

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
Newstead Town Hall – 6:30PM
April 21, 2025

MEMBERS

PRESENT: Tom Cowan, Chairperson
John Potera
John Olaf
Don Hoefler
Erik Polkowski
Christine Falkowski
OTHER: Dave Miller, CEO
Emily Janicz, Town Attorney
Michael Coutu, Assistant Town Attorney
Julie Brady, Recording Clerk
ABSENT: Jacob Halleck (alternate)

Tom C. opened the meeting at 6:37pm.

Emily J. & Mike C. shared a flowchart and step-by-step guide for the Planning Board members to use for procedure reference as part of the training. The planning board members discussed various scenarios with Emily J. and Mike C. regarding site plan applications and modifications prior to making recommendations to the Town Board.

Jerry Schweinlein, 6402 Knowlesville R., Oakfield, NY 14125, applicant and owner of vacant land on Clarence Center Road (SBL# 60.00-1-4.11) part of the estate of Mathias Aulbach. Jerry S. has applied for a 1-Lot minor subdivision of 3.8 acres on the north side of the bike path to Clarence Ctr Rd. be separated from the entire 75.87-acre parcel. The 3.8-acre parcel is already under contract, and it is uncertain what the purchaser may plan on doing with this land.

Tom C. clarified that this parcel is currently land hooked over the bike path. The neighbors on the north side of Clarence Ctr Rd. have expressed concerns with the lack of proper drainage in this area and with more lots being subdivided to the east of this parcel, the Town would like to take this opportunity to facilitate drainage to flow better in this area by creating a swale from Clarence Ctr Rd to extend under the bike path where it is lower and able to flow westerly. The Town is seeking an easement of 15 feet on the property requesting subdivision to maintain the swale and flow of water. This would allow the Town Highway Dept. to have access to keep the swale mowed in order for the water to flow properly, alleviating the flooding in the area.

Jerry S. stated that if it was up to him, he would be fine with it and agreed it was a good idea. Jerry S. thought the buyer's attorney was in touch with the Town to work out the details. This was not confirmed.

Dave M. stated that he would like the 15-foot easement to be shown on the survey and also provide us with a written description including the easement on the deed to be filed at Erie County Clerk's Office. The new owner will not be able to build or develop on this parcel without giving the Town the easement, so it is best to get it on the survey and in the deed now. Tom C. agreed with Dave M.

John P. noted that no shed or fence can be placed in the easement area. The planning board discussed next steps and Jerry S. agreed to revise the survey to show the 15-foot easement and get a written description of the parcel including the easement language. Tom C. asked to have Jerry S. return for the next meeting in two weeks on May 5th. A motion was made by John P., seconded by Christine F. to table this 1-lot minor subdivision request to May 5th. Hearing All Ayes, No Nays, this item will be placed on the next meeting agenda.

The minutes were reviewed from the last meeting, April 7th. John P. requested a clarification at the bottom of the first page to read "light processing of cannabis infused green tea,". With that revision made, John P. motioned to approve the minutes, John O. seconded the motion. Hearing All Ayes, No Nays, the minutes were unanimously approved with the exception of Don H. who abstained because he was absent.

John P. motioned to adjourn the meeting. Erik P. seconded the motion. Hearing All Ayes, No Nays, the meeting was adjourned at 7:54pm.

Respectfully Submitted,

Julie Brady, Recording Clerk