

TOWN OF NEWFANE PLANNING BOARD MINUTES

APRIL 28, 2026

The following members were present:

Presiding: William Clark

Harvey Johnson	Thomas Mays
Daniel Whorley	James Evarts
Peter Russell	Eoin Walsh

Attending: Corey Weber, Town Attorney
David Schmidt, Building Inspector

Public Hearing/ Laura Marsh

Laura Marsh has applied for a site plan review and a Special Exception Use Permit upon premises known as 5780 West Main Street, Olcott, New York (SBL #14.07-1-35), to construct a multi-unit dwelling to serve as a permanent residence that includes short-term rental units. The property is located in the Marina Business (MB) District.

Charles and Paula Dahlke were present representing the property owner, Laura Marsh. Mr. Dahlke explained the new site plan includes four (4) short term rental units with parking and two bedrooms per unit. There will also be a ground floor single family residence with 1 1/2 baths and parking. The permanent and short term units will each have their own entrance. The town ordinance does not permit a ground floor permanent residence in the Marine Business zone, but they have been granted a variance for the permanent residence by the Zoning Board of Appeals.

Questions asked:

Mr. Larry Dormer, asked about fire walls.

Mr. Max Russell, asked how many people in each unit and is each unit separate with its own entrance.

A Motion was made by Eoin Walsh, seconded by Thomas Mays to close the public hearing. All Present voted Aye. Motion carried.

A Motion was made by Thomas Mays, seconded by Daniel Whorley to conditionally approve the Site Plan and Special Use permit. The applicant will need to submit a final plan to the Building Inspector that identifies the space and the maximum number of people to be housed in each short-term housing unit. The Site Plan and Special Use Permit will become final when approved by Building Inspector, pending the final drawings.

The Planning Board considered applicable requirements for review under the State Environmental Quality Review Act (SEQRA) and determined that the project is an unlisted action.

A roll call vote was taken as follows:

Peter Russell: Voted: Aye.

Tom Mays: Voted: Aye.

Eoin Walsh: Voted: Aye.

Jim Evarts: Voted: Aye.

Harvey Johnson: Voted: Aye.

Bill Clark: Voted: Aye. Motion carried.

Public Hearing/Joe Connelly – Short-Term Housing

Please take notice that the Planning Board of the Town of Newfane will meet on April 28, 2026, at 7:00 pm at the Town Hall, 2737 Main Street, Newfane, New York to hear and consider the following application:

Joe Connelly has applied for a Special Exception Use Permit for a short term rental establishment pursuant to Chapter 191 of the Town Code, upon premises known as 6369 East Lake Road, Burt, New York (Tax Map No. 6.18-1-12), located in an Agricultural/Residential (AR) District. The application proposes the use of an existing single-family dwelling as a short-term rental establishment, with a maximum occupancy of eight (8) persons containing three (3) bedrooms and two (2) bathrooms, to be rented through online platforms such as Airbnb and VRBO.

Mr. Connelly was present with his proposal for a short-term rental at 6369 E. Lake Road, Burt, NY. Mr. Connelly has owned and lived at the property for 8 years. Questions asked from the board included: Cameras on property, screening of renters, property manager and how many cars.

Comments were made by members of the public present at the hearing.

Barry Minbidle, 6377 East Lake Rd., Noted he is not opposed to the permit, but asked about safety issues at the road entry and if the property has an easement to the lake.

Mr. Larry Illig, 6375 East Lake Rd. noted he has property that abuts this site and asked how it will be maintained.

A Motion to close the Public Hearing was made by Dan Whorley, seconded by Tom Mays
All present voted Aye. Motion carried.

A letter was received by the Planning Board, from Chris & Rita Schulte and Rob & Heather Winch. They expressed concern about property oversight & maintenance, guest accountability & screening, plus safety and the shared access Road. All these concerns were addressed by the Planning Board and Mr. Clark

The Planning Board reviewed compliance with the State Environmental Quality Review Act (SEQRA) and determined that it qualifies as an unlisted action.

A Motion was made by Eoin Walsh, seconded by Dan Whorley to approve a Special Exception Use Permit for Mr. Connelly's Short Term Housing application

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All present voted Aye. Motion carried.

Omni Newfane Drake Settlement Solar, LLC Decommissioning Plan

A Motion was made by Eoin Walsh, seconded by Harvey Johnson, to approve the amended Omni Newfane Drake Settlement Solar, LLC Decommissioning Plan and revised cost estimate dated March 16, 2026.

Planning Board Member, Peter Russell, recused himself as a voter.

All present voted Aye. Motion carried.

A Motion to adjourn was made by Eoin Walsh, seconded by Dan Whorley to adjourn the Planning Board Meeting.

All present voted Aye. Motion carried.

Next Planning Board Meeting:
May 26, 2026

Respectfully submitted:

Mickie M. Kramp