

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
October 1, 2007

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

ABSENT: John Olaf
Don Hoefler

OTHER: (2) Participation in Government (PIG) students

The Planning Board meeting was called to order by Tom Cowan at 7:30PM. Tom requested the status of the following open items: Route 5 zoning uses, and special use permits for Michael Shields, Tom Blair, and Doug Lewis.

Site Plan Application – 2 Additions - 12264 Main Road – Buffalo Drilling Company

Jim Holtz appeared. He is requesting site plan approval for a 1,200 sq. ft. addition to the west (addition #1) and an 875 sq. ft. addition to the east (addition #2). Wendel Duchscherer reviewed the project and commented that existing and proposed elevations are needed at addition #1 to be located over a stone lot. Also, a drainage plan needs to be submitted for review. Due to addition #2 being built entirely on existing impermeable surface, no drainage review is needed. The site plan that Jim gave to John Good documenting downspouts at addition #1 has not been addressed yet, and they will get together on Wednesday.

Andy made a motion, seconded by Rick that the Planning Board will recommend approval to the Town Board pending receipt of a drainage plan for addition #1 reviewed and approved by Wendel:

Tom Cowan	-Aye
Terry Janicz	-Aye
Rick Meahl	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye

Site Plan Application – New Retail/Restaurant Development – 12969 Main Road

Jim Rumsey, Architect and Tom & Lori Fitzgerald of S&D Development appeared. Jim provided a large-scale site plan that depicts the change in wider vehicle access near the dumpster to the rear. He also provided an artist's rendering of the street view of three of the buildings. All have masonry facades and two have clapboard siding at peaks. Jim was asked why the largest building has a flat roof, and he stated it's just to break it up. There are no second stories, and all buildings will be constructed in one phase. They are targeting AAA-rated tenants, and construction is planned to commence as soon as possible. John Potera expressed concern with the approximately 64 parking spaces at the front since our Overlay Zone calls for parking to be predominantly located to the side or rear. Tom Fitzgerald will check into possible shifting of layout. He also noted the requests to leave the stone fence, and mature healthy trees that may be on site. A detailed landscaping plan will be provided. Terry Janicz expressed concern about the westerly access onto Route 5. Can this access be restricted to a right turn only? Tom Fitzgerald responded that they are hiring out the traffic study, and that copies of the results will be provided. John Good explained that the Overlay Zone restrictions conflict with the sign law in the grade level height and overall height. Mr. Fitzgerald stated that signage renderings will be forthcoming.

Wendel Duchscherer completed a preliminary review of the concept plan. In a memo dated October 1, 2007, they commented on (1) site plan engineering report (2) calculations engineering report (3) back flow prevention application (4) sanitary sewer system (5) details for water, sanitary sewer, paving, grading, soil, erosion control and drainage (6) stormwater pollution prevention plan (7) stormwater phase 2 requirements (8) NYSDOT curb cut permit (9) grading/drainage plan (10) septic system perk tests. A response letter regarding these items must be provided by the applicant.

Sign Review – “Doggwild” – 5475 Barnum Road – Patrick Galla

The Zoning Board tabled the non-conforming use variance request (dog kennel in C-2 zone) on 9/27/07 due to public opposition. Terry motioned to approve the sign, seconded by Rick with the condition that there be no reference to kennel, grooming or training on the sign, unless the kennel use is approved by the Town:

Tom Cowan	-Aye
Rick Meahl	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye
Terry Janicz	-Aye

Site Plan Application – Akron Airport Hangar – John Randall

This item was tabled pending receipt of drainage calculations requested by Wendel for the 4,500 sq. ft. airplane hangar. The Zoning Board of Appeals approved the non-conforming use variance on 9/27/07.

PIG students left the meeting.

Sign Review – Kelkenberg Farms - various locations – Andy Kelkenberg

Andy Kelkenberg excused himself. A map and rendering were provided. Kelkenberg Farms has requested temporary seasonal signs depicting “Kelkenberg Farm” with pumpkins, or Christmas trees, etc. as follows:

(5) pumpkin signs in October:

Main & N. Millgrove, Stage & N. Millgrove, , South Newstead & Stage, South Newstead & Main, Stage & Crittenden. (Ransom & Stage, Genesee & N. Millgrove, Walden & Peters Corners = not in Newstead).

(3) Christmas tree signs from Thanksgiving to December 25:

Main & South Newstead, Stage & South Newstead, Stage & Crittenden

(3) vegetable signs July 1 – September 15:

Stage & South Newstead, Stage & Havens, midway on Havens.

Terry made a motion to approve the above temporary signs, seconded by Rick:

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

Andy Kelkenberg re-entered the meeting room.

7-Lot Major Subdivision Amendment – Cummings Road – Joe Frey

This application was approved already this year. Erie County Health Dept. has their own subdivision rule that requires their approval if the application includes five or more lots that are less than five acres per lot. (Lots larger than 5 acres are exempt). These lots were subdivided as seven one-acre lots. Therefore, only four of them can be sold per ECH due to septic system requirements. A revised preliminary plan was submitted to John Good that enlarges three of the lots making them 5.09 acres each. Unfortunately, this plan leaves the parent parcel with approximately 140’ of road frontage, thus non-conforming. There are three options: (1) eliminate property line and merge parent parcel with adjacent parcel (2) move property line by merging 10’ of road frontage from adjacent parcel (3) seek variance.

This item was tabled until a revised site plan is submitted. Currently, four lots can be sold. John Good stated he is requesting a meeting with Erie County Health Dept.

Minutes Review

John Potera made a motion to approve the minutes of September 17, 2007, seconded by Terry:

Tom Cowan	-Aye
Terry Janicz	-Aye
Rick Meahl	-Aye
Andy Kelkenberg	-Aye
John Potera	-Aye

Next meeting: Monday, October 15 2007

Next training session: Tuesday, October 16, 2007

John Potera made a motion to adjourn the meeting at 9:45M, seconded by Terry and all approved.

Respectfully submitted,

Christine Falkowski
Recording Clerk