

WORK SESSION

November 10, 2025 6:00 P.M.

ZOOM

<https://us02web.zoom.us/j/85797226508?pwd=ymaK8OM9HnaDUVtyLnFt4fuY6FaHCg.1>

Meeting ID: 857 9722 6508

Passcode: 148528

AGENDA

PLEDGE OF ALLEGIANCE / SILENT REFLECTION

AGENDA APPROVAL

APPROVAL OF MINUTES 10/06/2025 WS & 10/27/2025 RTBM

ABSTRACT OF CLAIMS Councilwoman Waechter

DEPARTMENT HEAD STATEMENTS

OLD/PENDING BUSINESS

NEW BUSINESS

SUPERVISOR BRODERICK

- 1) Liaison Report
 - a. Reappoint Michael Johnson to the Board of Assessment Review
 - b. Change Order - Town Hall Storage Bldg - Add Concrete Pad
 - c. Change Order for "Grinding of Brush and Logs"
- 2) Legal
 - a. Town Attorney Contract
- 3) Engineering
- 4) Finance
 - a. 2025 Budget Revisions
 - b. 2026 Budget Adoption

COUNCILMAN JACOBY

- 1) Liaison Report
 - a.

COUNCILMAN MORREALE

- 1) Liaison Report
 - a. Sewer Forgiveness – 5232 Lewiston Road
 - b. One-lot Split – 1001 N. Hewitt Drive
 - c. Site Plan – Model City Road (Grizanti)

COUNCILMAN MYERS

- 1) Liaison Report

PRIVILEGE OF THE FLOOR / PUBLIC COMMENT

Upcoming Boards/Commission meetings

Planning Board	November 20	6:30 P.M.
Town Board Meeting	November 24	6:00 P.M.
Historic Preservation	November 11	5:45 P.M.
Zoning Board	November 13	6:00 P.M.

Join Zoom Meeting

<https://us02web.zoom.us/j/85797226508?pwd=ymaK8OM9HnaDUVtyLnFt4fuY6FaHCg.1>

Meeting ID: 857 9722 6508

Passcode: 148528

One tap mobile

+16465588656,,85797226508#,,,,*148528# US (New York)

+16469313860,,85797226508#,,,,*148528# US

Join instructions

<https://us02web.zoom.us/join/85797226508/invitations?signature=Ym-3zrWTO-8KDrHO8Z51mmUPGEFp17PNGh7vk0QRjJ8>

October 16, 2025

Work Session

6:00 PM

PRESENT: Supervisor S. Broderick; Councilmembers J. Myers, J. Jacoby, R. Morreale & S. Weachter; Dep. Sup. W. Conrad; Police Captain M. Battista; Eng. B. Lannon, Finance Director J. Agnello; Water Foreman D. Zahno; WPCC Ch. Op. J. Ritter; Atty. A. Bax; & Deputy Clerk B. Cogland; 5 Residents, and 1 Press

ZOOM: 1 Press

EXCUSED: Rec. Director T. Smith, Hwy Sup. M. Weiss; Bldg. Insp. T. Masters; Sr. Coordinator M. Olick

Supervisor called the Work Session to order followed by the Pledge of Allegiance and a moment of silent reflection.

AGENDA APPROVAL

Waechter - Sr. Center Renovations Bid Approval

Morreale - Energy Choice Act

Broderick - Lewiston Public Library

Agenda
Approval

Waechter MOVED to approve the agenda, as amended. Seconded by Jacoby and Carried 5-0.

APPROVAL OF MINUTES

Approval
of
Minutes

Morreale MOVED to approve the minutes from the 9/22/2025 Regular Town Board Meeting. Seconded by Myers and Carried 5-0.

ABSTRACT

Abstract of
Claims

Myers MOVED to approve the Regular Abstract of Claims Numbered 25-02545 thru 25-02746 and recommended payment in the amount of \$718,158.49, plus a Post-Audit of \$25,040.55. Seconded by Morreale and Carried 5-0.

DEPARTMENT HEAD STATEMENTS

Deputy Town Clerk – B. Cogland

A special election was held at Town Hall on Wednesday October 15, 2025. This was a vote on the resolution to increase the contribution from the Town from \$700 to \$1000 to the Service Awards Program for Lewiston No. 2, Upper Mountain, and Sanborn Fire Companies. The results were unanimous – passing 69-0 in favor of the increase.

Highway Dept

Broderick read the results of the sealed bid for wood grinding services opened on October 1, 2025.

Villani's Lawn & Landscape - \$14,483; ETS Clearing and Grading - \$18,750; Lardon Construction Corp - \$31,955.20; and Zoladz Construction Co., Inc. - \$36,595.

Wood
Grinding
Services
Bid Award

Broderick MOVED to award wood grinding services to Villani's Lawn & Landscape in the amount of \$14,483.00. Seconded by Jacoby and Carried 5-0.

WPCC Ch. Op. – J. Ritter

October 16, 2025

The Morgan Farms area has been plagued by water problems for a long time. In an effort to find out where the ground water is entering the sanitary sewer, Ritter would like to initiate smoke testing of the sanitary sewer in the Morgan Farms area. Smoke testing can be described as connecting a big fan over the top of a man hole and introducing liquid smoke that blows down into the sewer system. The smoke will find its way through cracks in the pipes and faulty connections and can show where the water is getting into the sanitary sewer. The public needs to know the smoke is non-toxic. This is the same kind of smoke you may see at a rock concert or a magic show. It is non offensive smelling and non-toxic. There is a chance the smoke may be seen inside homes if there are faulty fixtures. This smoke will not affect health in any way. The purpose is to detect potential defects and sources of infiltration in the sewer system. Postings of a letter of intent will be put on Facebook and on the Town's website with a material safety data sheet which will show the chemical makeup of the liquid smoke. Before this begins, Ritter intends to hand deliver a notice of the testing to everyone in the neighborhood.

Engineer – B. Lannon

There is a lot going on in Morgan Farms with not just the sanitary sewer, but also the storm sewers. At the last Board Meeting the Board authorized the deployment of flow metering. A total of 8 flow meters were installed in the collection system throughout Morgan Farms and has been collecting data ever since. The recent rainstorm was recorded which peaked at an inch and a half per hour. In total, 2 inches of rain was collected as a result of the rainstorm. That puts the Town week three of a three-month data collection period. This will tell us from a full characteristic standpoint where the flow is coming in and what impacts it may have to the collection system in Morgan Farms. Also, in Morgan Farms a topographic survey – right of way to right of way – and have developed a computer model showing how the existing pipes are working and what improvements need to be made in the area as far as larger pipes, capacity, etc. in the area. There will be a meeting tomorrow to discuss the findings so far.

Similar, in Woodlawn Forest, a topographic survey has been done, that information has been put into a computer model and showed the system is not as robust as the Town would like for it to be. Improvements for that will be discussed. Several department heads visited the area of Elm Drive and Annover and conversations were had with neighbors. What is hoped to be the problem has been found. Ritter and his team uncovered a collapsed pipe in the area and the continuation of that storm pipe will be investigated to make sure there are not any other obstructions.

