



**TOWN OF NEWFANE
TOWN BOARD MEETING AGENDA
PUBLIC HEARING OCTOBER 22, 2025 at 6:30PM
BOARD MEETING OCTOBER 22, 2025 at 7:00PM**

6:30pm: PUBLIC HEARING

- TO CONSIDER THE ADOPTION OF PROPOSED LOCAL LAW #3, TO OVER-RIDE TAX LEVY AS OF JANUARY 1,2026
- TO HEAR ANY PERSON IN FAVOR OR AGAINST THE PRLIMINARY BUDGET FOR 2026
- TO PROPOSE 2026 SALARIES OF PUBLIC OFFICIALS
- TO REVIEW AMOUNTS TO BE RAISED BY TAXATION

7:00pm: PRAYER & PLEDGE

APPROVE PREVIOUS MEETING MINUTES

- MINUTES OF SEPTEMBER 24, 2025

FILED WITH TOWN CLERK

- TOWN CLERK MONTHLY REPORT TO THE SUPERVISOR FOR SEPTEMBER 2025
- TOWN OF NEWFANE ZONING BOARD MINUTES FOR SEPTEMBER 16, 2025
- TOWN OF NEWFANE PLANNING BOARD MINUTES FOR SEPTEMBER 23, 2025
- TOURISM BOARD MEETING MINUTES FOR OCTOBER 7, 2025

COMMUNICATIONS AND PETITIONS

- NONE

SEPTEMBER 24, 2025

REGULAR BOARD MEETING

The Town Board of the Town of Newfane, Niagara County, New York, met at the Town Hall, 2737 Main Street, Newfane, New York, on September 24, 2025.

The following Board Members were present:

Supervisor: John Syracuse

Councilwoman: Susan Neidlinger

Councilman: Peter Robinson

Councilman: Richard Coleman

Councilman: Robert Horanburg

Others present: James Sansone, Town Attorney, Jon Miller, Highway/Water Superintendent, David Schmidt, Building Inspector/Code Enforcement Officer, Mary Zeller, Confidential Secretary to the Supervisor, Nick Irr, Wastewater Treatment Plant Operator, Jeffrey Newman, Constable/Dog Control Officer,

PRAYER & PLEDGE

Supervisor called the meeting to order at 7:00 p.m. A prayer was read by the Town Clerk and the pledge to the flag was given.

PRESENTATION OF NY-18/LAKE ROAD CULVERT OVER KEG CREEK

The Supervisor introduced Joel Astyk, Project Engineer, from Colliers Engineering & Design and invited Joel to introduce the individuals from the NYSDOT who are joining us this evening as well. Joel thanked the Supervisor and introduced Brian Dankert, Region 5 Project Manager and Mario D'Alfonso, Region 5 Design Job Manager. Joel presented a screen slide show for the Town Board and audience covering all the topics of the project, i.e., Project Location, Project Need, Fishing Access, Preferred Alternative – Work Anticipated, Detour, and Project Schedule. He also provided a full color pamphlet explaining all the topics that were covered. A copy of that Pamphlet is available at the Town Hall for anyone interested who were not able to attend the meeting. After the presentation the floor was opened up for questions. Philip Baehr had a huge concern over how the detour during construction would affect our First Responders, Law Enforcement, Emergency Vehicles, etc. and if there has been any discussion with these agencies on this subject. Joel indicated that is a valid concern, safety is a number 1 priority, and they intend to reach out to all these agencies once they get past the preliminary design. Joel asked if there were any individuals present that were in any type of First Responders category. The Supervisor advised that Councilman Rick Coleman is affiliated with the Miller Hose Company and Councilman Robert Horanburg is affiliated with the Olcott Fire Company. Both Rick and Robert will make arrangements to meet with Joel at the appropriate time. There was a question regarding the new proposed parking lot looking quite a bit smaller than the existing parking lot and whether or not the existing parking lot could remain. The existing parking lot cannot as it is too close to the work being done. The excavating work required to remove the existing structure to rebuild will undermine that area. A question was raised requesting moving the existing Guide Rails back off the road farther. There are quite a few large tractors along with farming equipment that move through that section and it's very dangerous. It really needs to be widened for safety purposes. Joel replied that one of the purposes of having a public meeting is to gather thoughts and information. While road work was not considered as part of the project, we can certainly look at it. The Supervisor thanked Joel, Brian and Mario for coming out to speak and answer questions.

