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## TOWN OF NEWFANE

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### TOWN OF NEWFANE

#### TOWN BOARD WORK SESSION March 14, 2024

The Town of Newfane Town Board Work Session was held in the Town Hall, 2737 Main Street, Newfane, NY. The session was called to order by Supervisor John Syracuse at 6:30pm

#### Town Board Members Present:

Supervisor John Syracuse, Councilwoman Sue Neidlinger, Councilman Robert Horanburg, Councilman Pete Robinson

#### Absent:

Councilman Richard Coleman, Jim Sansone - Town Attorney

#### Others Present:

David Schmidt - Building Inspector, Jeff Neuman - Dog Warden, Joe Flagler - DCO assistant, Larry Dormer, Tom Mays, Paul Conrad, Daniel Whorley, Troy Barnes, and Dan Paul

#### Guests:

Gordie Harpers new owners - Paul Preste and Greg Evanglete

Meeting Called to order at 6:30pm.

Work Session minutes from February 8, 2024.

- Sue Neidlinger made a motion to accept these minutes.
- Robert Horanburg seconded.
- Motion passed with 4 "ayes".

The Supervisor welcomed Paul Preste the new owner of Gordie Harper's and Greg Evanglete, his project manager, to talk about the recent purchase and plans of the old Gordie Harper's Bazaar. They tried running the same, but after talking to the staff and fellow patrons, they are ready to reopen it as "Mom's Place" a neighborhood restaurant and bar still with the Bazaar and 26 vendors in the building.

- They are wanting to replace the original sign with a 4x8' LED sign. It will dim at dusk and not stay bright all the time.
- They want to donate space to use for Town or school functions. There is 10.3 acres that surrounds the restaurant, and they want to put it to multiple uses rather than just lease the property out.
  - Restaurants are having a hard time making it with Labor and food costs rising.
  - Possible RV parking with restrictions, fencing to block the view and something that will not interfere with hotels across the street.
    - This is 2- 5 years down the road.

Newfane does not have an LED sign law per David Schmidt.

Signs need to "flash" or change so they do not burn out. This is normal.

John Syracuse mentioned how important approaching the Zoning and/or Planning Boards are, especially with this sort of thing. We work together with well-presented and planned out ideas. We are a Business-Friendly Town. We want to be fair to everyone. The Supervisor thanked them for choosing Gordie Harpers and Newfane.

- The neighbors need to know about the sign. He let them know that the Planning Board meets March 26<sup>th</sup>. They thanked everyone for their time.

Next the Planning & Zoning Boards were invited to the table. Supervisor Syracuse wanted to go through the things that have the 2 boards working together...this discussion is based on STR's. John reviewed the "STR" Zoning ordinances & how important it is to work with the old STR's that are "grandfathered in" and the new "to come" STR's. The old ones are "pre-existing and there are violations that need to be entertained as such. But yet they still need to be aware of noise levels, parking, etc. There are the "special exception" clauses and some may need to be referred to the Planning Boards. There may be Permits given with a time limit for changes to be made.

Troy Barnes mentioned the notes that Bill Clark sent out. "New Use" will always be held to the new standards. The "leigh way" being given is for pre-existing. Consider it a "Mini-Variance" and have a reason for everything. Have a discussion on record.

- Troy made a rough draft of a STR Special Exemption use.
- "The Special Exception Use Permit Review" rubric was reviewed. It was mentioned that the Chair should sign off on it. (see attached form.)
- John read over some of Bill's notes that are written in the STR Local Law. It was questioned if an existing single family residence switched to a STR - would the Town be liable? This is considered a new STR since it was built as a single family resilience.
- New codes are coming about in recent years that affect the previous STR's that were already established. Councilman Robinson suggested setting a date / year that would help these decisions be grandfathered in.
  - The date should be set as the date the STR local law went into play. May 24 2023. Precedence of setting this date will help people to know that if they were before this date they are "grandfathered in" with most STR's.
  - Dan Whorley mentioned the Tax Implement- that showing tax paperwork will show proof of IRS reporting.

- David Schmidt brought up a sale of property that has already started the STR process and the new owner wants to continue the process. The consensus was that they can allow it to go forward since it's already in the queue as an STR.
- Troy Barnes mentioned "Existing" STR's and charges that want to be made, requiring more inspections but eventually those pre-existing ones will be done and are repetitive each year. Any new ones that are introduced need to qualify to the new guidelines. Codes need to be met.
  - If there are violations that are repetitive, there are consequences. (GET BILLS Email and attach.)

Zoning & Planning Boards are to work together, they have the laws in front of them. The idea of these Boards is not to shut anyone down, but to set standards for all. And safety is imperative.

- Disciple for correction - Discipline for dismissal.
- These are all a process, a process that will be learned. and worked through.
- It was asked about Parking Violations- who is the lead on parking notation? Sheriffs Dept will not ticket unless it's an obvious road blockage.
  - The future town constables may be able to help with these matters but parking with these STR's is a big issue. The Owners need to provide parking for their clients. If there is an issue, they approach the homeowners and make them aware of the situation.

Troy mentioned writing things down that are obvious issues on the "Permit Review" and be able to look back upon it the following year. "Discussion and Stipulation."

The cost of the STR permit process started off at \$250.00 but in future years visits / inspections will be less There will be a "each visit" fee.

Councilman Horanburg made mention that the first Responders have a hard time getting around Olcott with or without the STR's in full swing. Roads are tight in Olcott. Parking is an issue all the time.

The Supervisor thanked the Planning Board members & Troy Barnes for their time and good discussion tonight.

The Constable Law Draft - before Local law is passed was then discussed. The Supervisor spoke with Town Attorney and they verified no Civil Service issues. A PUBLIC HEARING FOR CONSTABLE LAW is set for March 27, 2024 at 6:45pm.

- Councilman Robinson made a motion for said Public Hearings
- Councilman Horanburg seconded the motion.
- Motion passed with 4 "ayes"

Next item for discussion is the Ellicott Rd speed limit from Route 104 to Town boundaries of Hartland. Resolution #5- 2024 is to reduce speed limit from 55 to 45 mph. After passing this resolution, will sent to the state.

- Robert Horanburg made a motion to pass Resolution #5-2024.
- Pete Robinson seconded.
- It was asked if there were any questions?
  - It was made aware that some residents who live on Ellicott Rd. were not aware of the petition. And the Supervisor has spoken to residents who did not know of

it either but would sign it. Regardless, this would have to be determined by the state, and that would continue on with their study.

- Motion carried with 4 "ayes".

Highway Superintendent, Jon Miller states in writing that the Sunliner Vehicle is in rough shape. He is asking for a Resolution that claims this as surplus.

- Sue Neidlinger made a motion for said resolution to be written.
- Robert Horanburg seconded.
- Motion passed with 4 "ayes."
- It will be publicized as Surplus and needs to be put in the paper and advertised.

A tentative date of May 29, 2024 for a Sabre Alumni fishing Charter/Tourney. Robert is looking into stage for Lions Club Pavilion, with the stage donated / funds for set-up & take-down are needed.

Discussion on a stage and tent for Community Day August 24, 2024 - Robert will take care of this.

RTT- contacts have been made with Michael Enright (former AES/ Somerset Rail line.) Sue mentioned RTT to new Gordie Owners would be beneficial to them. They have parking and possibility for serving lunches or ice cream / drinks etc. The goal is to open the RTT to multiple uses. Lots of ideas were mentioned.

Pete Robinson made a motion to adjourn.

Sue Neidlinger seconded.

Motion passed. Meeting adjourned 8:19pm.

Respectively Submitted,

  
Mary L. Zeller

Secretary