Some improvements have been designed for Cliff Road area. There is a railroad ditch that runs east to west there were some storm contributions up on Sullivan Court within the right of way, but not necessarily the road way. This was complicating a little bit of the flow characteristics. A new storm system has been designed that's about 1300 feet of 36" sewer pipe that will take the water from the railroad ditch and Sullivan up the roadway to the other side of the curb then down Cliff Road and Lewiston Hill to the WPCC plant. There will be a meeting with the department heads tomorrow, and the reports of these efforts will be available after that.

Waechter asked Ritter when the smoke testing was set to begin – He would like to start by the end of the month.

Acting Town Clerk – A. Smith

The Town website will be changing to a .gov domain. This change is due to a requirement from legislation that has passed and must be done by all municipalities by the end of the year. The new website will be townoflewistonny.gov this change will happen overnight Monday October 20th. Smith said after Tuesday everything will be redirected to the new website and emails – this is posted on the website also.

Water Foreman – D. Zahno

There were two water main breaks on The Circle Drive within 30 feet of each other. All repairs have been made.

NEW BUSINESS

October 16, 2025

Chris Pannozzo is President of Lewiston Public Library Board of Trustees, and attended the meeting with Jill Palermo. Palermo would like to thank the Town Board for the funding provided to the library. People come for adult programs as well as children's, some people come every day just to read the newspaper, and some for chess-club. The library is more than just books. Over the last year, 57,000 people came to the library; the library now has over 6,000 registered followers, and 233 children's programs with over 4000 people attending. The library provides computer and technology assistance, including a trainer that comes in once a month to help individuals one on one with learning how to use their tablets, smart phones, or anything else they may need help with. October 29th from 6-8pm, the library will host a "Friends of the Library" fundraiser with a volunteer of the year recognized and awarded. Pannozzo thanked the Board again for the contribution from the Town and wanted to specifically take a moment to thank Councilman Jacoby who has been an excellent liaison for the library, who was always available and accessible to them and wished him well in his retirement.

SUPERVISOR BRODERICK

Broderick was recently in the Village Hall, and it was mentioned to him the electric in the building has needed upgrading for the last 5-6 years, but every time they put it into the budget, something else comes up that takes precedence for the funding. There are two new air conditioning units there that can't be hooked up because the electric is not up to date. The Town has an energy fund from the 6.5 MW that are sold in the market. Sales have been good. Broderick would like to propose the Town make a resolution to provide up to \$150,000 to the Village from H98 for electrical upgrades at the Village Red Brick building. The bid will go out next month.

Village
Red Brick
Electrical

Broderick MOVED to approve up to \$150,000 from H98 to the Village Red Brick building for upgrading their electrical. Seconded by Jacoby and Carried 5-0.

Attorney Bax submitted a temporary resignation letter. Bax has decided to retire from his current employment with Niagara County as Assistant Public Defender, effective October 31, 2025. He has been advised that he is unable to work on the day of his retirement, and for his retirement to be effective, he is required by NYSLRS to resign from any other position which contributes to his NYSLRS retirement benefits. Employment with the Town of Lewiston is one of these positions impacted by the requirement. Bax also teaches at UB and will be temporarily retiring from that position as well. Bax requested resignation to be effective October 30, 2025. If it pleases the Board, Bax requested to be re-appointed as Town Attorney November 1, 2025, taking on all of his original responsibilities.

Attny Bax
Resignation

Morreale MOVED to accept the resignation of Al Bax as Town Attorney effective at the end of business day hours October 30, 2025. Seconded by Jacoby and Carried 5-0.

Attny Bax
Reappointment

Broderick MOVED to reappoint Al Bax as Attorney for the Town effective November 1, 2025 at the same contractual rate. Seconded by Jacoby and Carried 5-0.

The Town signed a contract with the Village relative to Lewiston No 1 Fire Company. This contract spells out the Town's obligation relative to the LOSAP / retirement contribution the Town gives to the volunteer firefighters. Recently, negotiations have taken place giving an increase in contribution to the other fire companies. Since the Village is the manager of the Lewiston No. 1 Fire Company, the Town contracts with The Village. With the other three volunteer fire companies, a mandatory referendum was required. This is not the case with Lewiston 1, the Town can just modify the current contract. The prior contract has been modified to include the following language in paragraph 6 i: For so long as the Service Awards Program is in effect for the benefit of the Fire Company as adopted by the Village, the Town agrees to pay the Village, each year, a sum equal to \$300.00 multiplied by the number of vested firefighters of the Fire Company.

Fire
Protection
Services
Agreement

Jacoby MOVED to accept the modified language, effectively amending the Fire Protection Services Agreement for Lewiston No. 1 Fire Company. Seconded by Waechter, and Carried 5-0.

October 16, 2025

Jacoby said this is a very important thing to do and a way to help build incentive and reward our firefighters for their service and increase the longevity of our servicemembers. He is very pleased to make to motion for approval. Thank you to all our firefighters and first responders.

Amended
Lew. No 1
Fire Prot. 5-0.
Svc. Agreement
Contract

Jacoby MOVED to authorize the Supervisor to sign the amended contract. Seconded by Myers, and Carried

Bax and Seaman have been working together relative to the activity on Townline Road. There have been issues with the Pumpkin Farm and neighbor complaints alongside issues from the Building Department. The lawsuit was withdrawn without prejudice in order to allow for this particular settlement to move forward. Seaman has provided Bax with a resolution:

WHEREAS, Kyle King, operating as Niagara Pumpkin Farm (the “applicant”), conducts seasonal activities at 5368 Townline Road, identified as SBL #118.00-2-15.1 (the “Parcel”) within the Town of Lewiston, NY; and

WHEREAS, the Town of Lewiston (the “Town”) recognizes and acknowledges that historically, there have been legal actions related to Town code enforcement and land use issues related to the parcel and the uses thereon, and that up until recently, certain of those legal actions were ongoing and pending, and

WHEREAS, the applicant had submitted an application for site plan approval and special use permit before the Town of Lewiston Planning Board and was scheduled to be first heard and considered on September 18, 2025, only days prior to the anticipated six-week operating window of the Niagara Pumpkin Farm, but that such application was formally withdrawn by the applicant thereby foreclosing the opportunity for Planning Board review and determination prior to seasonal operations; and

WHEREAS, the Town Board recognizes that operations on the Parcel have occurred for a number of years predating the 2025 fall season, and further recognizes that the typical Planning Board process would likely have required multiple sessions, making timely approval prior to the 2025 season impracticable and thereby creating the potential for pecuniary loss to the applicant; and

WHEREAS, the Town Board retains ultimate approval authority over site plan and special use permit applications in the Town of Lewiston, and

WHEREAS, prior to commencement of the 2025 operating season, the applicant permitted full site visitation and inspection by the Town Building Inspector and Fire Inspector and the applicant committed to implementation of all safety recommendations, including but not limited to:

- Increasing the number and quality of fire extinguishers on site;
- Limiting sound production to agreed-upon hours;
- Relocating certain generators;
- Restricting parking along Townline Road;
- Increasing on-site and off-site parking facilities;
- Temporarily closing the facility in the event of parking overflow;