FILED WITH THE TOWN CLERK

- TOWN BOARD WORK SESSION MINUTES OF JULY 10, 2025
- TOURISM BOARD MEETING MINUTES OF AUGUST 5, 2025
- TOWN OF NEWFANE ZONING BOARD MINUTES OF AUGUST 19, 2025
- TOWN OF NEWFANE PLANNING BOARD MINUTES OF AUGUST 26, 2025
- TOWN CLERK MONTHLY REPORT TO THE SUPERVISOR FOR AUGUST, 2025

COMMUNICATIONS AND PETITIONS

TOWN/CLERK/NIAGARA COUNTY BOARD OF ELECTIONS PUBLICATION

The Town Clerk advised the Board that in accordance with NYS Municipal Home rule Law, she had received a letter of request from the Niagara County Board of Elections which also contained an Abstract of a Proposed Local Law to establish a four (4) year term for the position of Niagara County Legislature that was to become a part of our permanent record. The clerk provided the

Niagara County Board of Elections with a certification of receipt and filing and further, an Affidavit of Posting on the Clerk's sign board of the proposed Local Law. This proposed Local Law will appear on the back of the voting ballot in the November General Election.

TOWN/WATER/REFUND WENDA WAGNER

The Town Clerk read a communication from Cailynn Feeley, Water/Sewer Department Clerk as follows: To The Honorable Town Board, The owner of 3944 Ewings Rd. has sold the property. A final bill was issued for the sale of the property. The Water Department is requesting The Town of Newfane refund Wenda Wagner in the amount of \$7.57, due to a credit on the water account from overpayment. Please make check payable to: Wenda Wagner in the amount of \$7.57. Thank you for your consideration in this matter. Supervisor Syracuse asked for a MOTION to refund the overpayment to Wenda Wagner. Moved by Councilman Horanburg, second by Councilman Coleman on the question. Hearing no questions, all were in favor, no one was opposed. All present voted Aye. Motion Carried

TOWN/ASSESSOR/UNPAID WATER/SEWER TO 2026 COUNTY TAX ROLL

The Town Clerk read a communication from JoAnn Harig, Real Property Appraisal Technician to the Town Board as follows: Honorable Supervisor Syracuse and Town of Newfane Board Members; The Water Department has provided the Assessor's office with a list of unpaid water and sewer charges, along with a list of the mowing and unpaid materials charges to be added to the 2026 County Tax Roll. Your approval is required to place these charges into the 2026 County Tax Roll for the January 2026 Tax Bill in accordance with New York State Tax Law, Section 198. The unpaid totals are as follows: Unpaid Water \$174,002.75; Unpaid Sewer \$81,478.82; Unpaid Materials \$393.13; Mowing Fees \$4,978.60; Total \$260,853.30. Sincerely JoAnn Harig, RPAT, Town of Newfane. Supervisor Syracuse requested a MOTION to approve the unpaid charges be sent to the County to be added to the 2026 County Tax Bill. Moved by Councilman Coleman, second by Councilwoman Neidlinger on the question. Hearing no questions, all were in favor, no one was opposed. All present voted Aye. Motion Carried

REPORTS OF COMMITTEES AND DEPARTMENT HEADS

The following department heads were in attendance and gave a report on their department. Jon Miller Highway/Water Superintendent, stated they have been busy fixing water leaks and service leaks, we have the water taps pretty much caught up. We started replacing the sidewalks on Main Street that were in need of repair and hope to have that finished in about a week. We replaced a broken hydrant on Hess Road and Jacques Road and we are still working on the lead service line survey which will probably be a couple year deal. We will begin to start lead sampling and testing, we need about 40 samples by the end of January with the cooperation of our residents and we will be in compliance. We will be starting to get the calls for water pipe winterization soon as well. On the highway side we are working on mowing field ditches, we have about 6 yard pipes to do for new driveways to be put in. We have some patching work and a few dead trees that need to be taken down, so there's plenty of work to be done. The Supervisor wanted to acknowledge all the work that these men do in addition to their typical duties such as putting up and taking down the Hometown Hero Banners. Jon and crew seem to find a way to get things done and it is greatly appreciated. Nick Irr, Wastewater Treatment Plant Operator, advised the Board that construction is still underway. They have finished the aeration piping so that is up and running now. We are learning the new equipment and working on getting quotes for further equipment. The plant is running well and we have compost available. David Schmidt, Building Inspector/Code Enforcement Officer stated that since the last time we met he has issued 32 new Permits. Just to give you an idea on how busy it has been, all of last year I issued 105 Permits. He has issued 137 as of this date. He is presently trying to work on the amendments for some of the Codes. The 2025 Code Books are out now and we will have to go by them as of January 1st, 2026, I will have to start looking through them. JoAnn Harig, Real Property Appraisal Technician, advised the Board that New York State is rolling out a new cloud based data program for assessments. Hopefully the program will allow us to input the data as we see it. This will be quite a time saver as we are now writing everything down and then coming back to enter it into the system. The entire Ridgeview Mobile Home Park has been inventoried and updated. We will be starting on the Bixler Road, Countrywide Estates inventorying every Mobile Home. We will then be starting to send out our Renewal Exemption Letters. If you have a low-income senior, individual with a disability or agricultural exemption which needs to be renewed every year please be certain to fill out the forms. Jeffrey Newman, Dog

