

**TOWN OF NEWSTEAD - PLANNING BOARD MINUTES**  
**Newstead Town Hall - 7:00PM**  
**July 29, 2019**

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

**Change in Use Site Plan – 11520 Main – Kelly Pinto - Infinity Plumbing-tenant**

An application was received from Infinity Home Plumbing to rent and operate out of Building 1 Unit C at 11520 Main Street (the back third of front building). It is believed that the most recent use was used car sales (by George Hauer). No one appeared. This is for storage only, with no retail.

John Potera made a motion to approve this change-in-use site plan application, seconded by Erik:

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

**Change in Use Site Plan – 11520 Main – Kelly Pinto - Dealer’s Choice – Used Auto Sales-tenant**

Larry Fels appeared. Mr. Fels currently has a temporary special use permit to operate at 12474 Main Road, renting from Jerry Pasinski. He now wants to relocate and operate from Building 1A and the front lot for vehicle display at 11520 Main. Again, the most recent use was used car sales by George Hauer. Since receipt of this application, it has been determined to be a site plan/special use permit application, not change-in-use. Therefore, the \$100 fee paid is now a site plan application, requiring a \$250 fee. Mr. Fels submitted a check for the additional \$150. Mr. Fels stated that while he winters in Florida, he has a guy handling his business here. He is looking to sign a one-year lease with five-year option. He plans to stripe the lot for display of vehicles.

Signage will be: Red square NYS dealer certification sign displayed on the building  
Lettering on the door “Dealer’s Choice Auto Sales”  
2-sided 30 x 96 sign on the signpost near the road saying “Dealer’s Choice Auto Sales”

John Potera made a motion to recommend this site plan/special use permit application to the Town Board, seconded by Andy, with a maximum of 15 spaces for vehicles as follows: 12 for sale, two for customer parking and one handicapped accessible parking.

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

**1-Lot Minor Subdivision – V/L Crittenden Road - Charles Tripi**

Mr. & Mrs. Tripi appeared. John Potera made a motion to waive the public hearing, seconded by Terry:

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

The Tripi’s own a 4.83-acre parcel on Crittenden Road with 392’ of frontage. They now want to split the

**1-Lot Minor Subdivision – V/L Crittenden Road - Charles Tripi (continued)**

lot in half for their daughter to build a house in the Akron Central School district. Bob Fritschi prepared the survey/drainage plan/subdivision plat. Scott Rybarczyk reviewed it and recommended engineering approval in a memo dated July 25<sup>th</sup>.

Erik made a motion to approve the one-lot minor subdivision, seconded by Andy:

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

Christine provided an instruction sheet on how to file their subdivision plat with the Erie County Clerk.

**Work Session**

**Minutes from last meeting**

Andy made a motion to approve the June 24, 2019 minutes, seconded by Terry:

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

Erik made a motion to approve the July 15, 2019 minutes, seconded by John Potera:

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

**Change in September meeting schedule** - A revised meeting schedule was distributed.

**Pending**

**Site Plan Application – Niagara Specialty Metals – 7,130 Sq. Ft. Addition:** Wendel's review memo #3 was distributed.

**Site Plan/Special Use Permit Application- Solar Farm – 12963 Main:** Wendel's review memo #1 was distributed.

**6-Lot Major Subdivision – Havens Road - CMK (GPI):** no action

**Site Plan – 11167 Main - Kelly Schultz – retail sheds:** Tom reported that Dave Miller received a new Master Plan prepared by Mike Metzger. But what we need is a site plan application for retailing the sheds and without straddling parcel boundaries.

**2-Lot Minor Subdivision – V/L Cedar – Fox:** Tammy Fox owns a 3.10-acre parcel on Cedar Street 450' x 300'. When purchased, the Fox's and the seller believed it could be split into three equal lots. But because the deed reads from the centerline of the road, instead of starting the measurement from the right-of-way, an area variance was needed, and granted by the Zoning Board on July 25<sup>th</sup>. Therefore, the subdivision application is forthcoming.

**Other items discussed:**

- Roadside stand parking
- Bedford's new greenhouse project

There being no further business, John Potera made a motion to adjourn the meeting at 8:40PM, seconded by Erik and all approved.

Respectfully submitted; Christine Falkowski, Recording Clerk