October 16, 2025

- Increasing staffing related to supervision of open fires and parking;
- Adding “No Smoking” signage; and
- Ensuring clear and consistent access for emergency and fire equipment; and

WHEREAS, the Town Board finds that these voluntary mitigation measures, along with the unique procedural posture of the applicant’s withdrawn application, provide sufficient basis to defer code enforcement activities for the 2025 operating season while preserving public health and safety; and

WHEREAS, The applicant acknowledged and understood that beginning with the 2026 operating season, full compliance with the Town Code, including submission of all required applications to the Town of Lewiston Planning Board, will be required for future lawful operations; now therefore be it

RESOLVED by the Town Board of the Town of Lewiston as follows:

1. The Town of Lewiston hereby defers code enforcement activities for Kyle King / Niagara Pumpkin Farm at 5368 Townline Road, SBL #118.00-2-15.1, for the 2025 calendar year.
2. This action shall not be construed as granting site plan approval, a special use permit, or any other form of zoning, code, or Town authorization for operations on the Parcel.
3. This Resolution is expressly limited to deferral of enforcement of code enforcement activities for that specific parcel during the 2025 calendar year, for this applicant only and does not establish precedent for any future deferral or waiver of Town Code requirements for this parcel or any other parcel within the Town of Lewiston.

Pumpkin
Farm Resolution

Morreale MOVED to approve the presented resolution tonight. Seconded by Jacoby and carried 5-0.

Jacoby asked if this is as tightly ruled as the Town can make it? Bax said all he can say is that the Town of Lewiston Building Inspector as well as Fire Inspector did a walk through – not with a mindset for approval, but rather public safety. Bax said the Kings were accommodating and allowed the walk through. From Bax’s perspective and based on conversation with the supervisor, the itemized list in this resolution of solutions is exactly what was agreed upon by Seaman and the Kings’ attorney, and he is fully comfortable with this agreement.

Broderick said the agreed upon hours include shut down time of 8:00pm.

Waechter asked if there will be a map of the agreed upon locations for the generators so if they get moved around there is a map of what was agreed upon, and where the generators should be? Bax said the Building Department will have that map. Who is going to enforce the parking restrictions alongside Townline Road? Bax said “the Kings know and understand they could still be subject to concurrent violations of Town Code. Just because the lawsuit was withdrawn, their operation on a day-to-day basis could still violate Town Code, and one of them is they cannot have parking on Townline Road.” There have been a number of drive-bys since operations have been taking place, parking has been seen kept on the parcel, and Bax said the Kings are keeping the people from parking alongside Townline Road. If overflow parking is needed, they would have to have off-site parking with some kind of shuttle service to bring people back to the operation. Waechter asked how the temporary closing will work if the parking lots get full? Bax said the agreement is the Kings will refuse patrons or ask them to come back later if the parking lot is full, they are not to allow more people to enter if the parking lot is full. This does lend itself to a lot of self-governance, as there will not be any other monitoring to enforce these rules, but Bax assures the Kings know

October 16, 2025

they have a lot to lose and trusts they will do as agreed upon. Bax said the applicants know the Town is trying to work with them not against them and operations need to be code-compliant. Waechter asked if there is a plan to operate during the Christmas holiday season. Bax said the operating season is only the six-week Halloween season. After this year the applicant will need to take the proper legal steps of Site Plan Approval, Special Use Permits, and Board approvals. There are plans for the applicant to submit their applications at the end of December this year, or in January. Bax said the lack of complaints is a sign that things are heading in the right direction. There is likely some disappointment by the neighbors, but it is the Town's responsibility to allow what is legal and enforce Public Safety Laws. If it comes down to the need for it, neighbors can still file Civil Lawsuits if there are ongoing concerns of their own regarding the operation, but as far as the Town is concerned, this is the manner in which the operation will be moving forward.

Broderick said next year the Town Board will have to make the decision on what will be allowed, and what won't. It will need to happen early in 2026 not 2 weeks before opening. Waechter said she understands there are rules that are set by New York State that the Town doesn't necessarily touch on with the Town Code, as far as Agritourism. Bax said he has done some research on temporary uses as a makeshift difference to the Town Zoning Laws that he will be presenting to the Board in the upcoming months. Waechter asked if that means putting this type of farm under a temporary use? Bax said it will not be specific to this operation, but it would be authorizing certain uses that are not within the Town's current Zoning Code for a short period of time with the direction of the Town Board and Planning Board. Waechter said we need to address the Agritourism and include in the Town Code what it falls under.

FINANCE

The Finance Director asked for approval to process the following 2025 budget revisions:

1. A request to move \$89 to Highway Garage Equipment A00-5132-0200-0000 from Contingency budget A00-1990-0400-0000, to cover purchase of a webcam for the Highway Superintendents' desk computer.
2. A request to move \$20,000 to Sanitary Sewer Contractual SS2-8120-0400-0000 from Sanitary Sewer Equipment SS2-8120-0200-0000, to cover contractual purchases through the rest of the year.

Budget
Revision

Morreale MOVED to approve the budget revisions as presented. Seconded by Waechter and Carried 5-0.

COUNCILMAN JACOBY – nothing to report

COUNCILMAN MORREALE

Morreale read a request from Coppins of 4649 Vrooman Drive for a sewer forgiveness credit in the amount of \$74.54 for the filling of a new pool.

Pool Sewer
Forgiveness
Vrooman
Dr

Morreale MOVED to approve a sewer forgiveness credit in the amount of \$74.54 to the water account for 4649 Vrooman Drive. Seconded by Waechter, and Carried 5-0.

Morreale read Resolution 2025-006 "A Resolution in Support of Congressman Nick Langworthy's Energy Choice Act (HR. 3699, S. 1945) And in Opposition to Government-Mandated Natural Gas Bans"

Town of Lewiston Resolution 2025-006

October 16, 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 New York families, businesses, and communities; and

WHEREAS, natural gas remains a dependable, cost-effective, and clean-burning energy source used by millions of New Yorkers 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 of Lewiston town board 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 of Lewiston town board 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

October 16, 2025

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Congressman Nick Langworthy, Senator Jim Justice, the New York Congressional delegation, Senators Chuck Schumer and Kirsten Gillibrand, Governor Kathy Hochul, and leadership of the New York State Legislature.

BY ORDER OF THE TOWN OF LEWISTON TOWN BOARD

Resolution
2025-006

Morreale MOVED to approve Resolution 2025-006 “A Resolution in Support of Congressman Nick Langworthy’s Energy Choice Act (HR. 3699, S. 1945) And in Opposition to Government-Mandated Natural Gas Bans”. Seconded by Myers. Roll Call: Jacoby-Yes, Morreale-Yes, Myers-Yes, Waechter-Yes, Broderick-Yes. Motion Carried 5-0.

Waechter stated although she does not agree with some of the language that is written in the resolution, as it seems a little harsh, she does believe we need to make better choices as far as our energy consumption. However, especially here in New York where we are burdened by frequent snow storms, gas does offer an alternative for those of us that live in this colder region. Waechter also agrees we do not currently have the grid that can maintain and withstand the use of the entire state of New York. Waechter agrees with this resolution, but does not agree with the harsh language within it.

