

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

June 2, 2008

PRESENT: Tom Cowan, Chairman
Terry Janicz
Rick Meahl
John Olaf
Andy Kelkenberg
Don Hoefler
John Potera
Christine Falkowski, Recording Clerk
John Good, Code Enforcement Officer

7:30PM - Proposed Pharmacy, Restaurant & Retail – 12963 Main Road

Joint session with Benderson Development, Newstead Planning & Town Boards and Akron Planning & Village Boards

Jim Rumsey, Matt Oates, Chris Wood and Dan Bonowski presented the project. One lease is being negotiated now and they plan to build all four buildings at once, if possible. Ideally they would like to break ground near the end of this year, but most likely will start in spring 2009. A market study was not done, but there was great interest from retailers at a recent trade show.

The Planning Board reconvened to the conference room for their regular meeting which was called to order by Tom Cowan at 8:30PM.

Proposed Pharmacy, Restaurant & Retail – 12963 Main Road

Benderson Development

Messrs. Rumsey, Oates, Wood and Bonowski appeared. They last met with the Planning Board on April 21, 2008 where they were given a copy of Wendel's review memo dated April 21st. A response dated May 23rd was submitted addressing each item along with an Engineer's Report and revised civil drawings. These items are currently being reviewed by Wendel with a written response expected by the end of the week.

It was noted that the stone wall along Route 5 has been removed. Revised plans include a hydrant added at the northwest corner of the property, a liner added to the detention pond, crosswalks added where requested, and all four buildings are to be sprinklered. Mr. Rumsey stated that a future connect to the east and west properties will be added to the plan. Also, an effort to avoid stagnancy in the retention pond, such as an aerator, will be discussed. He stated that they will remove the "finger" at the 2,400 SF retail building for better firetruck access. Stacking at the proposed restaurant was discussed with Dan Bonowski, Traffic Engineer. The plan calls for maximum stacking of 18 – 20+/- cars. Most western New York coffee shops experience 15 – 16 cars at rush hour, which is not expected at this location. Although the traffic study is dated pre-McDonald's and Dollar General, Mr. Bonowski stated that traffic counts are current.

Dan Kowalik, Town Deputy Disaster Coordinator, requested that when the traffic signal is re-worked that it be set up for emergency power. He hopes that Knox Box's will be required for this project.

Mary Jane Schonn expressed her dislike of the aesthetic appearance of the properties currently located at Routes 5 and 93 and hopes that this development will bring improvements. She questioned the need for a state-of-the-art drive-through pharmacy stating that is hard to compete with.

28- Lot Major Subdivision with Public Improvement – Concept Plan - Stage & Havens Road

Pete Johnston, of Schutt Engineering, and Stan Tatara appeared. The Planning Board voted unanimously to accept the concept plan on July 16, 2007. Since then, the Town Code has since changed, and the plan was resubmitted on May 19, 2008. Stan wants underground electric and utilities and will submit final plat to the power company. In lieu of paying greenspace fees, Stan is proposing to set aside the minimum 10% of the project as greenspace. This equates to approximately 3.1 acres of land that will include the detention pond. How then is this usable greenspace? Detention pond is deep and unsafe as parkland. Who would maintain it? Will the Town Board want the 10% minimum, or more than that? The detention pond is required either way, so perhaps they'd rather have the fees? Also, since Phase I will be built first and one of the detention ponds and greenspace is physically located in Phase II, how may this impact the project? Tom stated he must investigate this issue before his Board can vote to recommend concept plan approval to the Town Board.

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Rezoning portion Scotland & Indian Falls Road – Peter Henley

Peter Henley appeared. He is requesting that a portion (2.88 acres out of the 51-acre parcel) of his property at Scotland and Indian Falls Road known as Five Corners Business Park LLC be rezoned from I-1 to I-2. Mr. Henley explained that he has two tenants in the building at 13760 Indian Falls Road that will need to be relocated if the Town and Village purchase his property for a joint highway facility. One of the tenants is Akron Alloy, which is an allowed principal use (junkyard) in the I-2 zone only. Mr. Henley stated that Akron Alloy is looking to expand, including blacktop as the current site is very dusty. He also stated he would put in a Town road if rezoned. Tom suggested to Mr. Henley that he return to the Planning Board when the municipal deal has been contracted.

Preapplication Site Plan – Newstead Self Storage - 13399 Main Road

Douglas Klotzbach and Paul Steven appeared. Mr. Steven stated that he owns Rock Oak Estates in Clarence, and that he recently purchased Newstead Self Storage from Della Demaio for a total of 9.73 acres. Current storage is at capacity. The existing footprint of all buildings is 11,537SF. The plan for phase I is to add 8,800 SF or 88 units plus 22 additional open storage spots to the rear for licensed recreational vehicles and boats. Phase II would add 22,400 SF or 140 units. Existing gravel parking areas would be paved (approximately four acres). Since drainage swales are shown crossing property lines of both lots, the lots would have to be merged or possibly a shared drainage easement provided. As the night was getting late, Tom advised the Board to visit the site before the June 16th meeting when this item will be placed on the agenda again. He stated that Messrs. Steven and Klotzbach need not appear at that time.

Site Plan - Terminal Area Apron Reconstruction - Akron Airport

The Zoning Board approved a use variance on May 22nd for this expansion. Terry made a motion to recommend approval of this project to the Town Board, seconded by John Olaf with the following condition: (1) one airplane tie-down be removed.

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

Work Session

- Christine distributed a Temporary Sign guideline draft for the next meeting.
- **Minutes Review** – Don motioned to approve the May 19, 2008 minutes, seconded by Andy:
 - Terry Janicz -Aye
 - Rick Meahl -Aye
 - Tom Cowan -Aye
 - John Olaf -Aye
 - Andy Kelkenberg -Aye
 - Don Hoefler -Aye
 - John Potera -Aye

John Potera made a motion to adjourn the meeting at 9:52PM, seconded by Terry and all approved.

Respectfully submitted,
Christine Falkowski, Recording Clerk