

Town of Newfane Planning Board Minutes

March 26, 2024

Presiding: Chairman William Clark:
Present: Thomas Mays Eoin Walsh
Paul Conrad Daniel Whorley
Excused: Peter Russell
Oliver Kneeland
Attending: James Sansone, Town Attorney
David Schmidt, Town of Newfane Building Inspector
Susan Neidlinger, Town of Newfane Councilwoman
Peter Robinson, Town of Newfane Councilman

Mr. Clark called the meeting to order, noted there was a quorum and introduced the Board Members and attending Officials. The Public Hearing was opened to review Special Exceptions Use Permit applications for Short Term Housing.

Short Term Housing Permits – Kaplan Newco

Please Take Notice Planning Board of the Town of Newfane will meet March 26, 2024 at 7:00 pm at the Town Hall, 2737 Main Street, Newfane, NY, to hear and consider the following applications for Special Exception Use Permits, to operate Short Term Rental establishments pursuant to the provisions of Section 260-5, Local Law #1, of the Code of the Town of Newfane, NY, at the following properties:

1. Kaplan Newco 5831 west Main Street, Olcott, NY
2. Kaplan Newco 1578 Water Street, Olcott, NY
3. Kaplan Newco 5827 West Main Street, Olcott, NY
4. Kaplan Newco 5860 West Main Street, Olcott, NY
5. Kaplan Newco 5802 West Main Street, Olcott, NY
6. Kaplan Newco 5800 Saxton Street, Olcott, NY
7. Kaplan Newco 1597 Van Buren Street, Olcott, NY
8. Kaplan Newco 5796 Saxton Street, Olcott, NY
9. Kaplan Newco 5813 West Main Street, Olcott, NY
10. Kaplan Newco 5811 West Main Street, Olcott, NY

After reviewing the applications, the Planning Board determined that the applications and documents for each of the ten properties were incomplete and that essential information about fire safety, lot and structure dimensions were not included, and certain sketches were not assigned to its corresponding property.

A MOTION was made Eoin Walsh, seconded by Tom Mays to have the Building Inspector coordinate with Kaplan Newco and return applications after they are completed. No action was taken by Planning Board.

All present voted Aye.

Motion carried.

Short Term Housing Permit - Ann Callaghan, 1560 Lockport Street, Olcott, NY

The Planning Board reconsidered and amended the permit granted at its February 27, 2024 meeting for a short term rental establishment.

A MOTION was made by Daniel Whorley, seconded by Paul Conrad to amend the short-term rental permit for 1560 Lockport Street, Olcott, NY by exercising the Board's authority under the Short-Term Rental law to wave Section 260-4, NOTE of the law that states no more than one short term rental establishment is permitted on any lot on property.

All present voted Aye.

Motion carried.

Special Exception Use Permit - James Brady, 3480 Ewing Road, Newfane, NY

The Planning Board heard and considered the application to erect an accessory storage building for personal use at this location in a Rural Residential (RR) zone. The owners explained they would like to build a post-frame building to store equipment and contents as they prepare to erect a residence on the property, either independent of the storage building or to incorporate the storage building as part of their residential construction. It was noted that in the future when the Brady's are ready to build a house, they will need to return to the Building Inspector for permit review and approval.

A Motion was made by Paul Conrad, seconded by Eoin Walsh to approve the application to build an accessory storage building at 3480 Ewing Road.

All present voted Aye.

Motion carried.

Site Plan Review – Digital Sign at Mom's Place Restaurant, Lockport-Olcott Rd., Newfane

Greg Evanulidi represented Mom's Place, the former Geordie Harper's Restaurant in the Highway Commercial zone. He requested approval to replace their existing stationary roadside business sign with a lighted digital sign. Mr. Evanulidi said the new digital sign would be the same size and profile as the existing sign. The sign can be dimmed at night and will not use flashing or animation.

A MOTION was made by Eoin Walsh, seconded by Daniel Whorley to approve the Site Plan permitting Greg Evanulidi to replace their existing sign with a lighted digital sign at Mom's Place Restaurant - with the stipulations that no animation or flashing lights will be used and that the sign will otherwise conform with provisions of the Town of Newfane sign ordinance 11-3-3.

All present voted Aye

Motion carried.

Public comment was offered by Max Russell supporting Building Inspector Schmidt's recommendation to update the Town sign ordinance. Chairman Clark thanked Mr. Russell for his input and noted the entire Zoning Ordinance requires updating.

A MOTION to Adjourn was made by Paul Conrad, seconded by Tom Mays.

All present voted Aye.

Motion carried.

Meeting adjourned at 8:30 pm.

Next Planning Board Meeting, May 28, 2024

Respectfully submitted,

Mickie M. Kramp, Secretary