

# TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall – 7:30PM

Tuesday, June 29, 2009

## MEMBERS

PRESENT: Tom Cowan, Chairman  
Erik Polkowski  
Don Hoefler  
Andy Kelkenberg  
John Olaf  
John Potera  
Terry Janicz

OTHER: Christine Falkowski, Manager of Planning & Building  
John Good, Code Enforcement Officer

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### **Home Based Business in RA Zone**

At 7:30PM, the Planning Board sat in on a meeting in the court room held by Supervisor Cummings, Tom George and Nathan Neill. In attendance were several home based business operators. The draft law was reviewed collectively.

### **8:00PM - Public Hearing: 2-Lot Minor Subdivision Application - 5149 Crittenden Road**

The public hearing was called to order at 8:00PM to consider allowing a two lot minor subdivision of the 13.8-acre parcel at 5149 Crittenden Road owned by Kathy Tober. The reading of the legal notice was waived, as no one appeared. Terry made a motion, seconded by Andy to close the public hearing at 8:01PM:

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

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

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

### **Special Use Permit/Site Plan – Kennel in RA Zone - 5475 Barnum Road**

Christine distributed a list of items discussed at the agenda meeting, which the Planning Board reviewed. Patrick Galla, owner, entered the room at 8:20PM and the list was discussed with him. Patrick stated the berm section near the road has already been removed. Relative to the cross connect, he asked if he could sell retail shop supplies, such as heavy bags of dog food at the kennel. They can be stored there, but sales must take place in the C-2 zone only. His plan for waste removal is a separate septic system from the house for the kennel only. Waste will be hosed to a trap, and power flushed. The requirements were finalized as follows:

- 1) Hours of Operation: Monday – Friday 9AM – 6PM  
Saturday 9AM – Noon  
Sunday closed
- 2) Provide proof of merging 7.24-acres with 2.34-acre parcel before construction to benefit drainage.
- 3) Berm section near road must be removed so as not to block site line from bike path.
- 4) Noise mitigation per site plan must be in place prior to kennel opening for business.
- 5) Signage: Alterations must not be made until after kennel is permitted.
- 6) Lighting: Must not shed light beyond property lines
- 7) Outdoor Storage: If any, must be screened from public view.

- 8) Town Board reserves the right to require cross-connect access in the future, if deemed necessary, for flow of customer traffic movement between kennel and retail shop.
- 9) Future expansion area depicted on site plan will require Town approval.
- 10) Permit subject to annual renewal and renewal fee according to Town of Newstead fee schedule.
- 11) The maximum number of dogs allowed in year #1 of operations is 30.

The Planning Board decided to table this item until proof of merger is obtained. Patrick agreed since the merger is imminent.

**Preapplication Conference – Minor Subdivision - Carney Road – Douglas Stanbury**

Doug & Karen Stanbury and Justin Klodzinski appeared. Doug wants to create one new 200' x 750' lot west of 12815 Carney Road. According to Town maps, the 750' depth includes Federal wetlands. Doug does not want to incur the cost of wetland delineation, yet his buyer wants to purchase the full 750' depth. The Planning Board discussed options as follows: (A) Advise him to shorten depth to avoid wetland area, sell lot, then later split off back half and merge with approved lot which does not require subdivision; (B) Lease rear half to buyer for \$1 over next 25 years for use; (C) Obtain Wendel's advice and see what they say about delineation. This item was tabled for further clarification. Complete application is due July 10<sup>th</sup> for July 20<sup>th</sup> meeting agenda.

**Minutes from June 16, 2009 Planning Board meeting**

Andy made a motion to approve the minutes of July 16, 2009, seconded by John Olaf:

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

- Sign Law-review draft & off-premises signs painted on barns - **tabled**
- Open Development - **tabled**
- Recommended changes to subdivision law plat filing – Nathan Neill and Dawn Izydorczak will make a presentation on this subject at the July 20<sup>th</sup> meeting.

**Next Meeting:** July 20, 2009

John Potera made a motion to adjourn the meeting at 9:05PM, seconded by Don and all approved.

Respectfully submitted,  
Christine Falkowski  
Recording Clerk

The Chairman requested an executive session with his Planning Board members only. Christine and John Good left the meeting room and re-joined the home-based business meeting in the court room.