

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES
Newstead Town Hall – 6:30PM
March 23, 2026

MEMBERS

PRESENT: Tom Cowan, Chairperson
Andy Kelkenberg
Erik Polkowski
Christine Falkowski
Tim Martin
John Potera
Jacob Halleck (Alternate)

OTHER: Julie Brady, Recording Clerk
Dave Miller, CEO

ABSENT: John Olaf

The planning board meeting began at 6:35pm.

2- Lot Minor Subdivision, 7065 Sandhill Road, The Beyer Farm (SBL# 32.00-2-4.111)

Mona Kris Beyer-Jones was present representing the Beyer Estate, requesting a 2-Lot Minor Subdivision according to the parent's will to split the 77.8+/- acre farm into three parcels.

Mona Kris B. provided a survey showing the division and requested we ignore the small parcels to the rear of the lots known as 7023 and 7033 Sandhill Road owned by the Beyer Family. This was surveyed off and to be merged with the road frontage parcels at the time of sale in the future.

John P. motioned to waive the public hearing. Christine F. seconded the motion. Hearing All Ayes, No Nays, the public hearing was waived unanimously.

Tim M. motioned to approve the 2-Lot Minor Subdivision. Erik P. seconded the motion. Hearing All Ayes, No Nays, the subdivision was approved unanimously.

The March 9th minutes were reviewed. John P. requested that the minutes reflect that the planning board took a break to go the public hearing for Kreher's and then was joined by Randy Moyer after the meeting was reassembled to discuss the 1-Lot subdivision of the Hutter Estate at 12109/12123 Buckwheat Rd. The minutes were tabled to make these corrections.

1-Lot Minor Subdivision, 6009 Cummings Road, Owned by Donna M. Roehling SBL#61.00-1-5.13

Rusty Roehling & Donnie Roehling were present representing Donna Roehling.

Rusty R. stated he is requesting a home-based excavating business at 6061-6063 Cummings Rd., but his equipment is currently on his mother's (Donna Roehling's) property at 6009 Cummings Road. Therefore, he needs to subdivide off his mother's home and merge the remaining land with his home at 6061 Cummings Road. The survey will require two corrections to the addresses as follows: Donna Roehling's is 6009 not 6001 and Rusty's home is a duplex with the address of 6061-6063 Cummings Road, not just 6063. These changes must be made on the mylars to be filed at Erie County Clerk's Office. The survey accurately shows that 6009 Cummings Road meets all of the code requirements of more than 45,000 square feet and 150 feet of minimum road frontage to be subdivided.

John P. motioned to waive the public hearing. Tim M seconded the motion. Hearing All Ayes, No Nays, the public hearing was waived unanimously.

Andy K. motioned to approve the 1-Lot Minor subdivision with the address changes as noted above. Tim M. seconded the motion. Hearing All Ayes, No Nays, the motion was carried unanimously.

Home-Based Business/Special Use Permit, 6061-6063 Cummings Rd., Rusty Roehling

Empire Excavating is owned and operated by Rusty Roehling and his two nephews.

They primarily do sand filter and driveway work. Rusty R. stated he plans to construct a 60' x 180' barn to store the equipment (excavator, dozer, pump truck, loader).

Dave M. stated that he has been working with Tim Walck, (Town Engineer with Wendel) and Mr. Roehling in regard to the orientation of the pole barn for the neighbors' view and the drainage toward State wetlands. It was agreed that the entire storage building will be placed on the existing gravel.

John P. referred to the GIS map and questioned if there was enough room for the driveway between the two homes and which parcel it would be on. Dave M. explained that the GIS map is only a guideline and the property has been surveyed off and it will work.

The board explained to Rusty that the Home-Based Business/Special Use permit is to be renewed yearly until the 5th year, then it becomes permanent. There is a fee the first year. This is not only for the protection of the Town, the neighbors, but for you as well in case there are any complaints.

Christine F. asked if there will be any extra lighting. Rusty R. stated yes, most likely on a timer or motion detector along with surveillance cameras. Dave M. noted to make sure any lighting is not an issue with your neighbors.

Christine F. asked what the hours of operation are and how many employees may be coming and going at this site. Donnie R. said that it's just him and his brother and they usually start at 7am and are done by 5-6pm. They pick up and return the equipment to this site. No work is being performed at this location.

Dave M. stated that the only comments he has received regarding this location are about the storage containers on site. Rusty R. said he would like to put them on a concrete pad and make them look like a garage for more storage space.

Christine F. asked how many storage containers he currently has at this location on Cummings Rd.? Rusty R. stated that he has three storage containers.

Dave M. noted that the storage containers will be addressed at the Town Board level.

Christine F. motioned to recommend this home-based business to the Town Board. Jacob H. seconded the motion. Hearing All Ayes, No Nays, the motion was carried unanimously.

The planning board discussed Kreher's Egg Packing Plant and pending items.

Dave M. stated that Carvana should be added to the list as it is going ahead with a site plan application to expand the ADESA site at 12200 Main Rd.

John P. motioned to adjourn the meeting. Andy K. seconded the motion. Hearing All Ayes, No Nays, the meeting was adjourned at 7:47pm.

Respectfully Submitted,

Julie Brady, Recording Clerk