

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
Newstead Town Hall – 7:30PM
November 5, 2012

MEMBERS

PRESENT: Don Hoefler
John Potera
Erik Polkowski
John Olaf
Terry Janicz

ABSENT: Tom Cowan
Andy Kelkenberg

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

Work Session

Minutes - Erik made a motion to approve the minutes of October 15, 2012, seconded by Don:

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

Sign law project – tabled

Doug's Service Center

Doug Lewis is scheduled to come to the November 19th meeting. A letter was sent to Mr. Lewis on October 17th. The Board suggested the Town Attorney be consulted about what action can be taken regarding site plan non-compliance.

2013 Meeting Schedule

Christine distributed a *draft* meeting schedule for next year. Board members will review for finalizing at the next meeting.

Term Expiration

John Olaf's term expires 12/31/12. He will submit his written request to the Town Board for re-appointment from 1/1/2013 – 12/31/2019.

Destroyer Park Golf

Kris Beyer appeared. She just returned from Japan, stating that the Japanese are very excited about the first Park Golf course opening in the United States and that they will be coming to certify the course. Kris informed the Board that the new barn is up, and she distributed photos of it. The barn height is 24' and the size of the silo is 27' x 14'. The red cap has yet to be placed on top. She would like to paint the proposed Destroyer happy face logo on the silo 5' x 6' (30 SF) and on the face of the barn paint the logo plus the words "Destroyer Park Golf" 6 x 14 (84 SF). Total signage would be 114 sq. ft. Our sign Code definition includes painted signs. John Potera stated that maximum signage allowed in the C-2 district is 224 sq. ft. She would also like two more small signs in the style of ingress/egress signs that would say Destroyer Park Golf along with a logo of someone playing golf. Kris will have an actual rendition of all desired signage available at the November 19th meeting.

The Planning Board had recommended 500 sq. ft. of total signage, but the Town Board rejected this and approved the special use permit signage in 2011 to "way finding" only. Kris is now requesting that the Town Board amend that condition. The Town Board wants the Planning Board to take another look.

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Public Hearing: 2-Lot Minor Subdivision – 6772-6774 Maple Road – Tom Hanft

The public hearing was opened at 8:00PM. Tom Hanft appeared. John Potera made a motion to waive the reading of the legal notice, seconded by Terry:

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

Mr. Hanft owns a 10.8-acre parcel at 6772-6774 Maple Road that has a two-family home on it. He would like to separate the house with 8.4 acres, thereby creating two 1.205 acre building lots. Wendel Duchscherer reviewed the subdivision plat, and issued a memo dated 11/5/12 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
John Olaf	-Aye
Terry	-Aye

Don inquired about the guard rail; will NYS allow him to pipe only where driveways will go? Tom would like both new driveways close together but NYS will ultimately determine that. He is getting an easement from the 8.4 acre lot in order to work on the other two lots.

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

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

Mr. Hanft was advised on the procedure and time frame for filing his subdivision plat with the Erie County Clerk.

Site Plan Application - 11061 Main Street - Proposed Storage Buildings

Kelly Schultz and Mike Metzger appeared. Kelly Schultz plans to construct four new vendor storage buildings: 1,800 + 3,600 + 7,500 + 6,000 sq. ft. = 18,900 sq. ft. total. Flea market vendors enjoy leaving their merchandise on site instead of importing it every Sunday. This is Phase I of Kelly's new master plan for the site. Wendel Duchscherer reviewed the application and recommended approval in a memo dated October 22nd.

Terry made a motion to recommend the site plan to the Town Board, seconded by Don:

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

Site Plan/Special Use Permit - 11372 Main Road – Smith Auto Sales & Service

John Smith Jr. appeared. Douglas Klotzbach submitted a revised site plan to include full use of the warehouse. It has four separate sections. The tenant in the front 5,320 sq. ft. section is Clarence Hollow Antiques. There is a 120 sq. ft. office for Smith Auto Sales. The tenant in the middle 1,600 sq. ft. section is Second to None Landscaping. The rear tenant is Pro Edge Landscaping/Welding utilizing 2,515 sq. ft. Mr. Smith will service the automobiles he will be selling along with other

Site Plan/Special Use Permit - 11372 Main Road – Smith Auto Sales & Service (continued)

vehicles in the middle bay, thereby replacing Second to None Landscaping. The only employee he may have will be his nephew who is in tech school and plans to work at West Herr Ford. Mr. Smith's hauling business, D.E.C., slows down in the winter, and his own dump trucks and other vehicles will be serviced there. Mr. Smith left the meeting.

The Board discussed whether Mr. Smith's hauling vehicles would even fit in the service bays, and John Olaf stated that that is where the old J&I Disposal garbage trucks were repaired. There was agreement that there could be environmental concerns at the site, and that the applicant should prepare the Long EAF instead of the short form. Don suggested that change in use approval is in order for the repair business. Perhaps we should separate it as (A) site plan approval with associated change in use of the middle warehouse section and (B) temporary special use permit for used auto sales. There was also discussion about when the site should be made compliant with the site plan. John Olaf wanted it to be before opening and operating the new business, since in the past when the Board set a time limit condition on site plan compliance after business opens, it created a problem.

Don made a motion to table this item, seconded by John Olaf:

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

There being no further business, John Potera made a motion to adjourn the meeting at 9:15PM, seconded by Terry and all approved.

Respectfully submitted,
Christine Falkowski, Recording Clerk