to the Planning Board for review and recommendation to the Town Board, who would then begin SEQR review and schedule a public hearing.

At the previous meeting, Douglas Klotzbach stated they meet the 400' + 150' distance from the fire hydrant, except for a 50' administrative variance that Ralph is aware of. This was said while Ralph was out of the meeting room, but Ralph states he does not know what Douglas was talking about.
- **Major subdivision - Clarence Center & Utley Roads – Thering:** Tom stated that there is a draft proposal of four subdivision lots with road frontage on Utley Road, but we've heard nothing further.
- **7-lot major subdivision – 12089 Clarence Center Road – Rothland's:** no action.
- **Site Plan – (6) Storage Buildings – 11167 Main Road – Kelly Schultz:** Tom stated he believes this application will be forthcoming soon.
- **Bar/Tavern – The Witches Brew – 11199 Main – Schultz:** no action.
- **1-Lot minor subdivision – 8040 Cedar Street – Sivecz:** The landowner began clearing 40 acres and installing a circular driveway. Then he came in to meet with Ralph about setbacks, etc. for building. They discussed subdivision options and procedures, and a subdivision application was given to Mr. Sivecz. Then we received a transfer from the County for 5 acres, which resulted in Ralph issuing a violation notice for an illegal subdivision. Today Ralph received an incomplete subdivision application for one lot from Sue Kelkenberg of Kelkenberg Construction. Ralph gave her the remaining application documents that need completion and advised her that he is charging a \$500 additional fee for subdividing without approval, according to our fee schedule.

Change in Use/Occupancy Site Plan: 13021 /13025 Main Road - Brenda's Catalyst-for-Change

Brenda Pritchett appeared. Brenda states that she is a licensed spiritual healer working out of her home in Marilla. As her business is growing, she is looking to occupy the space at 13021/13025 Main Road owned by Dominic Buonanno. Brenda will be renting both sides and choosing 13021 as her address. On one side she will retail her products---crystals, candles, organic vitamins, oils, jewelry. On the other side, she will conduct workshops and one-on-one sacred healings. She will display a 5' x 2' banner fascia sign and a 3' x 4' lit sign hanging from the signposts hanging from chains below the Subway sign.

Don made a motion to approve the change in use/occupancy site plan, seconded by Erik:

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

Site Plan Application: 113 Cedar Street – 8,748 sq. ft. Pole Barn - Whiting Door Company

Mike Whiting and Keith Marquis appeared. Mr. Marquis presented the site plan for an 81' x 108' pole barn to be placed on existing pavement; going from asphalt to roof surface. The structure will not be insulated and will be used for storage of machinery they buy at auction. Wendel completed two engineering reviews and recommends approval.

Terry made a motion to recommend approval of this site plan to the Town Board, seconded by John Olaf:

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

The Town Board will be notified that they can begin SEQR review and schedule a public hearing.

Ralph suggested that this level of site plan should be Planning Board public hearing and approval only; that there is no need for further review by the Town Board. All members felt that they could handle it even though it is sizeable construction, and that consistency in commercial site plan procedure is important.

There being no further business, John Potera made a motion to adjourn the meeting at 8:20PM, seconded by John Olaf and all approved.

Respectfully submitted,
Christine Falkowski, Recording Clerk