## **Town of Newfane Planning Board Minutes**

February 27, 2024

Presiding: Chairman, William Clark

Present: Peter Russell Oliver Kneeland Eoin Walsh

Thomas Mays Daniel Whorley

Excused: Paul Conrad

Attending: James Sansone, Attorney

David Schmidt, Building Inspector

Susan Neidlinger, Town of Newfane Councilwoman

Mr. Clark called the meeting to order, introduced the Board Members and attending officials.

The Public Hearing was opened to review seven Special Exceptions Use Permit applications for Short Term Housing.

The Planning Board of the Town of Newfane, at this February 27, 2024 meeting, heard and considered the following applications for Special Exception Use Permits to operate Short-Term Rental establishments. The Board reviewed each of the proposals to determine if they comply with provisions of the Short-Term Rental Law; including compliance with building, fire and safety codes, rental densities and capacities, site zoning and dimensions and parking. Approved permits are returned to the property owners and list any special conditions of the permit if imposed by the Planning Board, and the permit emphasizes important fire and safety requirements. Permit holders are also provided with a copy of the Town of Newfane Noise Ordinance.

1. Anne Callaghan, 1560 Lockport Street, Olcott, NY 14126

Board members reviewed the application and the Building Inspector's report. No concerns were identified.

A Motion was made by Tom Mays, seconded by David Whorley to approve the Special Exception Use Permit to operate a Short-Term Rental establishment.

All present voted Aye. Motion carried.

2. Anne Callaghan, 1562 Lockport Street, Olcott, NY 14126

Board members reviewed the application and the Building Inspector's report. It was noted the rental unit was one room for 2 persons in the owner-occupied primary residence.

A Motion was made by Oliver Kneeland, seconded by Eoin Walsh to approve the Special Exception Use Permit application to operate a one bedroom Short Term Rental establishment. To expand the number of rental rooms or capacity, the owner would need to return to the Planning Board for approval.

All present voted Aye Motion carried.

3. Donald Merritt, 1599 Althea Street, Olcott, NY 14126

Board members reviewed the application and the Building Inspector's report.

A Motion was made by Eoin Walsh, seconded by Daniel Whorley to approve the Special Exception Use Permit application to operate a Short-Term Rental establishment.

All present voted Aye.

Motion carried

4. Nancy Weber-Loeffert, 1534 Franklin Street, Olcott, NY 14126

Board members reviewed the application and the Building Inspector's report.

A Motion was made by Eoin Walsh, seconded by Tom Mays to approve the Special Exception Use Permit application to operate a Short Term Rental establishment.

All present voted Aye.

Motion carried.

5. Stephen La Rose, Jr., 1731 West Creek Road, Burt, NY 141028.

Board members reviewed the application and the Building Inspector's report.

A Motion was made by Daniel Whorley, seconded by Oliver Kneeland to approve the Special Exception Use Permit to operate a Short Term Rental establishment.

All present voted Aye.

Motion carried.

6. James McDonough, 5867 Ontario Street, Olcott, NY 14126

Board members reviewed the application and the Building Inspector's report, which noted there are building code violations at the property. No action was taken by Planning Board and Mr. McDonough was advised to return to the Building Inspector with his permit application when corrective actions are completed.

7. James McDonough, 5863 Ontario Street, Olcott, NY 14126

Board members reviewed the application and the Building Inspector's report. Public participants at the meeting had questions and comments about code, safety and appearance conditions at the property. There was discussion and explanation about how issues related to code and safety, and other concerns about the property's appearance or extent of general maintenance impact permit approvals.

A Motion was made by Oliver Kneeland, seconded by Tom Mays to approve the Special Exception Use Permit to operate a Short Term Rental establishment.

All present voted Ave.

Motion carried.

A Motion to close the Public Hearing was made by Daniel Whorley, seconded by Peter Russell.

All present voted Aye.

Motion carried.

Town of Newfane Planning Board continued with their regular meeting and discussed the following topics:

Solar projects update

Activity at the former Lockport Felt Mill property

Winter parking ordinance

The Short-Term Rental Law and guidelines that can be used by the Planning Board to administer the authority granted by the Town Board to waive requirements of the law

Improved use of municipal easements to manage drainage in the town

Requests to operate distilleries and agri-tourism businesses in conformance with the town Zoning Ordinance

A Motion to adjourn was made by Eoin Walsh, seconded by Tom Mays.

All present voted Aye.

Motion carried.

Meeting adjourned at 9:00 pm.

Respectfully submitted,

Mickie M. Kramp, Secretary

Next Planning Board Meeting, March 26, 2024