Jacoby agrees with Waechter that resolutions like these are important to a lot of people, and would be better delivered without the editorial language as such.

Energy
Choice
Act

Morreale MOVED to approve the Energy Choice Act Resolution. Seconded by Myers and carried 5-0.

COUNCILMAN MYERS

Sanborn Historical Society will be having a ham dinner Saturday. Regular meeting October 28th at 7:00pm at the Farm Museum with a special speaker series.

COUNCILWOMAN WAECHTER

The Senior Center Bathroom & Kitchen Renovations went out to bid. There was only one bid put in for the job opened on Wednesday October 15, 2025.

Remodeling of
Sr Center
to bid

Waechter MOVED to award the Sr. Center Bathroom & Kitchen renovations bid to Tuscarora Roofing & Siding in the amount of \$79,000. Seconded by Morreale and carried 5-0.

A meeting will be held next week to set the work schedule and review expectations. Morreale said this a reputable company known for good work.

Recreation Director Smith was excused from the work session while he hosted Halloween Bingo at the Senior Center. Waechter announced in his place that on Saturday October 25, 2025 from 11am – 1pm Trunk or Treat and Haunted House (inside) will be held at the Lewiston Senior Center. Last year was a good turnout, this year is expected to be even better. If anyone would like to participate with decorating your trunk, please reach out to Tim Smith.

PRIVILEGE OF THE FLOOR

Amy Witryol – Lower River Road

October 16, 2025

Witryol said there was a motion approved in court this morning to change the number of plaintiffs against the Town in the Copelin lawsuit on the amended Air B & B Law to change the number of plaintiffs represented by council from 3 to 1. One of the two plaintiffs was in attendance, two are no longer represented by counsel, Ms. Burgey and Mr. Lands, as Witryol understands it, said her initial agreement with Mrs. Copelin and Mr. Lands was that each of them would pay \$1,500 and work as a team. Bergey indicated that recently Mrs. Copelin said she wants 70% of the proceeds of the settlement. Witryol said if the Board does not know anything about the settlement discussions, she encourages them to contact out to Mr. Forbes directly. The Town won the motion to dismiss. Broderick asked who is Mr. Forbes? He is the litigator hired by the Town. Broderick asked who Forbes was. Witryol stated Forbes has met with the Town Board in executive session in the past, which Bax confirmed. Mrs. Copelin has appealed the motion to dismiss the case. Witryol said if there's concern already about who's going to pay the legal bills, the appeal papers may never be filed due to expectation of a settlement. Will the Town determine if the appeal will go forward? Because its just going to be refiling of the same argument. This prolonging of litigation is costing the taxpayers' money. However, Witryol sees no benefit to a settlement. There is a history of the plaintiffs postponing cases, there has already been one extension. This is not an urgent matter as far as the courts are concerned, Witryol said. Bax stated the Town has not offered any settlement.

Broderick read a letter from a resident:

"To whom it may concern,

On Saturday, September 12, 2025, we had a major water line break at 5929 Garlow Road (our home). Jeff Dell was the first to respond from the Water Department. He assessed the damage and called for assistance. A short time later, a full crew responded. It took some time to locate the damaged line and repair it. There it was, a large hole in the middle of our two-year-old driveway. Mr. Zahno, water foreman, assured me that the driveway will be properly repaired.

Since then, the damaged material was removed, and stone and topsoil were brought in. Everything is looking better. Mr. Zahno informed me that a crew would be back in the spring with the black top & topsoil to complete the job (allowing the stone and top soil to settle).

We feel it is necessary and proper to thank the Water Department for the fast and professional work (on a Saturday morning!) The entire crew was informative and friendly towards us.

Sincerely,
James and Phyllis Giliam
(homeowners)"

Myers MOVED to adjourn the Work Session. Seconded by Morreale and Carried 5-0. 6:58 P.M.

Transcribed and
Respectfully submitted by:

Briggett R. Cogland
Deputy Town Clerk

October 27, 2025

Regular Town Board Meeting

6:00 PM

PRESENT: Supervisor S. Broderick; Councilmembers R. Morreale, J. Jacoby, & J. Myers; Dep. Sup. W. Conrad; Police Chief M. Salada; Bldg. Insp. T. Masters; Finance Director J. Agnello; Hwy Sup. M. Weiss; Atty. A. Bax; Sr. Coordinator M. Olick; Rec. Director T. Smith; Eng. B. Lannon; Water Foreman D. Zahno; 1 Press; 32 Residents & Deputy Clerk T. Burns

ZOOM: WPCC Ch. Op. J. Ritter; Bldg. Insp. E. Zimmerman; 1 Press

EXCUSED: Councilwoman S. Waechter

Supervisor called the meeting to order, followed by the Pledge of Allegiance and a moment of silent reflection.

AGENDA AMENDMENTS: None

Agenda

Morreale MOVED to approve the agenda, as presented. Seconded by Jacoby and carried 4-0.

PRIVILEGE OF THE FLOOR – No one wished to speak

DEPARTMENT HEAD STATEMENTS

Hwy Sup. M. Weiss

The Highway Department is finishing up the Cliff Road drainage project.

WPCC Ch. Op. J. Ritter

Ritter wants to reiterate that the Sewer Department will be smoke testing tomorrow, starting at the end of Morgan Drive and West Park Lane moving west. The testing will take about two days.

Rec. Director T. Smith

The Trunk or Treat at the Senior Center went great and the Recreation Department will start their skating program at Niagara University right after Thanksgiving. They have 21 skates planned and are still looking for sponsors.

Sr. Coordinator M. Olick

The Senior Center will have their Halloween party on Friday with a costume contest and prizes will be given out.

There have been a lot of questions in the senior community regarding insurance. Olick said the center had an insurance company come in to meet with everyone in the beginning of October, right around the time everybody received a letter saying they were making changes with their insurance. Highmark BCBS came in today to speak with residents. There are still a lot of questions out there and anyone can call the Senior Center for direction.

October 27, 2025

Broderick read a letter received from Tops Friendly Markets.

Throughout the year we recognize the service of the men and women who fought and continue to fight for our country's freedom. On Veterans Day, we are especially reminded of their bravery, heroism and we honor their contributions.

On Tuesday, November 11, Tops Friendly Markets will once again offer an 11 percent discount off a total order to all veterans and their immediate family members who shop at any Tops location. Customers should present proof of service that they, or a family member living in the same household are a U.S. Veteran, active duty, reserve or retired military personnel to automatically receive an 11 percent discount off of their total purchase that day.

For many years, Tops Friendly Markets has had a strong commitment to supporting our military associates and customers, including our support of the American Veterans Tribute Traveling Wall, Honor Flight Missions, participation in veteran job affairs, parades, expo's and much more.

I would like to personally thank the men and women that protect(ed) our great nation. Your sacrifices are immeasurable and we are forever grateful for your service. Please feel free to share this information so that our veterans may take advantage of this offer.

