

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall – 7:00PM

May 21, 2018

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

Congratulations to Erik for winning the School Board election!

Sign Permit Review – 12666 Main Road – UGATE Store, Inc. – used golf & turf equipment - Allison Frey

Allison prepared a sign permit application for a 20 sq. ft. vinyl fascia sign to be secured with grommets over the front door of the house on this property. Allison relayed that the house is being converted into Joe Frey's business office at this location, which is owned by Michael Shields. A document was signed on May 10th by Town Cowan, Michael Borth, Joe Frey and Mike Shields listing five conditions required to operate this turf equipment business on the temporary special use permit that Mike Shields has at 12690 Main, his adjacent property.

Allison stated the vacant house has not been used as a residence for five years. Tom relayed that an office is a permitted use in the C-2 zone, but that the house would need a Certificate of Compliance inspection and possibly need to be brought up to current New York State Code. Allison was under the impression this was already approved. Allison was advised that it was OK to use the house for an office, but not to open it up to customers yet. Approval of the sign was tabled for the following reasons:

- The Town has not approved a business office at 12666 Main.
- The old house must comply with current Code.
- The sign is a banner, which is not allowed.
- Selling or storing equipment unscreened is not allowed in any zone, according to Chapter 450-39 unless or until that law is changed to allow it.

Change in Use/Occupancy Site Plan from restaurant to insurance office

11891 Main Road – Ray Braun

Ray Braun and his partner, Amy Joyner, appeared. The use of 11891 Main was most recently used as a restaurant (Mooney's). Ray has requested a change in the use to a business office for Farmers Insurance. When asked about the dumpster, Ray stated he was just cleaning out junk. He has no plans for interior or exterior renovations. A sign will be going into the existing sign frame.

Don made a motion to approve this change-in-use/occupancy from restaurant to business office, seconded by John Potera:

Tom Cowan - Aye
John Potera - Aye
Erik Polkowski - Aye
Don Hoefler - Aye
Terry Janicz - Aye

Change in Use/Occupancy Site Plan – Amended Site Plan - 11372 Main – John Smith, Jr.

Change in Use/Occupancy for tenant – Tesmer Builders

A second letter was sent to John Smith requesting an amended site plan distinguishing what part of the building and the outdoor space each of the three businesses utilizes. He complied by submitting a color-coded site plan clearly showing where each of his two tenants operate---GFY Motor Cars and Tesmer Builders---in relation to Smith Auto Sales & Service.

Erik made a motion to approve the amended site plan, seconded by Terry:

Tom Cowan - Aye
John Potera - Aye
Erik Polkowski - Aye
Don Hoefler - Aye
Terry Janicz - Aye

Work Session

Minutes from May 7, 2018 meeting: The minutes were amended, but vote to approve was tabled, due to no quorum present. Don and Terry could not vote as they were absent May 7th.

Joe Frey Turf Mowing Equipment business: request to relocate from 12287 Clarence Center to 12690 Main as tenant on Special Use Permit for M. Shields Enterprises

A copy of the document signed by Town Cowan, Michael Borth, Joe Frey and Mike Shields listing five conditions to operate this turf equipment business on the temporary special use permit that Mike Shields has at 12690 Main, his adjacent property, was distributed and discussed above as it pertains to the sign permit review above.

Draft local law amendment to 450-39

Chapter 450-39 "Storage of Equipment and Materials" was distributed along with 450-35 "Automotive Use Areas". Discussion was tabled until the next meeting.

SEQR Notice – "Adoption of Main Street Strategy: Action Plan & Market Analysis as an addendum to Clarence 2030, the Town of Clarence Comprehensive Plan". Comment deadline is June 15, 2018. A few copies were printed and placed on the table. Christine will email copies to the Board, and Tom stated it will be on the June 4th agenda.

Sheds at 12474 Main @ Cummings - Pasinski

Tom stated there have been multiple complaints about the shed business at this location. The minutes from August 15, 2016 were reviewed. Approved were 15 sheds stacked along Main Road and five sheds lined up in an open field storage area north of the barn, placed 10' apart. Tom asked that a letter be sent to Jerry Pasinski stating he must comply with what was approved, that any sheds in excess of 20 be removed, and that the banner sign be removed as it is not allowed.

Pending:

- **Clarence Secure Storage expansion:** no action.
- **J&R Specialties (Fancher) expansion:** no action.
- **11520 Main – KJP 11520 Main St, LLC:** no action.
- **13123 Main - Willert/Schultz:** no action
- **Rezoning RA to PUD - 12287 Clarence Center Road:** no action
- **PUD training session:** no action. A session on injection wells is also planned. John Potera and Erik asked Christine to try contacting the trainer on "tiny homes".
- **12396 McNeeley Road junkyard:** no action.

There being no further business, John Potera made a motion to adjourn the meeting at 8:35PM, seconded by Terry and all approved.

Respectfully submitted;
Christine Falkowski, Recording Clerk