

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
Newstead Town Hall – 7:30PM
January 7, 2013

MEMBERS

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

ABSENT: John Potera

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

Work Session

Minutes – Andy made a motion to approve the minutes of December 10, 2012, seconded by Terry as amended:

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

Sign law review – tabled

Site Plan/Special Use Permit - 11372 Main Road – Smith Auto Sales & Service – nothing new.

Site Plan – 13399 Main Road-Phases 2&3 Expansion – Newstead Self Storage – nothing new.

1-Lot Minor Subdivision- 11174 Miland Road – Jodi Mapes – nothing new.

Review of Use Variance Request: V/L Main Road – Joe Asbeck

Mr. Asbeck appeared. He owns a 4.25-acre vacant parcel on Main Road, the most easterly lot on the north side at the Newstead-Pembroke border. The first 500' of this 925' deep lot is in the C-2 zone, with the remainder in the R-A zone, a portion of which is floodplain. Mr. Asbeck would like to build a home in the C-2 zone 200 – 300' back. Mr. Asbeck has owned the property for 19 years, but a home has not been a permitted use in the C-2 zone since the Local Law #6 of 2009 amendment. He has tried to sell it over the past three years with \$20,000 being his best offer (assessed value is \$40,000). Mr. Asbeck plans to apply to the Zoning Board of Appeals for a use variance. The Planning Board felt that most of the area is residential, he didn't create the hardship, and the property could revert back to commercial use in the future.

John Olaf made a motion to recommend that the Zoning Board of Appeals approve the use variance request, seconded by Terry:

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

Review of Area Variance/Open Development – 5982 Crittenden Road – Richard Manns

Mr. Manns and his daughter, Carol Sciortino appeared. He owns an eight-acre parcel where he lives in his single family home. The parcel is irregular shaped with two non-contiguous areas of road frontage: 43' and 65' in the R-1 zone which requires 100'. He would like to split the property in half and sell both pieces. Mr. Manns' driveway is within the 65' frontage. He already met with the Zoning Board of Appeals on December 27, 2012 where it was tabled and referred to the Planning Board for advisement. Tom explained that our new Open Development law would allow marketing this land as such to a potential developer, which would not require a variance. Tom stated that our Master Plan favors development close to the Village of Akron, which this is very near. R-1 zone allows only one house whereas R-A allows two, although Open Development does not clarify any zone requirements. Tom stated that the Planning Board will render its decision at the next meeting on January 28th and Mr. Manns will weigh his options during the interim.

There being no further business, John Olaf made a motion to adjourn the meeting at 8:35PM, seconded by Terry and all approved.

Respectfully submitted,
Christine Falkowski, Recording Clerk