Sincerely,
Ron Ferri
President, Tops Friendly Markets

APPROVAL OF MINUTES - Tabled

ABSTRACT

Abstract **Myers MOVED to approve Regular Abstract of Claims Numbered 25-02747 thru 25-02872 and recommended payment in the amount of \$390,000.95 with a Post Audit in the amount of \$0. Seconded by Jacoby and carried 4-0.**

OLD/PENDING BUSINESS - None

NEW BUSINESS - None

SUPERVISOR BRODERICK

The Water Department is requesting to hire Patrick Yankelunas as Water Department Maintenance at \$32.55/hr. with hours starting on November 3, 2025.

Water
Maintenance
Hire -
Yankelunas **Broderick MOVED to hire Patrick Yankelunas as Water Department Maintenance at contractual rate of \$32.55/hr. starting on November 3, 2025. Seconded by Morreale and carried 4-0.**

Finance:

The Finance Director asked for approval to process the following 2025 budget revisions:

1. A request to move \$1,206 to Assessor Equipment – A00-1355-0200-0000 from Senior Center Equipment – A00-7630-0200-0000, to cover the purchase of a lap top computer
2. A request to move \$89 to Highway Garage Equipment – A00-5010-0200-0000 from Highway Admin Equipment – A00-5132-0200-0000, to correct a previous budget revision.
3. A request to move \$5,500 to Recreation Equipment – A00-7310-0200-0000 from Recreation Seasonal Help Personnel – A00-7310-0100-0000, to cover equipment purchases.

Budget
Revisions

Morreale MOVED for approval as presented. Seconded by Jacoby and carried 4-0.

Agnello presented the 2026 Preliminary Budget for approval.

2026
Preliminary
Budget

Myers MOVED to approve the 2026 Preliminary Budget, as presented. Seconded by Jacoby and carried 4-0.

Agnello requested to schedule a Public Hearing for the 2026 Preliminary Budget on November 6, 2025 at 6:00 P.M.

Schedule
Public Hearing
2026 Preliminary
Budget

Jacoby MOVED to schedule a Public Hearing for the 2026 Preliminary Budget on November 6, 2025 at 6:00 P.M. Seconded by Myers and carried 4-0.

Broderick said he has spoken to all of the members of the Comprehensive Plan Committee and they are excited to participate. There will be a kick-off meeting in November.

COUNCILMAN JACOBY

The Upper Mountain Fire Company is requesting to add Nikolas Darcy of Niagara University and Layla Keeton of Upper Mountain Road to their active membership.

Upper Mtn
Fire - Roster
Addition
Darcy/Keeton

Jacoby MOVED to add Nikolas Darcy of Niagara University and Layla Keeton of Upper Mountain Road to the Upper Mountain Fire Company active membership. Seconded by Myers and carried 4-0.

Jacoby read a letter from the Lewiston Public Library.

I am writing you to request the formal appointment of April Saks, residing at 814 The Circle Drive (Town of Lewiston), to the Lewiston Public Library.

Ms. Saks was officially appointed at the regular meeting of the board on September 9th. Ms. Saks will fill the unexpired board position previously held by Nancy Smith, who resigned earlier this year.

October 27, 2025

With this, I respectfully ask that you and the members of the Lewiston Town Council recognize this appointment and memorialize this at your next meeting.

Thank you in advance for your time and consideration.

Christopher A. Pannozzo, President
Lewiston Public Library Board of Trustees

Lew. Public
Library - Board
of Trustees - Saks

Jacoby MOVED to appoint April Saks of The Circle Drive to the Lewiston Public Library Board of Trustees. Seconded by Myers and carried 4-0.

COUNCILMAN MORREALE – Nothing to Report

COUNCILMAN MYERS – Nothing to Report

COUNCILWOMAN WAECHTER

Waechter was excused from the meeting due to a conflict. Broderick presented bids received for an outfield fence to be put in at the Kiwanis South Softball Field along with improvements and adjustments to the existing fence at the Kiwanis North Softball Field. Fox Fence bid \$21,918.68; Davidson Fence bid \$23,164.00; Woodsmith Fence bid \$48,370.00.

Kiwanis Park
Fence Bid

Broderick MOVED to accept the bid from Fox Fence, Inc. in the amount of \$21,918.68 for fencing at Kiwanis Park. Seconded by Morreale and carried 4-0.

Broderick read a request from the Recreation Department to hire Owen Feistel and Nickolas Oliveri as seasonal skate guards for the fall/winter recreation season at \$16/hr.

Seasonal Skate
Guard Hires

Broderick MOVED to hire Owen Feistel and Nickolas Oliveri as seasonal skate guards for the fall/winter recreation season at \$16/hr. Seconded by Morreale and carried 4-0.

Trick-or-Treat hours for the Town will be 4-7 P.M. and the Village will be 4-8 P.M.

RESIDENT STATEMENTS - none

Jacoby MOVED to adjourn. Seconded by Morreale and Carried 4-0. 6:14 P.M.

Transcribed and
Respectfully submitted by:


Tamara Burns
Deputy Town Clerk

November 2025

11/10/2025

I MOVE TO APPROVE THE REGULAR ABSTRACT OF CLAIMS

25-02872 – 25- 03047

AND RECOMMEND PAYMENT IN THE AMOUNT OF \$271,299.63

PLUS A POST AUDIT IN THE AMOUNT OF \$9,583.11

Briggett Cogland

From: Amy Smith
Sent: Friday, October 31, 2025 3:32 PM
To: Briggett Cogland
Subject: FW: BAR Member Reappointment - Agenda

Hi Briggett,

Please add this to the agenda for Nov. 10th.

Reappoint Michael Johnson to the Board of Assessment Review, under Steve.

Thank you, Amy

From: Tyler D. Kurek <Tyler.Kurek@niagaracounty.gov>
Sent: Thursday, October 30, 2025 9:12 AM
To: Amy Smith <ASmith@townoflewiston.us>
Cc: Nicholas Fiutko <NFiutko@townoflewiston.us>
Subject: {EXTERNAL} BAR Member Reappointment

Caution: This message originated outside the organization and may contain malicious links or attachments. Please do not open attachments or click links unless you know the sender and are expecting the message.

Good Morning,

The following members need to be reappointed. Please send a confirmation of reappointment and if possible the meeting notes/minutes.

Michael Johnson

Any questions please contact.

Tyler Kurek
Real Property Services
P: (716) 439-7077 F:(716)439-7067
59 Park Ave
Lockport, NY 14094

Notice: This electronic transmission is intended for the sole use of the individual or entity to which it is addressed and may contain confidential, privileged or otherwise legally protected information. If you are not the intended recipient, or if you believe you are not the intended recipient, you are hereby notified

Change Order

Town of Lewiston
Ed Zimmerman
1375 Ridge Rd
Lewiston NY 14092
ezimmerman@townoflewiston.us

November 5, 2025

Job specifications:

- Add 1 - 10'x10' 4" thick concrete pad: 4000# PSI, 4" stone compacted, light broom finish. Includes stripping.