Control Officer/Constable, reported that this past Monday he, Ken Nerber and Joe Flagler all qualified through the Niagara County Sheriff’s Department, this is an annual requirement. Over the last few weeks we had 6 dogs at large which is quite a big number. Every one of them was within 2 to 10 houses from where they live. We have created a Facebook page; you can find it under Newfane Town Constables. Gina Guido-Redden offered a End of Season Summary Report to the Town Board. The Report contains graphs and blocks which were not able to be converted into the Minutes. A full copy can be obtained from the Town Clerk’s Office if anyone would like one. The Supervisor thanked Gina and acknowledged that she certainly put a lot of work putting that together. He was very impressed and appreciative.

NEW BUSINESS

TOWN/SUPERVISOR/ NYS ENERGY BANS

The Supervisor brought forward Resolution #30-2025 in support of Congressman Langworthy’s Opposition to Government-Mandated Natural Gas Bans as follows: RESOLUTION #30-2025 A RESOLUTION IN SUPPORT OF CONGRESSMAN NICK LANGWORTHY’S ENERGY CHOICE ACT (H.R. 3699, S. 1945) AND IN OPPOSITION TO GOVERNMENT-MANDATED NATURAL GAS BANS. WHEREAS, affordable and reliable energy is essential to the health, safety, and economic prosperity of Newfane families, businesses, and communities; and WHEREAS, natural gas remains a dependable, cost-effective, and clean-burning energy source used by many residents to heat their homes, cook their food, and power their businesses; and WHEREAS, in 2019, New York State enacted the Climate Leadership and Community Protection Act (CLCPA), which mandates aggressive emissions reductions and serves as the foundation for sweeping energy restrictions, including efforts to phase out natural gas; and WHEREAS, building on the CLCPA, Governor Kathy Hochul and the New York State Legislature in 2023 enacted provisions in the state budget banning natural gas and other fossil fuel hookups in most new residential and commercial buildings, effective 2026 for smaller buildings and 2029 for larger buildings, thereby eliminating consumer choice and limiting access to affordable energy; and WHEREAS, Governor Hochul has publicly supported these bans and related measures as part of her administration’s climate and energy agenda, despite widespread concerns that such mandates will increase costs, strain grid reliability, and restrict energy diversity; and WHEREAS, these top-down policies undermine affordability, threaten reliability during peak demand, and strip away the freedom of consumers and businesses to choose the energy sources that best meet their needs; and WHEREAS, Congressman Nick Langworthy of New York and Senator Jim Justice of West Virginia introduced the Energy Choice Act (H.R. 3699, S. 1945), federal legislation that ensures state and local governments cannot restrict consumer access to natural gas and other affordable energy sources, thereby protecting freedom of choice for New Yorkers and all Americans; and WHEREAS, the Energy Choice Act would safeguard households, small businesses, hospitals, farmers, and manufacturers from harmful government overreach and preserve access to an “all-of-the-above” energy strategy that strengthens reliability and affordability; NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newfane strongly supports the Energy Choice Act as introduced by Congressman Langworthy (H.R. 3699) and Senator Justice (S. 1945) and stands firmly opposed to New York State’s natural gas bans, the CLCPA-driven restrictions, and other state energy mandates that eliminate consumer choice; and BE IT FURTHER RESOLVED, that the Town Board of the Town of Newfane urges Congress to pass the Energy Choice Act to defend consumer choice, protect energy affordability, and preserve reliable access to natural gas for New Yorkers; and BE IT FURTHER RESOLVED, that copies of this resolution be sent to Congressman Nick Langworthy, Senator Jim Justice, the New York Congressional delegation, Senators Charles Schumer and Kirsten Gillibrand, Governor Kathy Hochul, and leadership of the New York State Legislature. Supervisor Syracuse entertained a MOTION to approve the Resolution. Moved by Councilman Robinson, Second by Councilman Coleman on the question. Hearing no questions, the Supervisor called for a roll call vote.

