

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall - 6:30PM

August 3, 2020

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

Work Session

Minutes from last meeting

Terry made a motion to approve the July 20, 2020 minutes, seconded by John Potera:

John Potera - Aye
Terry - Aye
Tom - Aye
John Olaf - Aye

Potential Code Revisions

Short Term Vacation Rentals, AirBnb, VRBO

- The Planning Board sent a memo to the Town Board on April 12, 2019 recommending that the home-based business law be revised to add short term rentals as an allowed use with an annually renewable temporary special use permit.
- On July 8, 2020 we received an inquiry from an individual planning to purchase property specifically for use as an AirBnb.
- Today we received a comprehensive draft local law from Brendan Neill for regulating short term rentals. The Supervisor has asked that the Planning Board review it and provide feedback to the Town Board. Tom asked the Board to comment at our next meeting. The public hearing will be scheduled in September.

Mixed Use definition

In 2018 "mixed use" was added as a permitted principal use in the C-2 zoning district. It has been determined that we need to add a definition for "mixed use". The Town of Clarence also allows mixed use, and copies of their Code were provided. Tom stated that NYS Fire Code must be considered in a proposed definition.

Overlay Zone backland development

Tom described situations along Route 5 where we may wish to consider promoting development beyond the 500' depth of the C-2 and overlay zones. Most parcels are zoned R-A beyond 500'. Some parcels are very deep where multiple businesses could be built with shared access. We need to research how to handle this concept. Avoiding consecutive road frontage lots, thereby utilizing backland is desirable.

John Potera made a motion to endorse this concept and begin research, seconded by Don:

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

Above ground gasoline tank

Newstead Code section 450-35B. (4) does not allow above ground storage of gasoline. The Board felt that this was a requirement from long ago and that underground tanks are no longer used due to potential contaminant issues. We should consider amending our Code to allow above ground storage. NOCO Energy would like to add an above ground gasoline tank, and currently they plan to apply for a variance.

Pending Items

- Site Plan Application - Arrowhead Hotel Addition: under review by Wendel.
- Site Plan Application – Arrowhead Golf – Solar Farm: under review by Wendel.

There has been no action on the following:

- Site Plan Application - Niagara Specialty Metals – 32,400 + 667 sq. ft. additions
- Site Plan Application - MGA Research - 13311 Main Road – new structure
- Site Plan Application – NOCO Energy – Above Ground Gasoline Tank
- Site Plan Application – Bedford’s Courtyard – Phase II development

There being no further business, John Potera made a motion to adjourn the meeting at 7:30PM, seconded by John Olaf and all approved.

Respectfully submitted;
Christine Falkowski, Recording Clerk