*Prevailing Wage

*Tax Exempt

Total Price Increase: \$2595.00

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Accepted by _____

Date _____

Accepted by _____

Date _____

PARCO BUILDING SYSTEMS

Note: We reserve the right to withdraw sales proposals if not accepted within 30 days (in case of increased material costs)

Any alterations or deviations from the above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above signed contract. Additional labor rate charged @ \$68.00 per man-hour. Owner to carry fire, wind, and any other necessary insurance. Our workers are fully covered by Compensation Insurance.



6405 Packard Rd
Niagara Falls NY 14304
716-299-1414

Dear Town of Lewiston,

Villani's Lawn & Landscape LLC is requesting a change order for the "Grinding of Brush & Logs". After the bid submittal on October 1st 2025, approximately 450 yards of material was brought in to the grind site, including some large logs. We will charge \$4.24 per yard, as seen in the signed contract. Villani's is requesting a change order in the amount of \$1,908.00.

Sincerely,

Bryan M. Deuble

Project Manager

Villani's Lawn & Landscape, LLC

Bdeuble@VillaniLLC.com

ATTORNEY CONTRACT

Agreement made this 3rd day of November, 2025 between THE TOWN OF LEWISTON, hereinafter referred to as the "Town" and ALFONSO MARRA BAX, ESQ., hereinafter referred to as "Attorney":

1. The Town hereby engages the Attorney for specified services and the Attorney hereby agrees to perform services upon the terms and conditions hereinafter set forth.
2. The term of this contract shall commence November 3, 2025 and shall terminate at the first meeting of the Town Board in January, 2026.
3. The Attorney agrees to render legal services for the Town of Lewiston, including consultation, attendance at Town Board Meetings and Work Sessions together with normally anticipated services related to the actions of the Town of Lewiston Town Board and related needs of Town department heads. For such services, the Town shall pay the Attorney \$1,671.75 bi-weekly.
4. The above legal services are exclusive of those matters and meeting relating to the Town Planning Board and/or Zoning Board of Appeals.
5. The following services shall be rendered by Attorney to the Town of Lewiston at an additional charge as follows:
 - a) Conducting or participating in actual or potential litigation on behalf of the Town and its members at the rate of \$250.00 per hour;
 - b) Legal Services in connection with increase in facilities and capital projects with a value over \$500,000.00 and involving new construction or major maintenance or repair for which bidding is normally required. Services will be rendered at a rate of 1% of the cost of the capital project or maximum authorized amount, which is greater inclusive of engineering fees.

c) Legal services in relation to a matter before a state agency, against the interest of the state, or otherwise set forth in Public Officers Law Section 73, if conducted by the Attorney, will be billed separately at a rate of \$250.00 per hour.

d) Legal services in connection with collective bargaining negotiations, grievances and related matters, at a rate of \$250.00 per hour.

6. Town shall also reimburse the Attorney for all disbursements as provided quarterly on a voucher that are expended on behalf of the Town.
7. The Attorney will not provide services incurred on behalf of the Town in excess of this agreement unless authorized to do so by resolution of the Town Board.
8. This Contract may be terminated by either party at any time, and the Attorney will be paid only for those services rendered prior to the date of termination.

IN WITNESS WHEREOF, the parties hereto affix their hand and seal this 3rd day of November, 2025.

Town of Lewiston

By: _____
David Steve Broderick, Jr.,
Supervisor


By: _____
Alfonso Marra Bax, Esq.



November 6, 2025

Page 1 of 1

Dear Supervisor and Board Members,

At the 11/10/2025 Board meeting I will be asking your approval to process the following 2025 budget revisions:

1. This revision is requesting to move \$2,700.00 to the Court Security Equipment budget (A00-1110-0200-0100) from the Contingency budget (A00-1990-0400-0000) to cover purchase of bullet proof vests.
2. This revision is requesting to move \$112.00 to the Budget Officer Equipment budget (A00-1310-0200-0000) from the Budget Officer Contractual budget (A00-1310-0400-0000) to cover purchase of a standing desk top.
3. This revision is requesting to move \$100.00 to the Building Equipment budget (A00-1620-0200-0000) from the Contingency budget (A00-1990-0400-0000) to cover purchase of building equipment.
4. This revision is requesting to move \$3,000.00 to the Recreation Equipment budget (A00-7310-0200-0000) from the Contingency budget (A00-1990-0400-0000) to cover equipment purchases.
5. This revision is requesting to move \$11,676.00 to the Parks Equipment budget (B00-7110-0200-0000) from the Parks Contractual budget (B00-7110-0400-0000) to cover purchase of a blower.
6. This revision is requesting to move \$1,194.00 to the Sewer Administration Equipment budget (SS1-8110-0200-0000) from the Treatment & Disposal Equipment budget (SS1-8130-0200-0000) to cover purchase of a new office desk.
7. This revision is requesting to move \$1,500.00 to the Union Welfare Benefits budget (SS1-9070-0800-0000) from the Treatment & Disposal Equipment budget (SS1-8130-0200-0000) to cover employee benefits.

Thank you,

Jacquie Agnello
Director of Finance

Briggett Cogland

From: Jeffery Ritter
Sent: Wednesday, November 5, 2025 12:44 PM
To: Tamara Burns
Cc: Tim Masters; Rob Morreale; Briggett Cogland
Subject: RE: 5232 Lewiston Road Pool

Tamara

5232 Lewiston Rd. fits within the Town Sewer Use Agreement for pool filling forgiveness.
I would recommend the Board relieve **\$51.75** from their sewer billing.

Thank you,

Jeffrey J. Ritter
Administrator/Chief Operator
Town of Lewiston
Water Pollution Control Center
(716)754-8291

From: Tamara Burns <TBurns@townoflewiston.us>
Sent: Wednesday, November 5, 2025 10:57 AM
To: Jeffery Ritter <JRitter@townoflewiston.us>
Cc: Tim Masters <TMasters@townoflewiston.us>; Rob Morreale <morrealerob@gmail.com>; Briggett Cogland <BCogland@townoflewiston.us>
Subject: 5232 Lewiston Road Pool

Please see attached the request for sewer discount for a new pool at 5232 Lewiston Road. I checked with the Building Department and they did obtain a permit.

Thank you,

Tamara L. Burns



Town of Lewiston
Deputy Clerk
Phone 716-754-8213 Ext 235
Web www.townoflewiston.us
1375 Ridge Road, Lewiston, NY 14092
P.O. Box 109, Model City, NY 14107

****New E-Mail effective 11/12/2025 tburns@townoflewistonny.gov Please update your records****

Scanned to Ritter Swimco
11/5/25 dB

6701 S. TRANSIT RD. LOCKPORT, N.Y. 14094
(716) 625-9269

**SWIMMING
POOL CONTRACT**

Name of Buyer(s) Joe & Sam Zidolf Date 8-19-25
Address 5232 Lewiston Rd Telephone 516 545 8177
City Lewiston Zip 14092 County Niagara State NY

Buyer purchases the below described Swimming Pool from Seller upon the following terms:

Total Amount of Contract \$ 96,900
✓ Cash Deposit Upon Signing of This Agreement \$ 2,000
Balance to be Paid as Follows: \$
✓ Cash Payment Upon 1st. install \$ 75,000 10/2/25 BANK
✓ Cash Payment Upon equip. in place \$ 10,000 10/2/25 ck# 10022503
Cash Payment Upon liner \$ 9,900
Cash Balance Due on Completion \$

12,500 Gal = 1671 CF =

[only, and will not instal]

\$51.75

Seller will supply [and install under normal ground conditions] one 16' x 36' 2" deep

Pool to include: galv Walls, Vinyl Liner C-200 Filter, Skimmer, Vacuum and Ladder S.S.