- Councilwoman Neidlinger: Aye
- Councilman Robinson: Aye
- Councilman Horanburg: Aye
- Councilman Coleman: Aye
- Supervisor Syracuse: Aye

Aye: 5 Nay: 0

Motion Carried

TOWN/SUPERVISOR/APPOINT FULL-TIME ASSESSOR AND PART-TIME CONSULTANT

The Supervisor brought forward RESOLUTION #31-2025 RESOLUTION OF THE TOWN BOARD OF THE TOWN OF NEWFANE APPOINTMENT OF FULL-TIME ASSESSOR AND PART-TIME CONSULTANT, WHEREAS, the Town Board of the Town of Newfane recognizes the need to provide consistent, professional assessment services to the residents of the Town; and WHEREAS, the position of Town Assessor requires the formal appointment of an individual to serve as the Full-Time Town Assessor for the statutory six-year term; and WHEREAS, the Town Board has reviewed qualifications and finds that JoAnn Harig is duly qualified and suitable to serve as the Full-Time Assessor of the Town of Newfane; and WHEREAS, the Town Board further recognizes the need for temporary professional consultation during the transition period in the Assessor’s Office; and WHEREAS, the Town Board has determined that Michael S. Hartman is qualified and suitable to serve as a Part-Time Consultant within the Assessor’s Office; NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newfane hereby appoints JoAnn Harig as the Full-Time Town Assessor for the Town of Newfane, for the statutory six-year term commencing October 1, 2025, and ending September 30, 2031; and be it further RESOLVED, that the Town Board hereby appoints Michael S. Hartman as a Part-Time Consultant within the Assessor’s Office, for the term commencing October 1, 2025, and ending December 31, 2025; and be it further RESOLVED, that the Town Supervisor, and any other officer as may be required, is hereby authorize to take all actions necessary to give effect to this Resolution. Supervisor Syracuse entertained a MOTION to approve the Resolution. Moved by Councilwoman Neidlinger, Second by Councilman Horanburg on the question. Hearing no questions, the Supervisor called for a roll call vote.

Councilwoman Neidlinger: Aye
Councilman Robinson: Aye
Councilman Horanburg: Aye
Councilman Coleman: Aye
Supervisor Syracuse: Aye

Aye: 5 Nay: 0

Motion Carried

PAY BILLS

The Supervisor entertained a MOTION to approve the payment of claims totaling \$715,956.10, bills paid in September, 2025, Vouchers #39098-39458, as audited by the Supervisor and Department Heads and as per Abstract Sheets dated 09/24/2024 which will be filed with the official record.

General Fund	\$ 191,470.45
Highway Fund	\$ 134,282.67
Water Fund	\$ 21,314.53
Sewer Fund	\$ 92,764.78
Lighting District	\$ 6,205.56
Refuse District	\$ 72,512.22
Trust & Agency	\$ 3,076.45
Capital Projects	\$ <u>193,829.44</u>
TOTAL APPROVED	\$ 715,456.10

Motion made by Councilwoman Neidlinger, second by Councilman Robinson on the question. There were no questions, all were in favor, no one was opposed.

Motion Carried

PUBLIC COMMENTS

Larry Dormer, Exchange Street, wanted to thank Jon Miller, Water/Superintendent, for all the help he provided when the sewer in the basement backed up.

SEPTEMBER 24, 2025

REGULAR BOARD MEETING cont.

ANNOUNCEMENTS/COMMENTS FROM THE BOARD

- Next WORK SESSION is THURSDAY, OCTOBER 9, 2025
- Town Hall is closed Monday, Columbus Day, October 13, 2025
- Next Month BOARD MEETING: WEDNESDAY, OCTOBER 22, 2025 @ 7PM

Councilman Robinson encouraged everyone to come to attend the Harvest Festival on September 27th to support our local businesses and our local farmers.

ADJOURN

The Supervisor entertained a MOTION to adjourn. Motion made by Councilwoman Neidlinger, second by Councilman Horanburg. All were in favor, no one was opposed.

Motion Carried

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Donna M. Lakes
Town Clerk

Next Regular Town Board Meeting October 22nd, 2025, 7:00 p.m.

