

TOWN OF NEWFNE PLANNING BOARD MINUTES

FEBRUARY 24, 2026

Presiding: William Clark

Members Present:

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

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

Russell Farms, Inc., 1857 Hess Road, Appleton, New York.
Public Hearing- Special Exception Use Permit

Russell Farms has applied for a Special Exception Use Permit to provide agricultural housing at an existing single family home at 1857 Hess Road.

Planning Board member, Peter Russell, recused himself as a voter on decisions related to Russell Farms, Inc. because he owns the property.

Mr. Clark opened the Public Hearing and read the Public Notice. Please Take Notice that the Planning Board of the Town of Newfane, New York, to hear and consider the following application: Russell Farms, Inc. has applied for a Special Exception Use Permit, upon premises known as 1857 Hess Road, Appleton, New York, identified as SBL No. 16.09-1-8, to permit agricultural seasonal housing on the subject property. The subject property is located in an R-R (Rural Residential) Zoning District. The proposed use requires a Special Exception Use Permit pursuant to §270-5.2 (D)(6) of the Town of Newfane Code.

Mr. Russell presented his proposal to provide agricultural seasonal housing at an existing two-story home in Appleton. The site is zoned Rural Residential, where the zoning ordinance requires that a special exception use permit be granted for agricultural housing.. Mr. Russell explained that the house would be used for six months each year by migrant workers he has hired to work on his farm for the last ten years. Agricultural housing must meet standards set by the USDA and NYS Agriculture and Markets, and must comply with NYS Health Codes and be inspected by the Niagara County Health Department.

Mr. Clark asked if there were any questions or comments from two members of the public who were present at the hearing. Mr. Russell answered questions from the Board and those present about safety, security and parking at the site, and there was discussion about the background of seasonal workers and the hiring process.

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

A Motion was made by Eoin Walsh, seconded by Daniel Whorley to grant the Special Exception Use Permit and approve the Site Plan.

A roll call vote was taken as follows:

James Evarts	Voted Aye
Daniel Whorley	Voted Aye
Eoin Walsh	Voted Aye
Thomas Mays	Voted Aye
William Clark	Voted Aye

Peter Russell and Harvey Johnson recused themselves.

Motion carried

The board discussed other topics where no action was requested or taken.

Status of approved solar projects at Nouryon and Drake Settlement Roads.

The approved grant and expected actions to update the Town's Comprehensive Master Plan.

Town Board action to place a temporary moratorium on solar energy battery storage and a proposed Battery Storage Law for the town.

A motion to adjourn was made by Eoin Walsh and seconded by Tom Mays.

All present voted Aye.

Motion carried.

Respectfully submitted,

Mickie M Kramp
Secretary

Next Planning Board Meeting
March 24, 2026