

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall – 7:30PM

June 1, 2009

MEMBERS

PRESENT: Tom Cowan, Chairman

Erik Polkowski

Don Hoefler

Andy Kelkenberg

Terry Janicz

John Potera

OTHER: Christine Falkowski, Manager of Planning & Building

John Good, Code Enforcement Officer

ABSENT: John Olaf

Minutes – Christine called Mr. Czechowski on May 21st and asked him to include the street number on his NAPA Auto Parts sign, and he stated he would. Andy made a motion to approve the May 18, 2009 meeting minutes, seconded by Terry:

Tom Cowan	-Aye
Terry Janicz	-Aye
Andy Kelkenberg	-Aye
Don Hoefler	-Aye
Erik Polkowski	-Aye
John Potera	-Aye

Day Care Center – 5149 Crittenden Road – Special Use Permit Application

Domenic and Jeannine Morlacci appeared and brought with them a site plan that depicts the entire property instead of the building footprint only and including driveway, parking lot, septic system, sidewalks, dumpster, and fencing locations. There are now 25 parking spots, including two for handicapped use. The playground area to the rear will be fenced, and the dumpster will be placed on a 10' x 10' pad with a swing gate. Jeannine stated that the hydrant across the street is not shown, but is 400' from the building as John measured. The electric pole is located on the property to the south, and Domenic stated they are hoping the owner will grant an easement for it. John stated sidewalk at each classroom exit is required, but not be necessary at the south office door as adults only will be exiting there. A larger water line was suggested in case future expansion brings their occupancy up to 100 or more, requiring sprinklers. They are approved by New York State for 68 children and 10 staff. Temporary occupancy exceeding 100 for a holiday party, for example, is not well defined in the Code. The Morlacci's also plan to purchase the north lot, stating that Mrs. Tober will hold it for them. Christine was asked to provide the estimated timetable for the approval process to the Morlacci's, who plan to open for business September 1, 2009. Christine stated that the site plan should also show dimensions, setbacks and labels.

Don moved to recommend approval to the Town Board, seconded by Terry with the following:

Modify site plan to show:

- (1) Drainage plan with existing and proposed elevations and contours
 - (2) North arrow
 - (3) Bar scale
 - (4) Hydrant location
- Plus, provide business plan minus the financials

Tom Cowan	-Aye
Terry Janicz	-Aye
Andy Kelkenberg	-Aye
Don Hoefler	-Aye
Erik Polkowski	-Aye
John Potera	-Aye

Open Development –Christine distributed the Town of Clarence’s ordinance, and their requirements #11 and #12 will be added to our document as follows:

- Engineering drawings and specifications submitted to and approved by the Town Engineer presenting existing topography, proposed grades, pavement details, drainage plan with calculations, sanitary sewer service, waterline size and hydrant locations signed and sealed by a New York State licensed engineer.
- Any open development area approved shall expire two years from the date of approval if major construction has not commenced. Major construction consists of infrastructure such as roads, waterline and other improvements.

Relative to the homeowner’s agreement, Tom stated that a Building Inspector from Clarence cautioned that the Town must take over the road if the development is abandoned, therefore, be very thorough when creating minimum standards. Tom will ask Jack Willert to share his experience with homeowner’s agreement and open developments with the Planning Board. If our ordinance allows for creation of new flaglots, Tom recommended the adjoining property frontage on each side be 100’. Andy agreed that this made sense.

Sign Law - review draft & off-premises signs painted on barns - tabled

Changes to subdivision law plat filing requirements – The Supervisor asked Tom to table this item.

Training - Terry and Erik attended “Training for Local Boards” presented by Wendel Duchscherer at NCCC on May 19, 2009. They gave certificates to Christine for their file, and this completes their annual four-hour training requirement for 2009.

Miscellaneous

- Tom asked John to report to the Planning Board his experience attending the “Night Craze” at the WNY Event Center recently with 2,700 teens attending and only 27 suspected of substance abuse. Erik asked what the capacity was of the Event Center. John did not know, but stated there was still plenty of unused space during the event.
- John Potera asked John how he was handling all the round Arrowhead Golf signs posted throughout the Town. John stated he will ask Mr. Frey to bring in a map depicting the sign locations, as Andy did for his Christmas tree signs.
- John Good stated that New York State requires public hearings for all subdivisions including one-lot. Currently, public hearings are held for two or more lots by the Planning Board. He will re-write our Code in consultation with Nathan, and recommended that we begin this practice immediately.

Next Meeting:

This meeting date will change from Monday, June 15th to **Tuesday, June 16, 2009.** Christine will make the proper notifications.

John Potera made a motion to adjourn the meeting at 8:50PM, seconded by Terry and all approved.

Respectfully submitted,
Christine Falkowski
Recording Clerk
Manager of Planning & Building