

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

Newstead Town Hall – 7:30PM

October 5, 2009

MEMBERS

PRESENT: Tom Cowan, Chairman
Erik Polkowski
Don Hoefler
John Potera
Terry Janicz
John Olaf
Andy Kelkenberg

OTHER: Christine Falkowski, Recording Clerk
John Good, Code Enforcement Officer

- **Minutes** – Don made a motion to approve the meeting minutes of September 21, 2009, seconded by Erik:
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** – John Good explained that the Planning Board could exempt minor subdivisions from this requirement for cause, if they would like. Whereas, major subdivisions would have to comply. The Board wants to know what other towns do in this regard, such as Alden and Clarence. John Good stated he would talk to Marty and Dave Metzger. Christine will include copies again of the proposed law in the Planning Board packets for the next meeting.
- **McConnaughey Subdivision – 12963 & 13001 Main Road** – John Good had sent a letter to Benderson’s attorney on September 24, 2009 stating that the septic system has been completed and approved. Also, the further condition for paving the rear Subway parking lot along with site plan approval expires on August 25, 2010. Andy made a motion, seconded by Terry to agree with the August 25, 2010 expiration date:
Tom Cowan -Aye
John Potera -Aye
Terry Janicz -Aye
Erik Polkowski -Aye
Don Hoefler -Aye
Andy Kelkenberg -Aye
John Olaf -Aye

Sign Review – WNY Event Center – 11163 Main Street

Jack Willert submitted a sign application for a 32 sq. ft. two-sided temporary mobile illuminated sign on a trailer stating “Indoor Winter Storage-Boats, RV’s, Cars. Heated, Sprinklered, Secure, Clean and High Bay”. Terry made a motion to approve the sign from September 1, 2009 through November 1, 2009, seconded by John Potera:

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

Preapplication Conference – Buckwheat Road Subdivision

Jeffrey Shiersing and his father, Joe, appeared. Jeffrey owns 5.2 acres on the south side of Buckwheat. This parcel extends into Alden for an additional 50 acres but not quite to Genesee Street. There is a home on the Alden side, for which he would like to keep 250' of road frontage, and split off three lots at 160' x 290', 150' x 300' and 150' x 300'. Alden's road frontage requirement is 200', which he would have for the home even if he sells 50' to his neighbor. Mr. Schiersing was advised to obtain a letter from Alden saying they were OK with the lot size created in Alden.

28-Lot Major Subdivision-Phase I (nine lots) Final Plat Approval - Havenwood

This phased project is now a 29-Lot major subdivision phased as follows:

- Phase I = nine lots (one already completed) including stormwater management area at lot #19 with gravel access.
- Phase II = 19 lots with road and cul-de-sac

Scott Rybarczyk entered the meeting. Scott expressed his verbal approval in lieu of memo that we will receive tomorrow, provided Schutt's red-line drawing submitted tonight meets the two remaining issues: (1) no easement around the gravel drive to the pond and (2) addition of small 10-year storm swale to the rear for storage. Wendel's engineering review covers both phases and will not be required for Phase II barring any (a) design changes made or (b) regulatory changes between now and phase II approval.

Pat Bittar from Wm. Schutt & Associates entered the meeting. She provided three plan sheets indicating last-minute red-line changes due to the fact that her CAD people are out sick. Pat explained they have septic approval for Phase I only. Phase II lots will be re-perked after adding fill from Phase I excavations, and a couple of freeze-thaw seasons. Since Lot #19 containing the stormwater management area will also be a buildable lot, John Good suggested requesting a deed restriction for this lot that states no changes can be made to the drainage pond. Pat verified that Phase I plat should be filed after Town Board approval, and then obtain a public improvement permit from the Town. Phase I greenspace fees are due in the amount of \$6,000, along with engineering fees for the additional review.

John Potera made a motion, seconded by Don to recommend approval of Phase I of this subdivision with the following conditions:

- (1) Plat filed upon Town Board approval of Phase I
- (2) Deed restriction for Phase II, Lot #19 be obtained

Tom Cowan	-Aye
John Potera	-Aye
Terry Janicz	-Aye
Erik Polkowski	-Aye
Don Hoefler	-Aye
Andy Kelkenberg	-No
John Olaf	-Aye

Wetlands Park at Miland Road

John Potera read about this recreation area in The Buffalo News. The Board expressed their desire for more input and participation in future land use planning.

Next Meeting: October 19, 2009

John Potera made a motion to adjourn the meeting at 9:10PM, seconded by Terry and all approved.

Respectfully submitted,
Christine Falkowski, Recording Clerk