

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
August 4, 2008

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

ABSENT: Andy Kelkenberg

7:30PM Work Session

Dawn Izydorczak, Town Clerk, briefed the Planning Board on her plan to audiotape all Town meetings beginning in September.

Tonight's agenda items were discussed.

The Planning Board meeting was called to order at 8:00PM at the Newstead Town Hall by Tom Cowan.

Preapplication Conference – Change in Use – Thomas Vanderlinden

K-1 Properties, Inc. – 5725 Davison Road

Thomas Vanderlinden and Jim Eberhard appeared. Mr. Vanderlinden works for Autumn Paving in the summer and Autumn Paving would like to rent two 1,200 sq. ft. units for storage of equipment. Mr. Vanderlinden also has a vehicle and snowmobile repair business in the winter, which he would like to operate from a third unit. Regarding outdoor use of this site, Autumn Paving would like a salt storage bin for 10 – 20 tons of ice melt constructed from concrete blocks on a blacktop pad with metal frame and covered by a tent. They would also like two 300 – 500 gallon fuel storage tanks for daily use. The salt bin and tanks would be kept east of the complex as well as any vehicles used by Autumn Paving. John Good was asked to check with the NYSDEC relative to their rules or permits on salt storage. A 140' x 200' portion of this property is zoned C-2 with the remaining 9+ acres being R-A. The Planning Board unanimously felt that this application is not applicable to a change-in-use. The entire property is classified as warehouse, but the exact current use of the three units is unknown as John has been unable to gain entry for fire inspection. The Board would like Charlie Kelkenberg to be contacted relative to submitting a current survey or possibly a master plan for the site.

Preapplication Conference - Buffalo Shooting Club – Jeff Palumbo

This is the third preapplication conference for this proposed project; the first being held June 12, 2006 and the second on March 3, 2008.

The following were in attendance: Jeff Palumbo, Legal Counsel
Douglas Klotzbach, Architect
Patrick McHugh, Buffalo Shooting Club President
George Yell, Buffalo Shooting Club Board member
Tim Lang, Buffalo Shooting Club Board member

Mr. Palumbo stated that they are looking for assurance on obtaining the required special use permit for a gun club or shooting range in the RA district. Although they have a site plan, they are reluctant to incur the costs necessary to submit a complete site plan application which includes a grading and drainage plan. The Board offered that a partial topo of the developed area only would be necessary. Mr. McHugh also stated that they spent a great deal of money applying for a site in Pembroke for which they were ultimately denied. As they were advised by John and by Christine, Tom stated that a complete site plan application is required in order for the Town Board to even consider a special use permit. Mr. Palumbo reiterated that Lafarge owns the 95+ acres, for which Joe Frey is looking to purchase contingent upon special use permit, after which Buffalo Shooting Club plans to purchase from Joe Frey.

The major obstacle for this site is access through Billo Road at Genesee Street, which is in the Town of Alden. Mr. Palumbo stated that they have met with Alden several times. The road has to be brought up to Town of Alden specs, which Buffalo Shooting Club has agreed to do in exchange for Alden dropping the qualified abandonment of the road (which involves a public hearing); although currently there is no formal agreement. Mr. Palumbo stated that Alden has requested a noise study be submitted. They have engaged John Urshin of Anjovine, to conduct the study which is to be finalized later this week. Mr. McHugh offered

Preapplication Conference - Buffalo Shooting Club – Jeff Palumbo

that gunfire will not be heard in Newstead, as the depth created from mining cushions sound, which the sound study will reveal. He also stated that Frey is planning high-end homes on the Alden side. Tom stated that the Planning Board cannot guarantee success and that their role is to review the site plan and make a recommendation to the Town Board, who holds a public hearing. Mr. McHugh asked if only Town residents can attend the public hearing. The answer was that anyone can attend, and when addressing the Board must state name and address for the record.

Tom suggested they may want to consider an unofficial session with our Town Board.

Tom noted the following:

- 28- Lot Major Subdivision with Public Improvement preliminary plat for Stage & Havens Road is in the hands of the Town Board for the coordinated review that expires August 28th, and that they must hold a public hearing by September 24th.
- Christine distributed copies of unofficial Zoning Board minutes from July 24th reflecting the Golden Pond Estates variance request for self-storage units.

Minutes Review – John Potera motioned to approve the July 21, 2008 minutes as amended, seconded by John Olaf:

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

Next meeting - Monday, August 18, 2008 at 7:30 PM

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

Respectfully submitted,
Christine Falkowski, Recording Clerk