..... Seller does not furnish and will not provide electrical wiring or grounding. Ground area adjacent to pool will be restored to machine grade only. Additional charge only for Jack Hammering, high water table or extra fill. Buyer shall furnish building permit, and water supply, and is responsible for drainage adjacent to the pool.

BUYER AGREES TO ADDITIONAL TERMS ON THE REVERSE SIDE OF THIS CONTRACT

Seller Swimco Pools Buyer [Signature]

By Jim Mahoney Buyer [Signature]

YOU, THE BUYER, MAY CANCEL THIS TRANSACTION AT ANY TIME PRIOR TO MIDNIGHT OF THE THIRD BUSINESS DAY AFTER THE DATE OF THIS TRANSACTION. SEE THE ATTACHED NOTICE OF CANCELLATION FORM FOR AN EXPLANATION OF THIS RIGHT.



TOWN OF LEWISTON
1375 RIDGE RD
LEWISTON, New York 14092
(716) 754-8213
www.townoflewiston.us

Honorable Town Board
1375 Ridge Road
Lewiston, NY 14092

Supervisor Broderick and Councilmembers:

The Planning Board meeting in regular session on October 23, 2025 reviewed a one-lot split request from Gary Burns 1001 N. Hewitt Drive SBL 131.06-1-12. The Board classified this as a minor to be treated as a minor. The planning board recommends a negative declaration with regard to SEQRA. The Planning Board recommends approval of the subdivision as presented.

Sincerely Planning Board,

William Burg Planning Chairman

LW

TO: The Honorable Lewiston Town Board

FROM:

NAME:

Gary M. Burns

ADDRESS:

1001 N. Hewitt Dr
Lewiston NJ. 14092

TELEPHONE:

(716) 830-5550

RE: Request to Subdivide

Tax Map #/SBL#

131.06-1-12

Road:

North Hewitt Dr

Number of Lots:

2 lots

Variance Requests:

Fee Paid:

\$900

Date Paid:

9/23/2025

Accepted by:

2/20

NOTE: In January 2018, the Town Board approved imposing a \$500 per lot recreation fee on each subdivision payable (within 30 days) when the property is divided.

Signature

Date

Referred to Planning Board

DATE: 10/23/2025



TOWN OF LEWISTON
1375 RIDGE RD
LEWISTON, New York 14092
(716) 754-8213
www.townoflewiston.us

Honorable Town Board
1375 Ridge Road
Lewiston, NY 14092

Supervisor Broderick and Councilmembers:

The Planning Board meeting in regular session on October 23, 2025 and reviewed a request from Ralph Grizanti, for a Site Plan on Model City Road SBL 88.00-1-39.2 for buildings 1 and 2.

The planning board recommends a negative declaration pursuant to SEQRA for the Site Plan.

The planning board also recommends approval of the Site Plan with 3 conditions as follows:

1. **Building number 1** shall conform with the definition of "Small Business Development/Incubation Park," set forth by the Planning Board's attorney, as follows:

SMALL BUSINESS DEVELOPMENT/INCUBATION PARK

A development designed to accommodate small businesses in flexible rental spaces consisting of one or more buildings subdivided into units, each featuring an individual pedestrian (man) door and garage door. Businesses may lease single units or multiple contiguous units, with the ability to modify internal walls as needed to accommodate their operational requirements.

The following restrictions apply to all tenants and operations within a Small Business Development/Incubation Park:

- a. **Permitted Uses:** The primary purpose of the park is to support small-scale, low-traffic business operations.
- b. **Traffic & Visitation Limits:** Businesses operating within the park shall not generate more than four (4) visits per hour on average, inclusive of customers, deliveries, and employee arrivals/departures.
- c. **Prohibited Uses:** Uses that are expected to generate excessive customer traffic or require extensive on-site parking are not permitted within the park, including but not limited to: Restaurants, cafés, and other food service establishments, Automotive repair, Beauty salons, Retail stores, or any business primarily engaged in direct on-site sales to the general public.

Building 2 is approved as an office/ retail business for Mr. Grizanti.

2. That the Site Plan be revised to show the parking before you go before the Town Board.
3. That the Site Plan be revised to show the proper adjusted ditching before you go before the Town Board.

Sincerely Planning Board,

William Burg Planning Chairman

LW

**TOWN OF LEWISTON
PLANNING BOARD APPLICATION**

DESCRIPTION OF PROPOSED REQUEST:

Name of Property Owner: Ralph Grizanti Phone #: 716/628-2779
Name of Applicant: Ralph Grizanti Phone #: 716/628-2779
Address or Location of Proposal: _____ SBL# 88.00-1-39.2
Size of Parcel or Structure: 6624 S.F. Existing Zoning: Commercial
Proposed Request: Construct Timber framed buildings for
warehouse and Commercial use.

TIMELINES, DATES & DEADLINES:

Submittal deadline 1st Thursday of each month.
Planning Board meeting 3rd Thursday of each month.
Follow-up with applicant with list of items to get final sign-off.

REQUIRED ENCLOSURES:

In order to provide the Town Planning Board with adequate information on which to base its decision, this application **WILL NOT BE HEARD** unless the following information is submitted by the 1st Thursday of the month for which you are applying.

DOCUMENT SUBMISSION: SUBMITTED PLANS MUST BE SEPARATED AND FOLDED NO LARGER THAN LEGAL SIZE OF 8 1/2X14

REQ N/A

- | | | |
|-------------------------------------|-------------------------------------|--|
| ☒ | ☒ | 1. One electronic copy. |
| ☒ | ☐ | 2. Fourteen (14) copies of adequate written description of proposal. |
| ☒ | ☐ | 3. Fourteen (14) copies size D copies of complete <u>ENGINEERED/ARCHITECTURAL</u> site proposal to include the following: |
| | ☐ | Copy of plot plan |
| ☒ | ☐ | An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. |
| | ☐ | Copy of traffic access patterns, parking arrangements and traffic study if needed. |
| | ☐ | Copy of landscape plan. |
| | ☐ | Copy of signage plan. |
| ☒ | ☐ | 4. State Environmental Quality Review Act Project – A determination of environmental significance has been made and submitted with this application. |

TOWN OF LEWISTON
Planning & Zoning Board
Application for Site Plan Review

☐ Sketch

☒ Site

Date _____

Section 1 – Data

Developer Name Ralph Grizanti Telephone 716/628-2779

Mailing Address 6127-1st St. Newfane Zip Code 18108

Name of Contact Person Ralph Grizanti Telephone _____

Owner Name (if different) _____ Telephone _____

Mailing Address _____ Zip Code _____

Prepared by: Name Albert Crogan PE Telephone 716/449-0312

Mailing Address 1906 Mt. Hope Rd. Lewiston Zip Code 14092

Section 2 – Fee

Fee Paid \$ _____ Received by: (signature) _____ date _____

Section 3 – Land Use Data

Location of site (address) Model City Road

Tax Map Description: Section _____ Block _____ Lot Part 19

Current Zoning Classification Commercial Anticipated Construction Time _____

Will development be staged? yes Explain Prepare site for

construction of Post Frame Building and construct
Building #1 (warehouse)

Detailed Description of Proposed Development See letter of intent

Proposed Use(s) of Site Commercial and Light Industrial, that
is allowed by Town Zoning, for Business or Commercial use.
Total Site Area (square feet or acres) .91

State & Federal permits required (list type and appropriate department) yes

NYS Short Environmental Assessment Form (SEQR)

Section 4 – Land Condition Data

Current land use of site (agriculture, commercial, undeveloped, etc.) undeveloped.

