

## TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall – 7:30PM

August 31, 2009

### MEMBERS

PRESENT: Tom Cowan, Chairman  
Erik Polkowski  
John Olaf  
Andy Kelkenberg  
ABSENT: Don Hoefler  
John Potera  
Terry Janicz  
OTHER: Christine Falkowski, Recording Clerk  
John Good, Code Enforcement Officer

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- **Minutes** – John Olaf made a motion to approve the meeting minutes of August 3, 2009, seconded by Andy:  
Tom Cowan -Aye  
Andy Kelkenberg -Aye  
John Olaf -Aye  
Erik Polkowski -Aye
- **Sign Law**-review draft & off-premises signs painted on barns - tabled
- **Open Development** - tabled
- **Recommended changes to subdivision law plat filing** –Cost to file plat is \$10 per page. Can an individual file his own plat, or does one need an attorney to file it?
- **Akron Animal Hospital Special Use Permit** – Matt Sutton submitted new plans and engineer's report on August 24<sup>th</sup>. Wendel submitted their first review memo with 15 comments today. A plan revision and response letter to Wendel's comments should be forthcoming.
- **Havenwood Subdivision** – Wendel submitted their second review memo with 27 comments on August 12<sup>th</sup>. A plan revision and response letter to Wendel's comments is expected.
- **13-Lot Major Subdivision – Crittenden & Main Roads – Crittenden Road, LLC**  
The latest submission was received today at 4:50PM. Therefore, Scott Rybarczyk of Wendel, left the Town Board work session and joined the Planning Board to review the site plan. The easement and stabilized entrance were provided. Scott gave the Planning Board his verbal recommendation of the project, and will provide this in writing tomorrow. Scott also stated that applicants have been submitting pond calculations that are difficult to follow and that require Wendel to develop their own pond model in order to check the work. Ideally, all pond design calculations should be shown or model input/output files from HydroCAD/SWMM. Otherwise, applicants that propose ponds will be charged an additional \$500 for engineering review.

### **13-Lot Major Subdivision – Crittenden & Main Roads – Crittenden Road, LLC**

Al Hopkins of Metzger Engineering and Mark Dempsey appeared. Tom relayed his concern about homes built on Route 5 in the C-2 zone as the Town lacks available commercial property. He supports commercial development of the 5 lots in the C-2 zone. Tom is also concerned about the marketing of the 5-acre lots that have no access to the rear acreage due to the location of the drainage ponds.

Andy is concerned about the L-shaped lots fronting on Main Road and the carving up of prime agricultural land that will most likely not be farmed by Kreher's anymore. Andy also stated he would like to see the ponds dug before the lots are sold, as the entire subdivision is dependent on the ponds.

**13-Lot Major Subdivision – Crittenden & Main Roads – Crittenden Road, LLC**

Tom shared that this subdivision will most likely fall within the new drainage district being formed to benefit subdivisions. Nathan is currently working on this with Scott Rybarczyk, and the public hearing will be held on September 28<sup>th</sup>. John Good further explained that it would not be fair to the four homeowner's whose lots contain the ponds to be entirely responsible for maintenance, as all 13 lots will drain into it. This is considered a better alternative to a homeowner's association. All lots will pay an enhanced district fee to cover cost of the Town maintaining it. Maintenance would be required approximately every 10 years.

John Olaf made a motion to recommend approval of this subdivision to the Town Board, seconded by Erik with the following:

- 1) This subdivision may be subject to an enhanced drainage district
- 2) The plat must be filed with Erie County Clerk prior to sale of any lots.
- 3) The subdivision site work must be completed prior to any building permits being issued.

Tom Cowan	-Aye
Andy Kelkenberg	-Aye
John Olaf	-Aye
Erik Polkowski	-Aye

The Planning Board felt it was noteworthy to add that they are concerned about the potential impact from the corner lot (not part of the subdivision) on the development of residential homes, as the corner lot will most likely be sold for commercial use.

**Sign Review – Tahiti Tan Salon – 13025 Main Road** – tabled

**Next Meeting:** September 21, 2009

Andy made a motion to adjourn the meeting at 8:32PM, seconded by Erik and all approved.

Respectfully submitted,  
Christine Falkowski, Recording Clerk