

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall – 7:30PM

September 24, 2012

MEMBERS

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

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

Work Session

Minutes

John Potera made a motion to approve the minutes of September 10, 2012, seconded by Don:

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

Public Hearing: 1-Lot Minor Subdivision – 5149 Crittenden Road – Kathy Tober

The public hearing was opened at 8:05PM. Kathy Tober appeared. John Potera made a motion to waive the reading of the legal notice, seconded by Terry:

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

Mrs. Tober owns a 14.11-acre parcel of land on Crittenden Road. There are two homes on this lot; 5145 Crittenden is a 30-year old home and 5149 was built in 2006. She would like to separate 5145 with one acre. Ralph reported that an accessory structure on this property is in deplorable condition and that he sent Mrs. Tober a violation notice on Friday. He urged the Board to take no action on the subdivision until the outstanding violation has been corrected. Mrs. Tober stated the home has been vacant for one year and that she plans to fix it up and sell it. Wendel Duchscherer reviewed the subdivision plat, and issued a memo dated 9/20/12 recommending approval.

John Potera made a motion to close the public hearing at 8:09PM, seconded by Don:

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

Andy made a motion to approve the subdivision, seconded by Tom:

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

Site Plan/Special Use Permit 11372 Main Road - John Smith, Jr.

Mr. Smith owns a 2.2 acre parcel at 11372 Main Road in the C-2 and Overlay zones with 290' of frontage. There is a two-family home along with a 7,700 sq. ft. commercial warehouse on this site. Mr. Smith has applied for a special use permit to operate used auto sales, Smith Auto Sales & Service on a portion of the property. The site plan calls for repaving the existing asphalt drive and lot. Mr. Smith stated that if approved, paving would probably happen in the spring. A portion of the warehouse will be used for a sales office, which should be part of the site plan. Mr. Smith stated that are multiple bays on the side that will be used for vehicle service. What is the square footage of the office? What is the use of the remainder of warehouse? Where do tenants park? Tom stated that his welder tenant sign has no permit approval, and Mr. Smith stated the sign would be removed. It appears from the plan that the required 50' greenspace setback will be met and will include landscaping.

The Planning Board instructed Mr. Smith to submit a revised site plan to include the entire operation including the building, office, and service bays depicting the use of all areas within the building and with dimensions. Mr. Smith stated he would ask Mr. Klotzbach to prepare this plan for the next meeting of October 15th.

Subdivision Exemption 10+ acres for Agricultural Purpose - Knapp Road

Rich Raykowski and Brett Kreher of Kreher's Poultry Farm appeared. Rich owns a 79 acre lot with 66' of road frontage on Knapp Road continuing to Indian Falls Road with additional frontage of 1,075'. Brett would like to buy 18 acres that would include only the 66' of frontage on Knapp. Newstead Town Code section 360-6(A) (2) (a) currently exempts divisions of land found by the Planning Board to be for agricultural purposes where all resulting parcels are 10 acres or larger in size.

Don made a motion to exempt this land separation from subdivision approval, seconded by John Olaf with the condition that if future development is ever desired, a minimum of 84' adjacent frontage must be obtained and merged with this 18-acre portion:

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

Change in Use – 13008 Main Road - TNE Roofing & Siding LLC – Tim Nicometi

The .73-acre parcel on the northeast corner of Routes 5 & 93 is owned by Mr. McConnaughey. The metal building in the northeast corner of the lot will be rented by Mr. Nicometi to be used as an office, warehouse and storage. He has eight employees that utilize cube vans. They will access the site via the driveway off of Main Road and park along the eastern boundary. Mr. Nicometi stated that most of his business is outside sales. His site plan includes two 24 sq. ft. wall signs erected on the building.

Erik made a motion to approve the change in use application, seconded by Terry:

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

Mr. Nicometi was reminded that he will need to apply for a building permit for any interior renovations.

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Special Use Permit/Home Based Business in RA Zone: 11570 Clarence Center Road-Muddy Paws Farm LLC
Ann Perrault and Walter Gibson appeared. Their home is on a 2.5-acre parcel at 11570 Clarence Center Road. They recently built a 2,400 sq. ft. pole barn attached to their unattached garage where they would like to do dog training. Agility equipment will be used outside. They are set back 300' from the road, and the backyard is enclosed with a chain link fence. In the future, a sign depicting "Muddy Paws Farm LLC" will be placed near the road.

Erik made a motion to recommend the site plan/special use permit application to the Town Board, seconded by Don:

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

Destroyer Park Golf

A request has been made to the Town Board to amend the condition regarding signage on the special use permit approved last year. The Planning Board had recommend 500 sq. ft. of space on the silo to display the Destroyer logo, but the Town Board rejected this and instead approved the site plan signage to "way finding" only. Tom stated there is a possibility that this item could come back to us.

There being no further business, John Potera made a motion to adjourn the meeting at 9:20PM, seconded by John Olaf and all approved.

Respectfully submitted,
Christine Falkowski, Recording Clerk