DRAFT

Account#	Account Description	Fee Description	Qty	Local Share
	Boat Dock Balance	Boat Dock Balance	3	5,350.00
	Boat Dock Deposit	Boat Dock Deposit	13	2,700.00
	Hometown Heroes	Banner	1	190.00
	Lakeview Village Fair	Monthly Rent	8	5,610.00
	Lions Club Rent	Lions Club Rent	1	100.00
	Marriage License	Marriage License	11	192.50
	One Day Officiant License	One Day Officiant License	2	50.00
	Tourism Guides	Tourism Guides	21	8,950.00
		Sub-Total:		\$23,142.50
A1255	Clerks Fees	Photocopies	10	2.50
	Clerk's Fees	Birth Certified Copy	46	460.00
		Death Certified Copy	7	70.00
		Fax Fee	5	5.00
		Genealogy Search	1	22.00
		Marriage Certified Copy	2	20.00
	Conservation	Conservation	21	405.74
		Sub-Total:		\$985.24
A2110	Zoning Fees	Planning Board Hearing	1	150.00
		Sub-Total:		\$150.00
A2544	Dog Licensing	Female, Spayed	41	307.50
		Female, Unspayed	7	108.50
		Male, Neutered	19	142.50
		Male, Unneutered	2	31.00
		Replacement Tags	1	3.00
		Sub-Total:		\$592.50
A25442	Dog Redemptions	Dog Redemption 1st	1	10.00
		Sub-Total:		\$10.00
A2590	Building Permits	Other Permits	1	50.00
	Commercial/Industrial Buildings	New Build	1	100.00
	Deck Permit	Total Fee	3	245.00
	Demolition Permit	Residential	1	50.00
	Fence	Residential	2	50.00
	Manufactured Homes	Double Wide	1	150.00
	Reidential	Roofing	7	180.00
	Residential	Additions, Porches, Remodling, Pole Barns	9	1,189.00
		Renewal	2	100.00
		Single Family	2	1,750.00
	Short Term Rental	Annual Renewal	3	150.00
	Zoning Board	Application Fee	1	150.00
		Sub-Total:		\$4,164.00

Account#	Account Description	Fee Description	Qty	Local Share
			Total Local Shares Remitted:	\$29,044.24
Amount paid to:	N Y S Health Department			247.50
Amount paid to:	NYS Ag. & Markets for spay/neuter program			87.00
Amount paid to:	NYS Environmental Conservation			8,038.26
Total State, County & Local Revenues:		\$37,417.00	Total Non-Local Revenues:	\$8,372.76

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Mickie Kramp, Town Clerk, Town of Newfane during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

Supervisor

Date

Donna M. Lakus 10-2-2025

Town Clerk

Date

[Handwritten Signature]
10/7/25

RECEIVED
OCT 07 2025
Supervisor's Office

TOWN OF NEWFANE ZONING BOARD OF APPEALS

2737 MAIN STREET NEWFANE, NY 14108

September 16, 2025

MEMBERS PRESENT: Chairman Troy Barnes, Jeremy Irwin, Charles Maynard, Bill Koller, Tyler Finley, Marcy Ferington

MEMBERS ABSENT: Geoff Harding

OTHERS PRESENT: David Schmidt, James Sansone, Robin Bower, Mr. and Mrs. Harkleroad, John and Lynn Harper, Diane and Brian Roberts, Scott and Colleen Dixon

The meeting was called to order at 7:00 p.m.

Troy introduced the board including David Schmidt, James Sansone and Robin Bower.

Troy read the following variance and for the record all those within 300' of said premises were contacted by mail.

JOSHUA HARKLEROAD, 1911 Phillips Road Burt, NY 14028, has applied for an area variance under the Newfane Zoning Ordinance, upon premises known as 1911 Phillips Road Burt, NY 14028, in the Town of Newfane, NY, located in an Agricultural Residential (A-R) District, to construct a single family residence with 336 square feet of floor space, in violation of Section 270-9-8-2 of the Newfane Zoning Ordinance, which requires a minimum floor space of 750 square feet.

Joshua Harkleroad explained that he moved here to raise his children in the country. He and his wife want to home school their children. He would like to build his mother n law a "tiny home" that would give her privacy away from the main house. She would assist them with the children.

Troy asked the board for any questions.

Marcy stated that she saw plans for a 20 x 20 addition as well as the tiny home. She asked Mr. Harkleroad what his plan was. Mr. Haarkleroad stated that he had the cement pillars there for both, and depending on the time the board gave him to build, would determine that.

Chuck mentioned that the county handles the septic system. David stated that he has already had to put a new system in and it would accommodate the tiny home. Mr. Harkleroad stated that upon the sale of the home the septic failed and that is why he is putting a new one in.

Bill asked if the Harkleroad's were already approved by the planning board. Mr. Harkleroad said yes.

Chuck asked how close to the house would the tiny home be? Mr. Harkleroad explained it would be behind the garage about 65' feet or so.

Troy confirmed with Jim Sansone that this is a special exception use.

Jim was confirming with Mr. Harkleroad of his intentions in building the addition as well as the tiny home. Jim also was stating that the Zoning Board may set a time limit on the project. Mr. Harkleroad was ok with that. Troy asked what the time frame was that Mr. Harkleroad had in mind.

Mr. Harkleroad said spring. Troy reminded him that most building permits are good for one year. Chuck mentioned that the mother n law could get early occupancy. Jim said yes and reiterated the reason why he was here at the Zoning Board meeting.

Troy asked if there were any other questions from the public?

Tyler made a motion with the revision that the addition is to be built within a year. Marcy second the motion.

