

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall - 7:00PM

August 12, 2019

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

Site Plan Application – 7,130 Sq. Ft. Addition – 12600 Clarence Center Road

Niagara Specialty Metals

Bob Shabala, President, and Christopher Wood, of Carmina, Wood & Morris appeared. Mr. Wood distributed a rendering with elevations of the project. The proposal is to build a 7,130 sq. ft. addition onto the existing mill at the southeast corner of the parcel, to be of similar height. This 1.61-acre parcel is in the I-2 zone with 0.30 acres to be disturbed. Mr. Wood stated that they are planning to relocate the existing septic system and that the tall trees along Hake Road that screen this property will remain. Bob stated that the addition will allow them to place steel inside for their fabricating and welding operation. Dave asked if the existing building is sprinklered, to which Bob replied no and that the furnaces could interfere. A variance to the Fire Code may be necessary for the building permit. Wendel completed their third review of the submission and recommended approval in a memo dated August 5, 2019.

John Potera made a motion to recommend this site plan application to the Town Board, seconded by Terry:

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

Special Use Permit/Site Plan Application - Home-Based Business in RA Zone -7429 Sandhill Road

Pet Rescue Rx — Glenn Buckley

Glenn Buckley appeared. Mr. Buckley summarized his background. He is from Akron and is a Veterinarian. He owned two veterinary emergency hospitals in Fort Lauderdale, sold them, and returned to WNY to start Pet Rescue Rx, a “pets before profits pharmacy”. It is an online pharmacy for pet medications, similar to 1-800 Pet Meds or Chewy.com but on a smaller scale. All profits are donated to animal shelters and rescues selected by customers. It is a licensed pharmacy currently operated from Indian Falls Road. Mr. Buckley has a contract to purchase 7429 Sandhill Road where he would operate from the first floor and live on the second floor. New York State must inspect before they open. Employees are: one Pharmacist, two full-time, one part-time and another slated for next year. Hours of operation are Monday – Friday 9AM – 5PM and Saturday 9AM – Noon. The only signage would be on the door, no animals on site except Mr. Buckley’s own pets. Method of disposal for expired meds is by a company who picks them up or they send them back. Dave asked if they have SDS (Safety Data Sheets) on location. The answer is no, nothing hazardous on site.

John Potera made a motion to recommend this application to the Town Board, seconded by Don:

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

Work Session

Minutes from last meeting

Erik made a motion to approve the July 29, 2019 minutes, seconded by Andy:

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

Pending

Site Plan/Special Use Permit Application- Solar Farm – 12963 Main: Applicant's response to Wendel's review memo #1 was forwarded to Wendel on August 8th.

Bedford Greenhouse Project – V/L Buell & Main

Dave reported that Steve has a buyer for his current greenhouse on Cedar. It will remain a greenhouse, growing for commercial projects only, therefore not competing with him. The property at Buell & Main is multi-zoned with the majority along Buell zoned R-1 where a greenhouse is not a permitted principal use. Therefore, Steve has applied for a use variance. Dave shared that Ag & Markets cannot give an exemption as the property is not in an Ag District. Don suggested that Steve be encouraged to re-zone the entire parcel to C-2, to which Dave replied that spot zoning is against the law.

2-Lot Minor Subdivision – V/L Cedar – Fox: An area variance was granted by the Zoning Board on July 25th, and the subdivision application is forthcoming. Dave reiterated that the Planning Board should make it clear to applicants that the minimum lot width is from the edge of the right of way, not the center of the road.

Site Plan – 11167 Main - Kelly Schultz – retail sheds: Tom reiterated that we received a new Master Plan, but what we need is a site plan application for retailing the sheds and without straddling parcel boundaries.

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

11406 Howe Road – development of 100 acres: no action.

Other items addressed by Dave:

Niagara Label – the drainage pipe was camera' d and four cracks were discovered. They are applying for a second permanent electric meter, which must be approved for National Grid by the Town.

Leisurewood Campground – building permits must be issued for new construction built to NYS Uniform Code requirements.

There being no further business, John Potera made a motion to adjourn the meeting at 8:15PM, seconded by John Olaf and all approved.

Respectfully submitted;
Christine Falkowski, Recording Clerk