

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall

June 25, 2018

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

Regular meeting was preceded by a 6:30PM presentation by Susan Thering, Ph.D. in the Court Room - “Granny Pods” & “Fonzie Flats”. Nineteen people attended, and two hours training credit can be applied to the annual requirement for Planning and Zoning Boards.

Work Session

Minutes from June 4, 2018 meeting: John Potera made a motion to approve the minutes, seconded by Andy:

Tom Cowan
John Potera
John Olaf
Andy Kelkenberg
Terry Janicz

Local law Amendment of Chapter 450-39 “Storage of Equipment and Materials” to allow unscreened outdoor storage/display in the C-2 zone with a limit on quantity and quality, but with an approved temporary special use permit. Tom stated that very minor changes would be made in the zoning code. The Planning Board could review the request before them, and recommend allowing the use through a temporary special use permit setting conditions, on a case by case basis.

SEQR Notice – “Adoption of Clarence Master Sewer Plan for Pollution Abatement as a Supplement to Clarence 2030, the Town of Clarence Comprehensive Plan”. Comment deadline is June 29, 2018. The Board chose not to comment.

8:00PM 1-Lot Minor Subdivision – 12603 Rapids Road – Baker

Andy Borden appeared, representing the Baker’s. They would like to split off a 200’ x 425’ building lot from the 23.77-acre parent parcel. Wendel recommended approval in a June 20th memo commenting that the proposed east and west swales shown on the drainage plan are not required as the flow is generally north and south in this area. Also, items #10 and 11 on the Environmental Assessment Form required editing, which has been done.

John Potera made a motion to waive the public hearing, seconded by Terry:

Tom Cowan
John Potera
John Olaf
Andy Kelkenberg
Terry Janicz

John Potera made a motion to approve the one-lot minor subdivision, seconded by Terry:

Tom Cowan
John Potera
John Olaf
Andy Kelkenberg
Terry Janicz

Andy Borden will file the subdivision plat with the Erie County Clerk’s office.

Pending

- **Clarence Secure Storage expansion:** no action.
- **J&R Specialties (Fancher) expansion:** On June 18th we received a building permit application, construction documents, proposed site plan and drainage report. Christine conveyed to Douglas Klotzbach and Randy Fancher that we need the remaining documents required for a site plan application along with the application fee. Also, the proposed new building location of more than 400' from the nearest hydrant must be addressed.
- **11520 Main – KJP 11520 Main St, LLC - change in use/occupancy:** Tom suggested that Dave Miller make an appointment with Mrs. Pinto to discuss this requirement.
- **13123 Main - Willert/Schultz – change in grading:** no action.
- **Rezone RA to PUD - 12287 Clarence Center Road:** no action.
- **PUD training:** no action.
- **T-Mobile license for mobile showroom:** We received an email inquiry as to whether a business license is required for a mobile showroom venture at Town-approved events such as festivals and concerts or at an event on private property. They do plan to be a vendor at “The Great Inflatable Race Event” on July 14th at the Great Pumpkin Farm at 11199 Main Street. The outcome of this discussion was that only an event on Town-owned property would require approval, via our Special Event Permit, not a business license per se. T-Mobile will be notified. Kelly Schultz will need to apply for a Special Event Permit for his July 14th event, and he will be notified.
- **Athenex injection well:** Scott Rybarczyk advised us that NYSDEC has rejected Athenex’ s SWPPP application as they have decided to no longer allow injection wells for stormwater treatment in certain cases. (It looks like the DEC will still allow MGA’s application, as they provide pre-treatment before the injection well). This will impact their site plan, and the Town has determined that a site plan amendment procedure would be an undue hardship in this case considering all that has taken place up to this point. Therefore, when Athenex is able to provide a new design striving to meet stormwater requirements, they will present the new site plan to Wendel for review and approval.

Tom queried David Miller on the following:

Wahl Road (a qualified abandoned road) complaint from Bruce Paycon: Mr. Paycon’s neighbor, Myron Prystajko, owns a parcel on the north side of Wahl Road in Newstead and a parcel on the south side of Wahl in Alden. Bruce filed a written complaint about Myron’s junk and cars, and David met with him on Friday. David reported there are currently 4 – 5 pieces of trailers and campers, but most has been moved to the Alden parcel. On his next visit he will take photos and share them with the Planning Board.

Sleepy Hollow Campground complaint: David reported he visited the site, and that the cottages are not new. They did turn some tent spots into camper spots. The hope is that by reducing tent campers, the need for police assistance will also be reduced. He can see no action warranting a violation notice.

Boat storage: There is a property near Rapids and Sandhill that has excessive outdoor storage of boats, plus the grass is very high. David stated he will stop over there.

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