

# TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall – 7:00PM

July 11, 2016

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

Scott reported on the following:

### **1-Lot Minor Subdivision – 8040 Cedar Street – Sivecz:**

Wendel's first review of drainage plan dated May 31st, is not approved and was sent to Ottney & Miller and to Mr. Sivecz same day. Scott reports that Schutt Engineering will be following up on the necessary items (instead of Ottney & Miller), as confirmed by Don Hoefler. Construction on the very large house and barn is progressing. Scott stated that no driveway is indicated on the plan, and that they could be close to one acre of disturbance, which requires silt fencing. Construction is at risk due to potential site plan modifications during subdivision, and Certificate of Occupancy is subject to subdivision approval.

### **Site Plan - 13661 Main Road – Pole Barn & Driveway - Fancher Properties, LLC:**

At 8AM this morning, Christine received from Douglas Klotzbach a revised site plan in response to Wendel's June 22<sup>nd</sup> memo---not sufficient time for Scott to review for this meeting. The additional engineering fee was paid today by Randy Fancher.

**Training** – Tom asked Scott if Wendel would make a group presentation on a subject relevant to our area. Scott asked the Board what topics they may be interested in. As pertaining to municipal approvals: solar farms, wind turbines, wineries/breweries/distilleries. Scott will talk to Drew Reilly.

Scott left the meeting.

### **Proposed meeting date changes:**

Tom reported that our July and August meeting dates will be adjusted due to vacations.

### We will cancel:

July 25<sup>th</sup>  
August 8<sup>th</sup>  
August 22<sup>nd</sup>

### We will meet on:

August 1<sup>st</sup>  
August 15<sup>th</sup>.

Tom relayed that if we need to schedule an additional meeting due to high demand, we can do so as long as we have a quorum. These changes are actually more conducive to Board members. Christine will notify applicants with pending applications.

**Minutes from last meeting:** Don made a motion to approve the minutes of June 20, 2016, seconded by Andy:

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

**Six-Month Moratorium on Solar Farms**

Christine reported the moratorium went into effect July 6, 2016. Tom reported that landowners are apparently being solicited via mail by solar companies. Jennifer Strong had requested solar law samples of other municipalities, and Nathan sent us eleven of them. Christine and prepared a summary showing that the Towns of Geneva and Newburgh address solar farms specifically giving the following criteria to consider:

- Site plan approval: Recommend by Planning Board and approve by Town Board
- Allowed in all zones except C-2, Overlay, I-1 and I-2
- Floodplain? Yes.
- Maximum height? Measured from top of panel?
- Setback from property lines?
- Tree removal allowed only with re-planting
- No impervious roadways within site
- Utilities underground
- Glare not allowed? Or minimized?
- Buffer
- Signage
- Voltage
- Decommissioning plan

The Planning Board would like some education about solar farms so that they are best equipped with the knowledge needed in order to make decisions on the above standards. Perhaps Scott could put us in touch with a solar energy engineer, or solar expert of some sort. Christine suggested the Fire Companies may have an opinion, or the Disaster Coordinator. Carl Klingenschmitt? A meeting of all parties may be helpful in this endeavor.

**5-Lot Major Subdivision – Havens Road – Stan Tatara**

Stan owns a 6.71-acre parcel on Havens Road. He has applied for a building permit to convert an existing barn into a single family home. He would also like to create 5 road frontage building lots and plans to attend the next meeting for a preapplication conference.

**Garage Sales at Main & Cummings, 93 & Main**

On June 27<sup>th</sup> letters were sent to the property owners of 12474 Main and to 13008 Main Roads that our code has potentially been violated as it relates to outdoor sales. There has been no response.

Terry Janicz reported that people may be living in an RV on Sandhill near Meahl Road where there is a shed but no house.

**Pending:**

There has been no action on the following:

- 2-Lot Minor Subdivision – V/L Meahl Road – Wideman
- Site Plan – (6) Storage Buildings – 11167 Main Road – Kelly Schultz
- Site Plan - Bar/Tavern - 11199 Main – Schultz
- Major subdivision - Clarence Center & Utley Roads – Thering
- Major subdivision – 12089 Clarence Center Road – Rothland's

There being no further business, John Potera made a motion to adjourn the meeting at 8:05PM, seconded by Terry and all approved.

Respectfully submitted,  
Christine Falkowski, Recording Clerk