

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall

September 24, 2018

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

7:00PM Work Session

Minutes from September 10, 2018 meeting: Terry made a motion to approve the minutes, seconded by Andy:

Tom Cowan
Terry Janicz
Don Hoefler
Andy Kelkenberg

Preapplication Conference Minor Subdivision – 13035 Main - Bob Buonanno

Mr. & Mrs. Buonanno appeared. They own a 2.8-acre parcel in the C-2 zone at 13035 Main Road. Near the road are two structures rented out to three businesses--- Nature's Prize Taxidermy, Lash Out and Imagination Photography. Toward the rear is a house that the Buonanno's rent out. They would like to separate the commercial buildings and sell that piece to a tenant.

Very recently our Code in the C-2 zone changed:

- Minimum lot size requirements from 100' to 150' x 45,000 square feet
- Side yard from none (with 4 exceptions) to 30' for each side

Given placement of the structures, the commercial piece would separate at approximately 200' wide, with only 129' remaining for the house. Therefore, area variances may be an option for the lot width and for the side setbacks. David advised that surveys are required in order to determine accurate measurements especially if we need to recommend an area variance to the Zoning Board. The Buonanno's understood and agreed.

Special Use Permit Amendment – 11678 Main Road - Champion Auto Locaters

Kevin Gaik appeared. In 2003 Mr. Gaik was issued a special use permit for a used auto dealership with two conditions (1) display up to 4 recreational vehicles for sale on grass area and (2) display up to 5 motor vehicles for sale on asphalt area. Mr. Gaik would like the wording of the permit to also include any recreational vehicles or equipment. Our Town Attorney advised the Planning Board cannot approve such amendment but can recommend to the Town Board that they approve a site plan amendment. Tom advised Mr. Gaik to submit a revised site plan to David Miller for review, and then recommendation by the Planning Board. The Town Board would then hold a public hearing before final approval. Kevin indicated he understood.

Pending:

Sign Permit Review – 11234 Main Road – Clarence Secure Storage, LLC - Jim Bola:
David has an appointment to measure the total signage tomorrow.

Town Code 450-Article VII Planned Unit Development (PUD): A training session by Drew Reilly was held on September 17th. It is now clear that this chapter needs serious attention as to its stated intent. It should state that a PUD is only allowed in a sewer area or a proposed sewer area, and that the goals and objectives of our Master Plan be considered. A proposed revision of 450-Article VII will be prepared for the Town Board's consideration.

Rezoning Application-RA to PUD - 12287 Clarence Center Road (Bright Meadows): It was agreed that a memo would be sent to the Supervisor requesting a joint meeting with the Planning Board, Town Board and the Developer.

Amended Site Plan/Special Use Permit-12690 & 12666 Main Road – Shields: David reported that Joe Frey dropped off a sketch representing his turf equipment operations at 12666 Main Road as a tenant of Michael Shields. He also stated that the property line is not accurately shown on all documents that we have. The impound lot was never approved and is not an allowed use. Joe wants to build a temporary hoop-house (a greenhouse) to store equipment, but if it is more than 180 days, it is not temporary. We need a site plan drawn to scale, with dimensions, accurately representing all uses of the entire two parcels.

Preapplication Conference - Disc Golf Course – 4973 Ayers Road-Tim Flynn: Tim has requested agenda time at the October 15th meeting.

Site Plan Application - second warehouse - Fancher Properties, LLC – 13661 Main: no action.

Site Plan Application - Graystone Manor at Arrowhead Golf Club: no action.

Site Plan Application - V/L Main & Buell – Bedford: no action.

Special Use Permit Home-Based Business in RA Zone (after merge) Tonawanda General Concrete – 12471 Stage Road: no action.

Excavation and Fill Permit (change in grading) - 13081 Main – Schultz/Willert: Wendel completed a second review and recommend approval of the permit. David signed his approval also. This item is now closed.

Preapplication Conference – One Lot Minor Subdivision - 13199 Dorsch: Christine has been responding to emails from the owner's great-granddaughter with inquiries on subdividing a 48-acre parcel of land.

Solicitations for solar farms: Christine distributed copies of a solicitation sent to Helen Kelkenberg from Omni Navitas Solar Energy Development of Boston, Massachusetts. Helen stated that other farmers have received it as well. She asked if the Town had to approve a solar farm in addition to her potential consent.

There being no further business, John Olaf made a motion to adjourn the meeting at 8:30PM, seconded by Terry and all approved.

Respectfully submitted;
Christine Falkowski, Recording Clerk