

**TOWN OF NEWSTEAD - PLANNING BOARD MINUTES**  
**Newstead Town Hall – 6:30PM**  
**June 23, 2025**

**MEMBERS**

**PRESENT:** Tom Cowan, Chairperson  
Andy Kelkenberg  
John Potera  
Don Hoefler  
Christine Falkowski  
John Olaf  
Tim Martin (alternate)  
**OTHER:** Julie Brady, Recording Clerk  
Dave Miller, CEO  
**ABSENT:** Erik Polkowski  
Jacob Halleck (alternate)

---

The planning board began the meeting at 6:30pm with a discussion of the changes made to the agenda, adding Jeff Fancher/J&R Specialties, 5391 Crittenden Road for a preconference for a change-in-use and sign permit to be heard at 7:15pm tonight. The board also discussed home-based businesses and zoning districts.

Matthew Trebes came for a preconference to discuss a 2-lot minor subdivision for 3.8 acres of vacant land he is purchasing from David & Jerry Schweinlein on Clarence Center Road. Matt T. said that he would like to retain the Easterly lot for him & his wife to build a home and sell off two one-acre lots to the west. The issue that needs to be resolved is the discrepancy between the surveyed 640 feet of frontage and the recorded and calculated 619 feet of frontage. Matt T. reviewed the application and was informed how to proceed by contacting his attorney and Erie County as well as a surveyor or engineer to create a subdivision plat.

---

Nick Hathaway, 4828 S Newstead Rd., Akron, is seeking a special use permit/home-based business for his trucking business. Tom C. stated that the planning board would like to see screening to hide the trucks. A discussion was had of the location of such screening as well as the shed which was placed without a permit and is not in compliance at this time as it needs to be 75 feet from the right-of-way as an accessory use and is only 60 feet per Nick H. Nick H. also stated that there is no way to hide those trucks behind screening.

John P. asked why he could not put it all in the back of his property. Nick H. replied he does not have the money to do that. Tim M. continued by asking why he couldn't park the trucks in the back. Nick H. stated that he would have to knock buildings down and there is an old septic system somewhere back there also.

Tom C. asked if he lived in the house on this property. Nick H. replied yes that he and his wife reside there and have been in business at this location for eleven years.

Dave M. explained to the board that Nick H. was notified that due to the fact that his trucking business has increased in intensity from two to six trucks and is much more visible at the road after demolishing the old church he needed to apply for a home-based business. Nick H. stated that his business has grown and he now owns 11 trucks, approximately four stays at the property. He has six employees but is short on drivers. At times, he operates 21 trucks. He encourages drivers to take trucks home at night.

Tom C. summarized that we would love to have your business in the Town of Newstead in the commercial district. Tom C. referred to the Town Code for home-based businesses having certain guidelines that the current status of this trucking business does not meet. Nick H. left the meeting. The planning board discussed how this property enlarged a non-conforming use, the location and blind spot created by the thruway and the number of employees and trucks.

Christine F. motioned to table this agenda item until the next meeting to make a recommendation to the town board. John P. seconded the motion. Hearing All Ayes, No Nays, the special use/home-based business request is tabled to the July 14<sup>th</sup> planning board meeting.

---

Jeff Fancher with J&R Specialties, property owner of 5391 Crittenden Road is requesting a preconference meeting for a change in use and sign at this location. The property use was storage and Jeff F. is requesting it to be an event center/recreational use for community groups and friends and family. It will not be rented out to the public. The building closest to the road has 5 offices in the front and approximately 2,200 square feet of space in the back that they have added a golf simulator, putting green, foosball, and ping pong table for a local youth group and friends to enjoy. Jeff F. stated that this facility is to be a blessing to the community by supplying the space and food for get-togethers.

Tim M. asked how many people you have at any given time. Jeff F. approximated 30 people and 8-10 cars.

John P. and Dave M. asked that lighting, landscaping, parking and the sign all be included in the site plan.

John P. motioned to approve the minutes from June 9<sup>th</sup>, seconded by Tim M. Hearing All Ayes, No Nays, the minutes were unanimously approved.

John P. motioned to adjourn the meeting. John O. seconded the motion. Hearing All Ayes, No Nays, the meeting was adjourned at 7:48pm.

Respectfully Submitted,

Julie Brady, Recording Clerk