Troy made a motion to poll the board with the revisions. All were in favor and no one was opposed. Motion carried.

Bill grants the variance with the revision of one year to complete the addition.

Chuck grants the variance based on the pre-approval from the planning board as well as no adverse effect on the community.

Marcy grants the variance based on the addition will add square footage to the tiny home.

Tyler grants the variance based on the addition and the time limit.

Jeremy grants the variance.

Troy grants the variance.

Geoff Harding – absent.

Variance granted.

Troy read the next variance.

JOHN HARPER AND LYNN HARPER, both residing at 23 Annemarie Terrace, Cheektowaga, NY 14225, have applied for an area variance under the Newfane Zoning Ordinance, upon premises known as 6361 Dale Road Newfane, NY 14108, located in a Residential (R-1) District, to build a residence upon a lot with 66 feet of frontage upon Dale Road, in violation of the Newfane Zoning Ordinance which requires 100 feet of frontage.

Mr. Harper introduced himself and proceeded to talk about the property. He purchased the land in 2008. The property is 66' wide 200' deep that opens up wider in the back of the property, which turns out to be 29.2 acres. They have spoken to the Town of Newfane in the past and already has had a culvert put in. Now they want to build a single-family home over 250' back off

of the road. Jim asked if there was anything on the property now. Mr. Harper said no. He was going to build on the back of the property to the left. The driveway would be apart of the 66'. Marcy asked how wide the driveway would be, Mr. Harper responded with 30' or less. The standard is 12'. Marcy stated he would go back 200' and Mr. Harper said perhaps 50 – 75' more. Mr. Harper said he would be behind some houses.

Troy asked if there were natural barriers between you and the neighbors in front of you? Mr. Harper said yes, there are trees.

Chuck made mentioned that there was a for sale sign near his property and was it his. Mr. Harper said no.

Jim asked Mr. Harper if he knows of any other lots in the area that were below the 100' requirement. Mr. Harper said yes.

Bill asked Mr. Harper if his property butts up against another. Mr. Harper said no. Bill was questioning where his property extends to? The property extends to the North.

Troy asked for any additional questions from the audience. Mr. Dixon from 6343 Dale Road, Newfane spoke. He has a concern for his quality of life and the resale value of his property. Mr. Harper home will be directly behind Mr. Dixon's. Mr. Dixon asked if they were living there full or part time? Mr. Harper answered full time. Mr. Dixon also asked what they were doing with the land? Mr. Dixon knew of people hunting back there. Mr. Harper said once the home is built no one will be hunting back there. Mr. Dixon wanted to know an approximation of how far behind him the Harper's were going to build? Mr. Harper will be about 275' off the road behind Mr. Dixon whom is 100' off the road. Mr. Dixon wanted to know if the land would be cleared? Mrs. Harper explained they were not clearing the land, they want the trees there. Chuck asked the Dixon's if their land was cleared. Mr. Dixon said it was cleared all the way back to the home with 10' of trees on the back side of their property, which in turns runs into Mr. Harper's property. There are some wetlands on Mr. Harper's property opposite where he will build the home. That is the reason why the Harper's are building on the opposite side of the property. There was discussion as to how big the home would be. Mr. Harper said approximately 3 to 4 bedrooms or approximately 2000 sq. ft. Diane Roberts 6375 Dale Road, another neighbor, expressed her concern as well regarding the trees, and does not want to see them cut down. She likes to see the trees mature and doesn't want to see a house behind her.

Bill made a motion to poll the board. Chuck made the second motion.

All were in favor. No one was opposed. Motion carried.

Bill will grant the variance because it will not change the character of the neighborhood and there are properties in the area that have similar frontages.

Chuck concurs with what Bill has said as well as the fact that he has answered concerns from his neighbors. Chuck will grant the variance.

Marcy will grant the variance based on his driveway will be 200' back and approximately 50' behind the neighbors and there is plenty of land with owning 29 acres.

Tyler grants the variances based the board members statements.

Jeremey will also grant the variance.

Troy grants the variance.

Geoff Harding – Absent

Variance granted.

Respectfully submitted,

A handwritten signature in cursive script that reads "Robin R. Bower". The signature is written in black ink and is positioned above a horizontal line.

Robin R. Bower
Zoning Board Secretary

TOWN OF NEWFANE PLANNING BOARD MINUTES
SEPTEMBER 23, 2025

The following members were present:

Presiding: William Clark
Paul Conrad Thomas Mays
Eoin Walsh Daniel Whorley
James Evarts

Attending: James Sansone, Town Attorney

Excused: Peter Russell
David Schmidt, Building Inspector

Hope and Dennis Dalrymple, 6582 Lake Road, Appleton, New York
Public Hearing-Special Exception Use Application, Proposed Auxiliary Housing on Premises

Mr. Clark read the Public Notice and opened the Public Hearing to consider the application for a Special Exception Use Permit for auxiliary housing on premises known as 6582 Lake Road Appleton, New York 14008, to allow an existing apartment on the site to be used as auxiliary housing, pursuant to Article 5, Section 5-2-(D)-8 of the Newfane Zoning Ordinance, in an Agricultural-Residential (A-R) District.

