

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
July 16, 2007

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

ABSENT: Don Hoefler
Andy Kelkenberg

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

Work Session - Tonight's agenda items were discussed.

1-Lot Minor Subdivision Application - Downey Road – Gary & Bruce Baker

Mr. & Mrs. Baker appeared. The Baker's own a 12.4-acre parcel on Downey Road. They previously split off a piece in 2000 and another in 2002. They now wish to split off a 176' x 665' building lot. There is a cross culvert with existing swale that cannot be altered. It was noted that the soils on this site are not suitable for septic. Terry made a motion to approve this subdivision application with the condition that if a driveway is to be built, it should be placed north of the culvert, seconded by Rick:

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

Site Plan – 6,300 sq. ft. Addition - Buffalo Drilling - 12264 Main Road

Jim Holtz appeared. Buffalo Drilling would like to tear down existing additions and replace with a 70' x 90' manufacturing building addition to the north side of original building. Drainage plan is not necessary as no additional impermeable surface is being created. All construction will be to the rear of the existing plant which makes the Rt. 5 Overlay Zone not relevant. The addition will have 16' concrete block walls with two garage doors. A dust collector is shown on the site plan as being relocated to the east parking lot. Wendel Duchscherer recommends that it be enclosed and placed in a different location to reduce noise pollution. Jim Holtz stated it will be relocated behind the westerly loading dock.

Jim asked about regulations for a 54 sq. ft. outdoor wood burner. Currently, there are no regulations and a building permit is not required. John Olaf made a motion to recommend approval to the Town Board when the amended site plan is received showing the new location of the dust collector, seconded by John Potera:

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

1-Lot Minor Subdivision Application - 7861 Scotland Road – Chris Bergauer-Free

Chris Bergauer-Free and her son, Tristan, appeared. She co-owns a 10.2-acre parcel with her parents on Scotland Road. She has Power-of-Attorney for her parents and Guardianship of her mother. Chris is making application to split off a 178' x 307' parcel containing the existing home. The majority of the remaining parcel is wooded. Chris did not submit a drainage plan and instead wrote a letter to the Board requesting a waiver. Tom stated that spot elevations are required outside of the wooded area for documentation and consistency. Runoff must be proven to be contained within new boundaries, as ownership of adjacent parcels will ultimately change hands at some point in time. Rick made a motion to recommend approval of this subdivision with the condition that spot elevations are submitted to and approved by John Good, seconded by Terry:

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

1-Lot Minor Subdivision Application - 12963 & 13001 Main Road – Charles McConnaughey

Appeared: Chuck McConnaughey
Duane Root, Attorney for Chuck McConnaughey
Lori Fitzgerald - Benderson Development

At the preapplication conference on June 18, 2007, Mr. McConnaughey was advised to proceed by first providing a survey identifying septic system location, garage location, the six parking spaces with five more spots marked before applying for minor subdivision approval and ultimately site plan application. The survey was submitted and reviewed, and it reveals that the proposed property line cuts the 1,920 sq. ft. septic system area almost in half. Wendel reviewed the site plan and commented that Erie County Health (not New York State) must approve relocation of the septic system prior to subdivision approval. Mr. McConnaughey stated he will do this. John Good stated he spoke to Erie County Health who relayed that there is no setback requirement for septic, it just cannot be damaged. Tom stated that another option could be to angle the property line in order to avoid the septic area.

Rick Meahl left the meeting.

Major Subdivision Concept Plan - Stage & Havens Roads – Stan Tatara

Stan Tatara and Pat Bittar appeared. This 28-lot major subdivision will be done in phases. Pat stated that the depth to bedrock is inadequate, that they plan to bring in fill from Phase I and re-perc Phase II lots. She also stated that Erie County Health supports the Phase I and Phase II plan and can prove such with email copies, if requested. A bond will be required for looping the water line in the event that Phase II does not happen. Also, the stormwater plan would be affected, since ideally Phase I and II lots should drain to the large basin. Hammerhead and cul-de-sac turnaround adequacy must be checked by Fire Dept. John Good stated that the next step would be application for preliminary approval where 100% of the project will be analyzed, even though construction would be phased. Pat inquired as to when the Town plans to adopt the revised subdivision regulations and road specifications. Wendel Duchscherer completed a second preliminary review and requested additional information be submitted and revisions made in a memorandum dated July 13, 2007.

Terry made a motion to accept the Concept Plan, seconded by John Potera:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Potera	-Aye
John Olaf	-Aye

Minutes Review

Terry made a motion to approve the minutes of June 18, 2007, seconded by Tom:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Potera	-Aye
John Olaf	-Aye

Next meeting = August 6, 2007. Due to scheduling conflicts, the August 20th meeting may be rescheduled.

Next training session = October 16, 2007

John Potera made a motion to adjourn the meeting at 9:32PM, seconded by Terry and all approved.

Respectfully submitted,

Christine Falkowski
Recording Clerk