

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
Newstead Town Hall – 7:00PM
August 18, 2014

MEMBERS

PRESENT: Tom Cowan, Chairman
Andy Kelkenberg
Terry Janicz
John Olaf
John Potera
Erik Polkowski
Don Hoefler

OTHER: Christine Falkowski, Recording Clerk
Ralph Migliaccio, Code Enforcement Officer

Work Session

Pending/agenda items were reviewed:

Solar field @ ADESA – no action since inquiry

Buffalo Drilling expansion – incomplete application submitted

Fancher Properties expansion – applying to DOS for variance to Fire Code

MGA Research site plan application – adjacent land acquisition has occurred

Creekside Septic-13760 Indian Falls change in use/ownership

John Potera stated he has not seen evidence of outdoor storage by Creekside, such as port-o-potties. The subdivision was approved in April for sale of part of a parcel to Creekside. At that time, Mr. Henley was advised that the buyer must submit a site plan to the Planning Board due to change in use and/or ownership per Town Code section 450-83. Tom stated that a letter has been drafted to Peter Henley with a copy to Jeff Hummel, which Christine read.

Terry made a motion to send the letter, seconded by John Olaf:

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

Minutes of August 4, 2014

Andy made a motion to accept the minutes of August 4, 2014, seconded by John Potera:

Terry	- Aye
Andy	- Aye
John Olaf	- Aye
John Potera	- Aye

Special Use Permit/Site Plan Application – Used Motor Vehicle Sales

12690 Main Road - Shields Enterprises

Mike Metzger and Michael Shields appeared. Mr. Metzger presented a revised site plan showing:

- Location of proposed 3' x 5' sign
- Location of existing trees and hydrant.
- Proposed fence ending at new property line vs. straddling it.

Tom stated that 50' of greenspace front setback is required in the overlay zone, and that it is probably 15' – 20' to the telephone pole/right-of-way. He requested that this dimension be measured and documented on the site plan. He was emphatic that whatever this dimension is, Mr. Shields is not to move the stone forward any further thereby decreasing the setback.

The purpose of moving the property line is to segregate the commercial use on the eastern lot from the residential use on the western lot. Mr. Shields stated he wants to erect another building on the western lot

Special Use Permit/Site Plan Application – Used Motor Vehicle Sales (continued)

12690 Main Road - Shields Enterprises

in order to contain his outdoor storage. He asked about merging both lots into one, to which the Board replied that would be fine and was in fact suggested a few years ago. They cautioned that any commercial expansion would require site plan approval in advance of development. He decided for now to stay with the proposed site plan as submitted.

John Olaf made a motion to recommend approval of the site plan, seconded by Terry with the following conditions:

- (a) Plant at least three trees along the new property line and show them on the site plan
- (b) Document the greenspace setback dimension on the site plan
- (c) File the deed showing the new dimensions of each lot and provide evidence of such before the special use permit for used motor vehicle sales is issued:

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

Preapplication Conference (non-agenda item)

Buck's Motorsports expansion/variance request – 13090 Main Road

Jan Schaefer appeared. Jan met with the Planning Board in October 2013 regarding a site plan proposal to expand his showroom by 2,433 sq. ft. and add 6,136 sq. ft. of cold storage to the east and the north side of his building. At that time he was not sure whether the showroom would require a 5' setback variance to Main Road. Recently, Jan submitted an area variance request to the Zoning Board of Appeals to construct the showroom 60' from the road vs. the required 65'.

Don made a motion to recommend the area variance to the Zoning Board, seconded by Erik:

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

Jan submitted a site plan proposal that now additionally includes the construction of a 3,024 sq. ft. pole barn in the northeast corner of the lot that he wants to build before winter arrives. Jan stated that he will put crates inside the building using a forklift. Andy asked if the pole barn is sited properly since there is no driveway access to it, to which Jan replied it will be placed right up to the existing blacktop, not on the grassy area as shown. Therefore, this correction needs to be made. Tom stated that a drainage plan is needed for the pole barn in order to determine how runoff will be kept within the property boundary, and this will be sent to our Town Engineer for review. Jan stated he plans to build the showroom in the spring of 2015. The Planning Board advised Jan to show the rear stone area as existing or as pavement if he plans on paving it. Also, the nearest fire hydrant must be shown on the site plan, along with the septic system location. Jan had provided an elevation rendering of the showroom, and they would like to see this for the L-shaped cold storage addition as well as the pole barn. This is a requirement of the Overlay zone for aesthetic purposes.

There being no further business, John Potera made a motion to adjourn the meeting at 9:00PM, seconded by John Olaf and all approved.

Respectfully submitted,
Christine Falkowski, Recording Clerk