TOWN OF WALES
PLANNING BOARD MEETING MINUTES
September 30, 2026

The meeting of the Planning Board of the Town of Wales was held on the 30th day of September 2026 at the Wales Community Center, 12345 Big Tree Road, Wales Center, New York.

CALL TO ORDER
Planning Board Chairman Richard Munn called the meeting to order at 7:00 p.m. EST
ROLL CALL
Chairman Richard Munn – present
Board Member Daniel Driver – present
Board Member Mark Gaston – present
Board Member Anthony Roncone – present
Board Member Britt Donnelly - absent

OTHERS PRESENT
Applicants – David and Xena Vallone and Dennis and Kelly Osinski. There was one (1) resident on file with the clerk.
PLEDGE OF ALLEGIANCE
ADOPTION OF AGENDA
MOTION # __ By Planning Board Member Daniel Driver, second by Planning Board Member Mark Gaston, to accept the Planning Board Agenda of September 30, 2026. Carried ayes-4 nays-0
ACCEPTANCE OF MINUTES OF PRIOR MEETING
MOTION # __ By Planning Board Member Daniel Driver, second by Planning Board Member Anthony Roncone, to accept the Planning Board meeting minutes of June 22, 2026. Carried ayes-4 nays-0
OLD BUSINESS – none.
NEW BUSINESS

CASE#1 Applicants: David and Xena Vallone SBL# 179.00-2-8
The applicants at 13781 Schang Road, East Aurora, New York would like to appeal the allowance for a detached accessory building located in front of the primary building: ***Wales Code Section 200-22*** - Area Variance. *6-2026*

The Board considered an application involving the placement of a proposed accessory building/pole barn that would extend slightly in front of the principal residence.

The applicants explained that the proposed location was constrained by several site conditions, including:

- A drainage swale and ongoing drainage concerns.
- A pond is located behind the proposed building site.
- Overhead and underground utility lines, including a utility pole.
- An angled principal residence and lot configuration.
- The need to retain adequate access and maneuvering space for a recreational vehicle.
- The desire to avoid locating the building closer to the pond because of water, erosion, and foundation-stability concerns.

The applicants stated that the proposed building would be approximately 40 feet by 30 feet. The Board discussed that, because the house is angled in relation to the road, only one corner of the proposed structure would extend forward of the line drawn from the front of the house. The encroachment was estimated to be approximately one to two feet, while the majority of the building would remain parallel to the existing residence.

The Board found that the proposed location was reasonable given the pond, drainage conditions, utilities, lot configuration, and the intended storage use.

The Board voted to recommend approval of the requested variance referral to the Zoning Board of Appeals, subject to the condition that the Applicants minimize the extent of the encroachment to the greatest extent reasonably practicable.

MOTION # __ By Planning Board Member Anthony Roncone, second by Planning Board Member Daniel Driver, to advise the Zoning Board of Appeals to approve David and Xena Vallone of 13781 Schang Road, East Aurora, New York an area variance for their accessory building with the condition to minimize within reason.

ROLL CALL VOTE ON Case#6-2026:

Chairman Richard Munn – aye
Board Member Daniel Driver – aye
Board Member Mark Gaston – aye
Board Member Anthony Roncone – aye
Board Member Britt Donnelly - absent
Carried ayes 4, nays 0.

CASE#2 Applicants: Dennis and Kelly Osinski SBL# 178.00-2-61.2

The applicants at 13583 Schang Road, East Aurora, New York would like to appeal the allowance for a detached accessory building located in front of the primary building: ***Wales Code Section 200-22*** - Area Variance. *7-2026*

The Board considered a second pole-barn-related matter involving setback requirements and the placement of an accessory structure. The dimensions of the completed project is 48 feet wide, 80 feet long and 18 feet high according to the paperwork. It will be approximately 430 feet from the road and 15 feet from the side of the property line.

The applicant stated that the proposed barn location would preserve mature trees, limit the loss of green space, make efficient use of the existing driveway, and avoid utilities. The applicant also stated that the nearest corner of the structure would be approximately 15 feet from the applicable boundary or setback area, while another corner would exceed 20 feet of separation.

The Board discussed the provision allowing an accessory building to be located in front of the principal residence when the structure is more than 300 feet from the road. The proposed barn was reported to be approximately 430 feet from the road. Based on its reading of the applicable code, the Board concluded that a variance was not required for the front-yard location.

The Board further discussed the remaining 15-foot setback matter. A Board member Anthony Roncone with an interest as an adjacent landowner recused himself from consideration of the matter and will provide a written statement indicating no objection to the proposal.

The Board voted to approve/recommend approval of the 15-foot setback request, subject to receipt of a letter from the adjacent property owner indicating no objection.

MOTION # __ By Planning Board Member Daniel Driver, second by Planning Board Member Mark Gaston, to advise the Zoning Board of Appeals to approve Dennis and Kelly Osinski of 13583 Schang Road, East Aurora, New York, an area variance for their accessory building with the condition of a letter from the adjacent neighbor.

ROLL CALL VOTE ON Case#7-2026:

Chairman Richard Munn – aye
Board Member Daniel Driver – aye
Board Member Mark Gaston – aye
Board Member Anthony Roncone – recused
Board Member Britt Donnelly - absent
Carried ayes 3, nays 0, recused 1

SHORT TERM RENTAL
Referral: Short-Term Rental Law Amendment

The Town Board referred a proposed amendment to the short-term rental law to the Planning Board for review and comment.

A representative of the Town Board explained that the amendment was intended to align the short-term rental law with Chapter 200 of the Town Code and to address potential inconsistencies between the two provisions. The discussion noted that the earlier law included references to non-traditional lodging types, such as yurts, tents, campers, recreational vehicles, tiny homes on wheels, and similar structures.

The proposed amendment would limit short-term rentals to dwelling units and remove non-traditional dwelling units as eligible short-term rental accommodations. The Board discussed the distinction between traditional dwelling units and non-traditional lodging structures, as well as the relationship between short-term rental regulations and other land-use provisions in Chapter 200.

Board members raised the following concerns and recommendations:

- Definitions used in the short-term rental law should be consistent with definitions in Chapter 200.
- Rather than repeating definitions in multiple sections of the Town Code, the short-term rental law should reference the applicable Chapter 200 definitions where appropriate.
- The Town Board should clarify whether the proposed language applies consistently to single-family, two-family, multifamily, apartment, condominium, and other residential configurations.
- The Town Board should clarify how the law applies to a room, basement apartment, or other portion of an owner-occupied primary residence.
- The Board noted that the code defines a short-term rental as occupancy for hire for a period of 90 consecutive days or less.
- The Board discussed that the proposal distinguishes between owner-occupied primary residences and non-primary residences, including permit and inspection requirements.

The Board's general recommendation was that the Town Board revise the draft for consistency with Chapter 200, clarify the intended scope of "dwelling unit," and avoid duplicate or conflicting definitions throughout the Town Code.

ADJOURNMENT MOTION#__ by Planning Board Member Mark Gaston and seconded by Planning Board Member Daniel Driver to adjourn the meeting at 8:41pm. Carried ayes-4 nays-0

Respectfully submitted, Michelle Homac, Planning Board Clerk