Hope and Dennis Dalrymple explained they are in the process of selling their property and want to establish a permit that will allow the apartment to be used as auxiliary housing. When they purchased the property 20 years ago there was an existing barn and an apartment above it that they lived in. They later built another pole barn which also included a mother-in-law apartment, They are asking for an approved Special Exception Use Permit for the unit in the newer pole barn.

Eoin Walsh asked if there were one or more permits in place?

Mrs. Dalrymple said the first apartment was part of the property when they purchased and does not know about the original permit. They received a building permit for the new pole barn and included the second apartment, but there was no auxiliary housing permit and the unit has not previously been used as a residence.

Thomas Mays asked if the utilities are connected to the main house, Mrs. Dalrymple said the older apartment is connected to the main house, the mother-in-law apartment has its own utilities.

Thomas Mays asked how far is Keg Creek from the property?

Mrs. Dalrymple said it's about 600 yards from our house.

Chairman Clark explained that an auxiliary housing unit is typically connected to the primary residence, does not have its own utilities and ownership cannot be separated from the primary residence.

The Dalrymple's do not plan to use the apartment before selling. There was uncertainty about if the apartment could qualify as Auxiliary Housing or as an apartment in the AR zone, and that a Variance from the Zoning Board of Appeals may be required.

No action was taken by Planning Board and some suggested the application should be deferred and submitted by a new owner when they determine how the property will be used.

A Motion to close the Public Hearing was made by Daniel Whorley and seconded by Paul Conrad.

All members voted Aye. Motion carried.

Omni UGE Drake-Settlement Solar Energy Application

Chairman Clark said further action on this application is postponed pending OMNI UGE review with their attorney about issues with proposed placement of the power poles on the site access lane to Transit Rd,

Concerns about the Special Exception Permit previously issued for animal husbandry at 1707 West Creek Road.

Neighbor Nicole Smith of West Creek Rd. was present and expressed concerns that her neighbor's chickens are not being properly contained and are infringing on her property in violation of the Planning Board permit.

The Planning Board approved a conditional permit in June, stipulating that the owners of the chickens have 60 days to take steps that will effectively contain the chickens on their property. Chairman Clark said he will ask the Building Inspector, David Schmidt, to investigate the circumstances and report back to the Planning Board.

Updates and Discussion

Corey Sicard and Jerome Lang, contractors representing the owners of the former Gordie Harper's Restaurant, were present and outlined the proposal to open a restaurant, bar and grill with live music at the site. They asked about installing a sound barrier fence near the Lockport-Olcott road right-of-way, There is already a row of trees or shrubs on the property line. Chairman Clark directed Mr. Sicard to consult with the Building Inspector and the Highway Superintendent to determine if there are any setback or design requirements and if any special permits are required.

Janis Toenniessen, 3330 Lockport-Olcott Road, Newfane expressed concern about noise associated with operation of the restaurant.

Chairman Clark said the type of use at the property is not changing and they would have to comply with the noise ordinance.

Chairman Clark reviewed and discussed Newfane's New York Forward Grant Application, noting that proposed development projects are being sought. It was also highlighted that this and other state grants would emphasize the need to review and adapt local housing policies and zoning.

Upcoming Planning and Zoning training, October 1, 2025, East Aurora, New York.

A Motion to adjourn the meeting was made by Eoin Walsh and seconded by Jim Evarts. All present voted Aye. Motion carried.

Respectfully submitted,

Mickie M. Kramp, Secretary

Next meeting: ~~October 28, 2025~~ **November 25**, unless otherwise announced.

Amended meeting note: The October meeting is cancelled so members can attend County training for Board members on October 28.



Tourism Board Meeting Minutes

Tuesday, October 07, 2025

Newfane Town Hall

1. **Meeting called to order** by Chairperson, Gina Guido-Redden at 8:45 am.

2. Attendance

a. Board Members

- X Gina Guido-Redden
- A Christine Kelemen
- X Cate Banks Orr
- X Barb Miller
- X Jim Sansone
- X Ann Schulze
- X Janet Steggles
- X Jane Voelpel
- X Stella Wilson
- X Kris DeGlopper Banks

X Quorum Met

b. Liaisons/Town Hall Representatives

- A Karen Young - Lakeview Liaison
- A Peter Robinson - Town Board Liaison
- A Bill Clark - Town Historian
- A John Syracuse - Town Supervisor
- A Mary Zeller - Confidential Secretary to the Supervisor

c. Members of the Public

- X Paul Hartigan – Owner Hartz’s Folly and gelato shop

3. **Minutes:** Minutes of prior meeting were distributed to the Board via email prior to the meeting.

