

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall – 7:30PM

September 21, 2009

MEMBERS

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

- **Minutes** – Discussion ensued about 13-lot major subdivision on Crittenden & Main Roads that was recommended, as three members were not present on August 31st. Erik made a motion to approve the meeting minutes of August 31, 2009, seconded by Tom:
Tom Cowan -Aye
John Potera -Aye
Terry Janicz -Aye
Erik Polkowski -Aye
Don Hoefler -Aye
- **Sign Law**-review draft & off-premises signs painted on barns - tabled
- **Open Development** - tabled
- **Recommended changes to subdivision law plat filing** – tabled

PUBLIC HEARING (1) Lot Minor Subdivision – Carney Road - Doug Stanbury

The public hearing opened at 8:10PM to hear comments to allow a one-lot minor subdivision of the 39.5 acre parcel on Carney Road owned by Douglas & Karen Stanbury. The reading of the legal notice was waived. Doug Stanbury appeared, who attended a preapplication conference on June 29th. Wendel Duchscherer completed their review and recommended the subdivision on September 17, 2009 with the comment that delineation of the nearby federal wetland is not required. However, they recommend wetland delineation if development is proposed on the parcel within 250' of the wetland boundary. This should be completed even if the wetland location is outside the proposed parcel.

John Potera made a motion to approve the subdivision, seconded by Terry:

Tom Cowan -Aye
John Potera -Aye
Terry Janicz -Aye
Erik Polkowski -Aye
Don Hoefler -Aye

Akron Animal Hospital – Special Use Permit – 12638 Main Road - Dr. Sandra Corrie

Phil Silvestri and Carolyn Barrett from Silvestri Architects appeared, along with Lowell Dewey of C& S Engineering. Wendel Duchscherer completed their third review dated September 21, 2009 and offered the following comments:

- (1) As stated in September 18th response letter, additional information and waiver being requested from Erie County Health Dept. should be provided for review prior to issuance of final plan approval. It should be noted that if this waiver request is denied, the design of the septic system and/or pond could be affected.
- (2) Applicant must provide copies of all applicable agreements with the owner of the existing brine pipeline prior to issuance of final plan approval. The agreements must be clear in allowing construction over existing line as well as allowing a permanent stormwater management facility to be placed over the line.

Akron Animal Hospital – Special Use Permit – 12638 Main Road - Dr. Sandra Corrie (cont'd)

Mr. Dewey responded to Wendel's comments. Regarding the septic system issue, percs are not good in the area, therefore, a sand system is being proposed and that the Erie County Health Dept. has been reviewing it for three weeks. He also stated they have a verbal OK from the brine pipeline company, whose legal department is working on a written approval.

There was some discrepancy over details of the drainage plan being presented vs. the copies provided to the Planning Board members, which was due to the fact that a late plan revision was submitted late on Friday, the 18th whereas agenda packets were mailed to members on the 17th. Mr. Dewey stated that the drainage plan is very tricky but that it will work and that the pipe must be cleaned occasionally.

Regarding landscaping, parking at the front of the building will be screened by two red sunset maple trees, but that there is no room for additional landscaping at the old building. Regarding signage, the owner prefers two freestanding signs as there are two separate businesses, the hospital and the daycare. The Planning Board would like to see only one freestanding sign because all other multi-use commercial sites have one freestanding sign with sign segments added to represent additional businesses. Regarding road cuts, there are two existing now and a third proposed for the hospital. All three interconnect on the site. No one wanted to see a third cut on Route 5, but John Good stated he wants to see it for firetruck egress.

John Potera would like to see sidewalks and cross connects to adjacent parcels for the future depicted on the site plan per our overlay zone requirements. At the very least, a note could be added to the site plan. It was decided the cross connect would be likely to the west only as it would interfere with the 50' greenspace setback on the property to the east.

Don made a motion, seconded by Erik to recommend this site plan/special use permit application to the Town Board after the Building Department has received all of the following:

1. Waiver from ECHD for septic system being closer than 100' to the drainage pond
2. Construction agreements from brine pipeline company allowing construction over pipeline easement area.
3. Revised plan depicting one freestanding sign instead of two.
4. Future sidewalk and cross connect to the west revised or noted on site plan.

Tom Cowan	-Aye
John Potera	-Aye
Terry Janicz	-Aye
Erik Polkowski	-Aye
Don Hoefler	-Aye

Doug Lewis – 13523 Main Road

Christine relayed that Doug Lewis is interested in re-approval of his temporary sign which has been removed due to the expired time allowed (October 1, 2008) by the Planning Board. The Board felt that the six months they granted on March 31, 2008 was to enable sufficient time for acquiring a permanent sign. Additionally, the temporary sign was displayed approximately 10 months beyond the six months granted. Therefore, the Planning Board advised that no renewal for a temporary sign be granted and that they will be happy to review his application for a permanent sign when Mr. Lewis is ready.

Next Meeting: October 5, 2009

John Potera made a motion to adjourn the meeting at 9:08PM, seconded by Terry and all approved.

Respectfully submitted,
Christine Falkowski, Recording Clerk