

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
Newstead Town Hall – 7:30PM
September 10, 2012

MEMBERS

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

ABSENT: Terry Janicz

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

Work Session

Special Events

Tom and other members attended the Town Board work session earlier this evening to discuss this issue.

Minutes

Don made a motion to approve the minutes of August 20, 2012, seconded by John Olaf:

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

Proposed Local Law #6–2012 Subdivision Law Amendment

One of the new proposed exemptions from subdivision code: if you create a 10+ acre parcel with no development anticipated. John Potera feels that this would be acceptable if development rights are turned over to the Town.

One of our law's current reasons for exemption is: "divisions of land found by the Planning Board to be for agricultural purposes where all resulting parcels are 10 acres or larger in size." The following is a current example of this---Mr. Raykowski would like to sell a portion of land (10+ acres) to Kreher's for agriculture, but in this case, it will only have 66' of road frontage. Since the proposed lot will not meet the 150' frontage zoning standard, would a variance be required? Raykowski/Kreher will be meeting with the Planning Board on September 24th. The Planning Board may consider a modification to this current exemption regarding the standard 150' frontage.

Draft noise ordinance – prepared by Dawn Izydorczak and distributed to the membership.

Sign law restructure

Christine prepared a summary of the sign code as it is currently organized in our Code Book, and highlighted certain areas that require a decision to be made prior to creating a "commercial sign district" and a "residential sign district". Several changes were agreed upon. Discussion of this topic will continue at the next meeting.

Public Hearing: 2-Lot Minor Subdivision – V/L Hunts Corners Road – Paul & Aaron Muck

The public hearing was opened at 8:05PM. Paul Muck and Cathy DeRosa appeared. John Potera made a motion to waive the reading of the legal notice, seconded by Erik:

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

The Muck's own a 41.33-acre parcel with road frontage on Hunts Corners and on Utley Roads. They would like to split off two three-acre lots on Hunts Corners. The remaining acreage will be purchased by the DeRosa's and used for farming. An easement for the ditch at the east line does not need to be granted to the Town for maintenance. Paul stated the ditch has never had to be cleaned, and was most likely created by Lyman Muck. Wendel Duchscherer reviewed the subdivision plat, and issued a memo dated 8/31/12 recommending approval with the comment that a grading error near the northeast corner of proposed home should be corrected.

John Potera made a motion to close the public hearing at 8:10PM, seconded by Andy:

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

John Olaf made a motion to approve the subdivision, seconded by Erik:

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

Paul stated he would correct the grading error, have the appropriate copies made for signing and then file the subdivision plat with the Erie County Clerk.

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