

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
January 16, 2006

PRESENT: Tom Cowan, Chairman
Terry Janicz
John Olaf
Andy Kelkenberg
Rick Meahl
John Potera
Christine Falkowski, Recording Clerk
Rebecca Baker, Zoning Officer

ABSENT: Don Hoefler

The Planning Board meeting was called to order by Tom Cowan at 7:30PM.

1-Lot Minor Subdivision – Dye Road - Donald Wingard

No representation present. Mr. Wingard lives at 6653 Dye Road, and also owns the 5.3 acre parcel directly north (between his home and Adam Stoldtman's). He sold 2.72 acres (150' x 789.65') to Adam Stoldtman, who was sent a letter asking whether he planned to merge it to his property or keep it as a potential building lot. As a result, we received a subdivision application from Mr. Wingard. There is a small portion of Federal wetlands at the rear boundary. Delineation of the wetland area must be provided prior to approval of any construction. Terry made a motion to approve the subdivision contingent upon receiving an amended drainage plan showing proposed swales added to the north and south property lines directing potential runoff to the rear wetlands, seconded by John Olaf:

Tom Cowan	-Aye
Rick Meahl	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
John Potera	-Aye
Andy Kelkenberg	-Aye

Site Plan Amendment–Niagara Specialty Metals – Clarence Center Road - Bob Shabala, President

They would like to enclose one 800 – 1,000 SF dust collector (building #1) and construct another 1,500 - 1,800 SF dust collector (building #2). Both will be on concrete pads, which is impervious. The threshold for stormwater management has not been reached as yet. Building #1 is 18' tall or three feet taller than the building #6 that it is attached to. Building #2 is 20 – 25' tall. Currently there is 60 – 65' between building #6 and the one next to it (#7). All agreed that emergency vehicle access between buildings #6 & #7 would be adequate. Enclosing these dust collectors would greatly reduce the white vapor emissions that are primarily the result of heating molybdenum metal. Bob was requested to submit a comprehensive master site plan to scale identifying each building, the distances between them, and including drainage for runoff shown. Bob stated that Niagara Specialty has an informal agreement to purchase land owned by the Gladys Cummings family in the future. Future expansion would trip a stormwater management plan. Andy made a motion to refer this application to the Town Board to begin the SEQR process and schedule the public hearing, seconded by Terry:

Tom Cowan	-Aye
Rick Meahl	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
John Potera	-Aye
Andy Kelkenberg	-Aye

Major Subdivision – Berghorn Road – Ronald Epstein, representing Keith Berghorn

Mr. Epstein (buyer of 3 lots on Berghorn), Dave Sutton (Mr. Epstein's architect), Mr. & Mrs. Berghorn (sellers), and Mr. & Mrs. Green (buyer of one lot on Crego) attended the meeting.

(a) A site plan for Mr. Epstein's three lots and a concept plan for the parent parcel was prepared and submitted by Dave Sutton. Mr. Epstein's most southern lot on Berghorn does indeed connect with the property stake of Tucker; therefore, an additional lot is created by default, making this an eight-lot subdivision instead of seven.

(b) Mr. Epstein's site plan shows a shared driveway down the property line. This is a problem for several reasons, therefore, Mr. Epstein and Mr. Sutton decided against this. Instead, the shared area will be at the garages only. Dave Sutton stated that a swale can go on the property line with an 8" diameter culvert installed under the driveway at the garages. Regarding the existing swale to be moved, Dave asked where it comes from and is it an established waterway. Any wetlands? He does not have a topographical survey of entire parcel yet.

Major Subdivision – Berghorn Road – Ronald Epstein, representing Keith Berghorn

(c) Mr. Green will close shortly on the Crego Road lot. He plans to purchase additional frontage and rear land to the property line and merge all together. He will then need a revised survey for his merge (done through his attorney). The enlargement of this lot must be shown on the concept plan for the parent parcel.

Items Needed:

- € Revised and final plat plan, including Green’s house/driveway plotted, enlarged lot, septic, easements, etc. The major subdivision checklist was distributed to all parties for reference.
- € Andrew Casolini stated that drainage calculations by an engineer are required.
- € Revised Long EAF. Given back to Keith Berghorn to re-do for eight lots.

These documents will be reviewed at the next meeting of the Planning Board on February 6th.

Rick made a motion to refer this application to the Town Board to begin the SEQR process and schedule the public hearing, seconded by John Olaf:

- Tom Cowan -Aye
- Rick Meahl -Aye
- Terry Janicz -Aye
- John Olaf -Aye
- John Potera -Aye
- Andy Kelkenberg -Aye

Zoning Report

The Zoning Report dated January 9, 2006 was reviewed.

Minutes Review

John Olaf motioned to approve the minutes of December 12, 2005 as written, seconded by Rick:

- Tom Cowan -Aye
- Rick Meahl -Aye
- Terry Janicz -Aye
- John Olaf -Aye
- Andy Kelkenberg -Aye
- John Potera -Aye

Special Events Permits

Does the guy who sells vegetables on Route 5 in the right-of-way need a permit? No, the Town does not issue such a permit. Why? Tom reported that this issue was looked at in the past and that in 2002 and tabled. There were safety concerns that brought liability into play. If the Town permits the event, is the Town liable? Tom’s documents will be distributed to the Planning Board and this will remain an agenda item for a report to the Supervisor.

Koepsel Road – Creation of Wetlands

Jody Celeste, Ecologist for Earth Dimensions, Inc. has made an inquiry about obtaining the necessary authorizations required by the Town for creation of less than one acre of wetland on Koepsel. The parcel is adjacent to another owned by Earth Dimensions and named Spring Marsh. Carl Klingenschmitt and Nathan Neill have been contacted for advisement.

Route 5 Rezoning

Tom reported that boundaries will not change, but the concept map in the Master Plan will be amended to say to use as much backland as necessary, in which case that piece only would be rezoned. Tom asked the Planning Board to begin thinking about the permitted uses in each zone. Christine will distribute copies of the zoning code showing the cross-outs of proposed use changes for the next meeting.

John Potera made a motion to adjourn the meeting at 9:30PM, seconded by Tom and all approved.

Respectfully submitted by,
Christine Falkowski
Recording Clerk