Planning Board

October 27, 2026

Meeting Minutes - Draft

Attendees: Chairman Paul Ziarnowski, David Stringfellow, Jessica Yuhas, Gary Stisser, Jay Jackson and Ralph Galluzzi (alternate member)

Excused: Vice-Chairman James Liegl and Elizabeth Schutt

The meeting was called to order at 7:30 P.M.

Chairman Ziarnowski noted that Mr. Galluzzi would be voting at this meeting in the absence of Ms. Schutt.

Roy Emerling - Requesting Preliminary Approval of a two-lot subdivision to be located at 8729 Boston State Road

It was determined that no one appeared on behalf of the applicant.

Chairman Ziarnowski made a motion, seconded by Mr. Galluzzi, to table this request until the applicant appears before the Board.

All members voted in favor of the motion.

Todd Gallagher - Requesting a Special Use Permit to raise domestic honey bees at 8325 Cole Road

It was determined that no one appeared on behalf of the applicant.

Chairman Ziarnowski made a motion, seconded by Mr. Galluzzi, that this request not be placed on another meeting agenda until the applicant indicates that he will attend.

All members voted in favor of the motion.

The 2024 Rosina Bickel Trust - Requesting Concept Review of a proposed 9-lot subdivision to be located on the corner of Zimmerman Road and Heinrich Road

Mr. Roland Rachinger stated that his grandmother owns the property in question and is interested in subdividing it.

Chairman Ziarnowski noted that the property is zoned R-2 and the proposed lots are quite generously sized, which he commended Mr. Rachinger for. He further noted that the Town Planner, Sarah Desjardins, reviewed this concept and has indicated that the proposal meets all Town Code requirements.

In response to a question from Chairman Ziarnowski, Mr. Rachinger stated that his grandmother will probably sell the lots herself rather than selling the entire parcel to a developer, but that is still to be determined.

It was determined that no roadway would be required for this subdivision, as all lots would have frontage on a public roadway.

Board members agreed that they are pleased with the relatively large lots that are proposed.

Don Kirst - Requesting Preliminary Approval of a two-lot subdivision to be located at 9130 Back Creek Road

Andy Gow from Nussbaumer & Clarke, representing the applicant, stated that Mr. Kirst would like to subdivide this parcel into two (2) in order to sell his existing home to his daughter and construct a new home for himself on the newly created parcel. He noted that the proposal meets all Town Code requirements.

Chairman Ziarnowski stated that when the Environmental Assessment Form (EAF) was submitted, the NYSDEC indicated that there is a bald eagle's nest somewhere near the property.

Mr. Gow responded that he followed up with the NYSDEC and received an email indicating that the nest is 1/2 mile away and not an issue.

Chairman Ziarnowski stated that there is a stream on Mr. Kirst's property that comes off of the west hill and cuts diagonally across the site. He noted that he was concerned that it was a state protected stream and there might be a restriction on how close a home can be built to the stream. He stated, however, that he was informed by Erie County Soil & Water that this stream is not protected and therefore no setbacks from the stream are required.

Chairman Ziarnowski asked Mr. Gow to provide written confirmation of the above information.

Chairman Ziarnowski made a motion, seconded by Mr. Jackson, to schedule a public hearing to be held on November 10, 2026.

All members voted in favor of the motion.

Jeanne Frazer - Requesting Preliminary Approval of a two-lot subdivision to be located at 8234 Lower East Hill Road

Jeanne Fraser, applicant, stated that she lives at 8211 Lower East Hill Road and she has property across the street at 8234 Lower East Hill Road that she would like to

subdivide into two (2) parcels. She noted that the parcel to be subdivided is just over 32 acres in size and each new lot will be approximately 16 acres in size. She further stated that she plans to sell both parcels.

Chairman Ziarnowski made a motion, seconded by Mr. Jackson, to schedule a public hearing to be held on November 10, 2026.

All members voted in favor of the motion.

It was determined that the July 2026, August 2026 and September 2026 meeting minutes could not be approved because there were not four (4) members present who attended those meetings.

Mr. Stringfellow made a motion, seconded by Mr. Jackson, to adjourn the meeting. All members voted in favor of the motion.

The meeting was adjourned at approximately 7:50 P.M.

Respectfully submitted

Margaret Derk
Board Clerk