4. Budget Reports:

a. Review Budget Report – Tourism

MOTION was made by Cate Orr to use \$1,100 surplus in budget to contribute toward buying additional items for holiday lighting, ex. Extension cords, zip ties, etc. for the caboose and other areas in Olcott. Motion adopted.

b. Review Budget Report – LKV

MOTION made by Barb Miller to approve the Tourism Budget report and the Lakeview Village reports as presented. Motion carried.

Old Business

- a) Visitor Guide Sales Update – Committee members will follow up with those advertisers who have not yet responded and sent in payment for their ads.
- b) *Discussion: Cost cutting and guide printing* – progress on goal of preparing RFP for distribution, and milestone deadlines within the RFP were discussed. More information needs to be gathered and new milestone deadlines need to be determined.

MOTION was made by Cate Orr to table distribution of the RFP until additional information is gathered and presented. Motion carried* - * This means we will use the current printer for the 2026 guide and potentially the 2027 guide.

- c) Guide Distribution list -

Janet and Cate will compile a document on a shared drive for distribution of the guide books.

5. New Business – Marketing Initiatives

- a. *Discussion: Increase use of our current social media platforms (FB/IG) to include pages dedicated to the Beach and Marina - everyone agreed this would be valuable and there are two options:*
 - (1) Double our current social media budget (\$1600 to \$3200) and add to Karen's workload. This option is dependent on whether or not Karen can take on that extra workload. Hopefully – all or a portion of that increase could be funded by the Marina and Beach budgets – *however, since that is unknown, we have to assume it would be funded by the Tourism budget.*
 - (2) Maintain our current spending levels and have Gina create the pages and manage them for distribution of critical information only (e.g., Beach - beach closures/openings, operating hours, postings for lifeguard openings; Marina, dock reservation prices and process information, Hooks for Harry information, free fishing weekends and special projects). *This would not increase our costs – but it would also have less impact.*

The topic was tabled until Karen is at a meeting - and we have more information with regard to how a budget increase would be funded.
- b. *Discussion: Adding new platforms that focus on video media instead of images (i.e., YouTube and TikTok).* The value of this initiative was agreed upon by everyone. Everyone also agreed that this initiative would require an additional \$1600/year – and that it would require identifying a new resource (i.e., not Karen or Gina).
- c. *Discussion: Contracting for professional marketing videos for Tourism's use.* Use of Step Out Buffalo for professional video production and marketing was unanimously agreed upon. Their regional impact was understood by everyone, and information regarding current pricing is needed.

MOTION made by Cate Banks to incorporate the following expenditures to our 2026 spending plan for now, to provide us the option to move forward, once more information is gathered:

- \$1600 for creation and management of a Tourism TikTok account (and potentially leveraging the value of the webcam YouTube channel)
- \$2,000 for Promotional Video services from Step Out Buffalo

6. Lakeview Village Report: – Gina Guido-Redden –

- The fall weekends and the extension of the fall music and wine event into fall have been a great success.
- 2026 leases have been prepared by Gina, and approved/signed by Town Hall. Tenants signatures will be collected by 10/18.
- KM Treats is closing after 15 years on the boardwalk and they will be missed. Gift Box at the Beach is taking the lease on that location, so there are no vacancies for 2026.
- The 2026 leases incorporated a 1.5% rent increase, and the rent will continue to increase on a regular schedule (1.5% every time leases are renewed).
- The end of year inspections and the end of season meeting scheduled for Oct 18.
- Repairs set for November.

Comments/Questions from Members of The Public

Paul Hartigan:

- Complimented the Board and said that we do a great job – he reviewed our September report out to Town Hall and added that 2025 was also his best season.
- Agreed that Step Out Buffalo has a huge reach and is well worth funding and completely supported the initiative.
- Noted that while not in our September report out – he thought the NPR/Tapestry podcast on Olcott was wonderful.
- Offered to allow a public art mural on the side of his business to be included in grant applications that value public art.
- Noted that he would like to bring a Tilt-A-Whirl to Olcott.
- Stressed that he feels the most important thing for our Board and Town Hall to consider, is how we can all work together to improve the properties in Olcott that are in need of repair/renovation/reinvestment. He feels they are holding back progress and keep us from achieving our potential.

MOTION to adjourn the meeting was made by Cate Banks. Motion carried.