

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
Newstead Town Hall – 7:30PM
February 13, 2012

MEMBERS

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

ABSENT: John Olaf

OTHER: Christine Falkowski, Recording Clerk
Ralph Migliaccio

Minutes from last meeting

Andy made a motion to approve the minutes of January 23, 2012, seconded by Terry:

Tom Cowan -Aye
Erik Polkowski -Aye
Terry Janicz -Aye
John Potera -Aye
Don Hoefler -Aye
Andy Kelkenberg -Aye

Special Event Guideline

Two draft versions of the guideline were provided to each member. Tom requested that each draft be reviewed for discussion at the March 5th meeting with the goal of merging them into one document.

1-Lot Minor Subdivision – Crittenden Road – Joe Frey

Mike Metzger appeared. Mike submitted this application on Friday in order to satisfy an outstanding violation, per the Court's deadline. The parcel is 24.36 acres, and the first 500' is zoned R-1, with the remainder R-A. This application is essentially lot #6 of Mr. Frey's unapproved 6-lot major subdivision application (shown as 15 acres). Upon approval of this 1-lot application, lot #6 will be removed from the major application, thus reducing it to a 5-lot major. Mike will be re-drawing and re-submitting that plan to the Planning Board.

Storm water flows via the road ditch along Crittenden, flowing east underneath the road via a pipe located in front of the site. The site has a ditch that flows from the south to the roadside ditch along Crittenden. This ditch will be maintained and an easement granted to the Town of Newstead to allow access for periodic cleaning if necessary. Single family home construction is planned with under five acres of disturbance.

Don made a motion to waive drainage review by the Town Engineer and to waive a public hearing, seconded by Erik:

Tom Cowan -Aye
Erik Polkowski -Aye
Terry Janicz -Aye
John Potera -Aye
Don Hoefler -Aye
Andy Kelkenberg -Aye

Andy made a motion to approve this application seconded by Terry:

Tom Cowan -Aye
Erik Polkowski -Aye
Terry Janicz -Aye
John Potera -Aye
Don Hoefler -Aye
Andy Kelkenberg -Aye

6-Lot Major Subdivision – Billo & Stage Roads – Kelly Schultz

Mike Metzger appeared. Wendel submitted their fourth and final review memo today of the site plan revision dated November 2, 2011. Mike was given a copy of the memo. The applicant had provided a proposed deed covenant and has received an approval letter from NYSDEC for stormwater management. Both documents are attachments to the memo, and Wendel recommends approval with the following comments:

- (1) That the Town should require use of the deed covenant as provided, in order to help educate potential owners that parts of their property may have standing water/flooding under certain seasonal conditions; and
- (2) The plan of November 2, 2011 provides adequate areas for detention and storage of stormwater, which is critical as stormwater cannot leave the site due to a lack of a defined outlet. Individual building plans shall substantially conform with the proposed subdivision plan to ensure stormwater management areas remain. Building plans that deviate from the approved subdivision plan will require additional engineering review and approval from the Code Enforcement Officer.

John Potera made a motion to recommend the subdivision application to the Town Board, seconded by Erik:

| | |
|-----------------|------|
| Tom Cowan | -Aye |
| Erik Polkowski | -Aye |
| Terry Janicz | -Aye |
| John Potera | -Aye |
| Don Hoefler | -Aye |
| Andy Kelkenberg | -Aye |

Preapplication Conference – Special Use Permit Application – 11720 Main Road

Apex Automotive, Inc.

Nathan and Gary Raupp appeared. They are considering purchase of this property. They stated that aside from the home, the owner operates a retail automobile sale and tire sale and service business in a large building approximately 520' back from Main Street. The Raupp's currently operate an auto repair business on Ransom Road in Clarence and are considering moving their business to this site. They would also like to obtain the retail sales authorization that is currently under a temporary special use permit, as well as the repair business. *Tom stated that a change in ownership would require the new owner to re-apply for the permit to sell cars.*

The 30.5 acre property is approximately 2,000' deep, and approximately 50% is in Federal wetlands. The first 500' is in the C-2 and Overlay zones, with the remainder in the R-A zone. Tom suggested they may wish to consider a request for rezoning for consistency. Christine stated that the rezoning fee is based on the number of acres. The Raupp's stated they would not be planning any expansion, and will continue to research this idea.

There being no further business, John Potera made a motion to adjourn the meeting at 9:02PM, seconded by Terry and all approved.

Respectfully submitted,
Christine Falkowski, Recording Clerk