Current condition of the site (buildings, brush, etc.) vacant land mostly
grassy with trees and brush

Character of surrounding land (suburban, agriculture, wetlands, etc.) rural

Agricultural and Commercial

Section 5 – Cost & Use of Data

Estimated cost of proposed improvement \$ 250,000.00

Anticipated increases in number of residents, shoppers, employees, etc. _____

Describe proposed use, including primary and secondary uses; ground floor area, height; and number of stories for each building. For example:

- For residential building include number of dwelling units by size (efficiency, one-bedroom, two-bedroom, three or more bedrooms) and number of parking spaces
- For nonresidential building, include total floor area and total sales area; number of automobiles and truck parking spaces, etc.
- Other proposed structure(s) (use separate sheet if needed) _____

Building #1, 6624 sf, height 24.5 ft., 1-Story, 10 Parking Spaces

Building #2, 2300 sf, height 17 ft., 1-Story, 6 Parking Spaces

Building #3, 1500 sf, height 10 ft., 1-story, 10 Parking Spaces

Section 6 – Important Reminders

- This application is not complete until the appropriate Site Plan Review Guidelines are completed, initialed and attached. The Guidelines detail the requirements that must be addressed to assure the plat will conform to Town standards. It is prepared for your convenience to expedite the approval process.
- The developer and/or authorized representative shall attend the scheduled meeting(s) of the Planning Board to discuss street layout, recreation areas, system of drainage, sewerage, water supply, soil removal, etc.
- Plat shall be submitted in three marked copies accompanied by the required fee and completed Environmental Assessment Form (SEQRA).
- The fee, application and required support data are due into the Building Department at least five business days prior to the regular Planning Board meeting. Please, there can be no exceptions.
- Proof of ownership if property must be submitted with the application. If this requirement is not adhered to, the application will be deemed incomplete.
- Plans must conform to all requirements of the Town's Public Improvement Permit (PIP) and to Town standard details.

Section 7 – Fire Safety

Construction documents for proposed fire apparatus access, location of fire lanes and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the Code Enforcement official for review and approval subsequent to the Planning Board review and prior to submission of the Final Site/Subdivision Plan. (RE: Sec 501, Chapter 5, Fire Service Features, Fire Code of New York State)

Section 8 – Action Requiring Niagara County Planning Board Approval

- Zoning ordinance amendments or local laws having a town-wide effect.
- Proposed new developments or subdivisions coming within 100 feet of a designated creek or stream.
- Proposed new development or subdivision that impact New York or federally designated wetlands.
- Proposed new development or subdivision coming with a flood plan.
- Proposed new development or subdivision coming with agriculture district.
- Developments/operations involving strip mining.
- Development within 500 feet of a federal, state or county road.
- Development within 500 feet of any municipal or park boundary.

Section 9 – Assistance

- Site Plan guidance and assistance are available by contacting the Building Department office, 1375 Ridge Road, Lewiston, NY 14092, Monday through Friday during the hours of 8:30 am to 4 pm, telephone 716-754-8213.

Section 10 – Other Comments/Requirements

- Additional copies of this form may be downloaded at www.townoflewiston.us
- When this form is completed, reproduce a copy for your files. The Planning Board will retain the original.
- This application is complete only when accompanied by the required guidelines and support data.

Section 11 – Petitioner Certification

To the best of my knowledge, the above information is true and accurate.

Section 12 – Signature


Signature of Developer or Authorized Representative

9-16-25
Date

Letter of Intent for Proposed Development of Property
Model City Road

September 9, 2025

Ralph Grizanti, owner
6127 -1st Street
Town of Newfane, N.Y. 14108

RE: Development of vacant land for commercial use (SBL # 88.0-1-39.2)

Town of Lewiston, N.Y.
1375 Ridge Road
Lewiston, N.Y. 14092

Dear Sir;

The property has been zoned commercial and is presently vacant. The owner plans to develop only the front section, approximately 265 feet, in three phases that is aligned with the Town's regulations for zoning and use. The main focus of this development is to use less than one acre of land to build-out for commercial uses.

The first building is a timber framed structure at 6,624 square feet. It will be subleased to businesses or individuals on an as needed square foot basis.

The second build would also be a timber framed structure at 2,300 square feet. The developer plans to move his existing business operations into and also an additional leasable tenant space. The time for construction of that building would be three to five years after completion of building #1.

The third building would be a prefabricated metal storage building with up to fifteen storage units. This building is a long-term project would not be constructed for at least five to eight years down the road.

The plan submitted shows two access entries for fire lanes and 7,000 square feet of compacted gravel parking with approximately 26 parking spaces. All signage and any required landscaping would be done per the town's ordinances and code.

I have a design profession ready to prepare construction drawings for the Town's various approvals. If approved we anticipate to start construction in the spring of 2026 when all approvals and permits are finalized.

The site is zoned for businesses and we feel this project is a perfect fit for the Model City Road commercial district.

Sincerely



9-16-25

Ralph Grizanti

Croghan EA

Architectural / Engineering Services

September 17, 2025

RE: Development of vacant land for commercial use (SBL # 88.0-1-39.2)

Town of Lewiston, N.Y.
1375 Ridge Road
Lewiston, N.Y. 14092

Dear Sir;

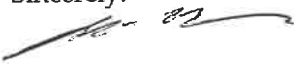
Please allow this letter serve as clarification to the above reference project.

In the letter of intent dated September 9, 2025, the developer listed building #1 as having a 6,624 square foot footprint. After a consultation with the post frame contractor, the owner / developer Mr. Grizanti, would like to potentially increase the size of the 144' x 46' building based on current pricing. The floor plan could increase to a max. of 168' x 56' or something in between, still meeting all setbacks, fire lane requirements and drainage capacity.

The increase of a maximum 2,784 square feet can still be handled by the 5,432 cubic feet of retention that is within the .91 acre of overall developed property as shown on the plan submitted. No additional land would be impacted.

Since pricing is not guarantee into the next construction season, the size change requested is only for a potential change to increase the square footage of the first proposed building.

Sincerely,


Albert Croghan

CC: Ralph Grizanti, owner

