

TOWN OF NEWSTEAD DRAINAGE BOARD
MINUTES OF September 18, 2007

Members Present: Don Kreher
Mike Rushok
Jim DeYoung
Bob Wideman

Others: Justin Rooney
Mark Decker
Mike Bassanello – Highway Superintendent
John Good – Code Enforcement Officer
Bob Kowalik – Village Department of Public Works
Scott Rybarczyk – Town Engineer
Jennifer Heberling – Recording Secretary

Meeting called to order at 7:00PM, by Don Kreher.

Anthony Brandl, 6320 Hake Road - appeared to discuss the subdivision that will be going in across the street from his house on Hake Road. He believes that the retention ponds that are included in the proposed drainage plan for the subdivision will overflow and cross the street onto his property. He has already spent over \$7,000 trying to rectify the drainage problems he already has. He feels he is going to need a larger culvert pipe and wants to know who is responsible for the cost. Mark Decker told Anthony that he doesn't know the answer to that question. This has already been discussed on many levels. (Town Board and Planning Board) The feeling is that some responsibility should fall on the developer, although usually, once the water hits the ditch it becomes the responsibility of whoever maintains the road. Anthony told the board that pipes would have to be installed at the driveway, near the mailbox. John stated that usually when this involves a county road, the county will install the culvert pipe at no charge to the homeowner. There was a discussion by the committee on various scenarios and possible solutions. The committee assured Anthony that they are aware of this situation and they will not allow the subdivision to have a sub-standard drainage plan. Anthony also asked if there is anything he can do about his current water situation. Mike is going to call Gary Z. at Erie County. Scott is worried that by upsizing the culvert pipe at this location, they are just moving the water problem somewhere else.

Discussion on the Kausner house on Clarence Center Road. John stated that there was no choice but to let Mr. Kausner build his house. Legally he had no choice. John informed the board that the Turchiarelli's built a pond without a permit. He made Mr. Kausner stop his building until he produced a drainage plan that would work. The contractor that is building the house will be cleaning the ditch while his bulldozer is on site. The town has also received a 20' easement for the ditch to make sure the ditch is properly taken care of.

There was also a question on why Michael Schmidt was granted a variance to have only 66' of frontage. John feels that this restricts development and since it keeps more property undeveloped, it does help some drainage issues.

Scott realizes that we will have issues with the Kausner house and its future owners. We also have to make sure that the ditch is put in correctly and is properly maintained. We need to make sure they don't cheat on the side slopes. The bike path will also have to be addressed to help control this situation.

Scott informed the committee that the DEC is remapping all of the wetlands. Residents on Moore Road were approached about allowing the DEC onto their property for this project and they refused. The FEMA Flood maps are also in the process of being updated.

Scott brought up the Perry's Ice Cream expansion. He has not received the information that he is looking for, so we are not able to discuss it at this time. All the construction will be in the Village, although the drainage will impact the Town.

Bob Kowalik did take a walk down Murder Creek and the inmates that came out to clean it did a great job.

A motion to approve the minutes from the 8/21/07 meeting was made by Mike R. and 2nd by Jim D. All in favor.

The meeting was adjourned at 8:10PM by Don Kreher.

Respectfully submitted,
Jennifer Heberling
Recording Secretary