

Town of Yates  
Regular Planning Board Meeting/Public Hearing  
February 5, 2026

Chairman Richard Kurz called the Regular Planning Board Meeting to order at 7:06 pm at the Town of Yates, 8 S. Main Street, Lyndonville, NY 14098.

Those Present:           Richard Kurz, Chairman of Planning Board  
                              Ralph Smith, Planning Board Member  
                              Gary Daum, Planning Board Member  
                              Dawn Metty, Deputy Clerk  
                              Jason & Tabitha Miller  
                              Chris Hansen  
                              Gregory Nowicki  
                              William Jurinich  
                              Larry Wolfe

Those Absent:           Ed Urbanik, Planning Board Member  
                              Joanne Suhr, Planning Board Member

MINUTES:

Chairman Richard Kurz - The first item on the agenda will be the Miller application. We can discuss it before the public hearing starts. It's on 12260 Platten Rd. Ralph, you did have a question at the last meeting, and you were concerned about the manufacturing option listed on the application.

Ralph Smith - It was doing anything with weapons that may be brought to you and are modified, we assume, but we want to make sure we get it and incorporate it into the minutes. That anything that you do to the weapons is in accordance with FFL and that you, more importantly, maintain your certification with the federal firearms laws. If someone were to injure somebody with a weapon that came out of your shop, there's a possibility that we could be held liable; that the Town of Yates could be held liable because we didn't do due process in your application. So the big thing that I brought into the consideration, was that you absolutely need to maintain your certification with the feds and that we have the opportunity to verify that to our Code Enforcement Officer.

Jason Miller - Yes, I have my FFL and I provided a copy. From what I understand when I went through the process, the difference between manufacturing and gunsmithing, so basically, I do everything right now, aside from transfers. So the FFL gives me the ability to do transfers. So I do work on guns, my own guns, my own firearms. Basically, I wanted the FFL to have the ability to do person-to-person transfers. I'm not looking to have a shop. I'm not looking to have a store open. I'm just doing person-to-person transfers and gunsmithing. And so what I understand the difference between gunsmithing and manufacturing is if my buddy brings me his rifle and wants me to modify it, that's gunsmithing. But if I get a brand new firearm and I do the same modification, that's called manufacturing because it's not owned yet. So I'm not, out there looking; I'm not having a CNC lathe. I'm not taking a stock piece of aluminum or steel and creating a firearm from scratch. I do understand the whole liability aspect. And I'm making sure I have all my T's crossed, my I's dotted. I'm making sure I have everything in accordance to, I don't do anything that's outside of the code or I could risk losing my FFL. In order to maintain my FFL, I have to abide by the federal guidelines. I have to get the state dealer's license. So I have to abide by the New York state firearms code and laws. I have to make sure that it's all in compliance.

Ralph Smith - Is there any licensure or authorizations from the state or is it all federal?

Jason Miller - As far as I know, it's all federal.

Ralph Smith – So you're able to obtain and maintain your federal licensure without any consideration for what's going on with New York State?

Jason Miller - I already have my FFL.

Ralph Smith - What's your experience been with handheld firearms so far under the licensure?

Jason Miller - I haven't done anything. In order for me to do pistols or semi-automatic rifles, I have to get a New York state dealer's license. So in my FFL, I can deal with long guns, muzzleloaders, and shotguns.

Chairman Richard Kurz - It's 7:15 pm, we'll recess the meeting and open the Public Hearing. Does anyone in the audience have any questions or concerns with Jason's application?

Bill Jurinich - I'm his neighbor. I'm just concerned, is there going to be any more shooting than what's already happening? We're outback quite a bit; I'm just concerned.

Jason Miller - There's no more shooting than what I already do.

Bill Jurinich – Okay, that's the only question I have.

Jason Miller - I'm not putting in a range or anything. I'm not doing anything like that. I already work on my own guns. I clean them. I maintain them. I do gunsmithing on that stuff, but aside from that, just getting the FFL just allows me to do person-to-person transfers with firearms.

Bill Jurinich - Okay. Sounds good.

Ralph Smith - Have you had any concerns with noise or safety?

Bill Jurinich - No, it's not going to be any more than what's already happening. It's all during the day.

Chairman Richard Kurz – Explained that the paperwork went to the county planning board but the meeting was cancelled because of the weather and that the Yates Planning Board can still act on it even without their approval. That's normally what we do; we've got to pass it on to them for review, and if they act on it, then we get some more information back. It's a Special Use Permit for selling guns. They want to be notified.

Ralph Smith - Have you sold weapons at all?

Jason Miller – No; I haven't done anything. Like I said, I'm trying to make sure everything's in line before I do anything. I have my books, I have everything. I'm waiting for Joanne to go through whatever she wants to go through with them.

Ralph Smith - Do you know what the length of the FLL permit is. Is it five years or year-to-year?

Jason Miller - No, it's not year-to-year. I want to say it's probably five years because I think the state license is three.

Ralph Smith - Okay. Do you have any problem with keeping the Code Enforcement Officer up to date on any changes?

Jason Miller - Not at all.

Chairman Richard Kurz asked there won't be very much foot traffic, if any, right?

Jason Miller - No.

Gary Daum - As I recall, no signage, is that correct?

Jason Miller - No. Like I said, I'm not putting in a shop, I'm not building a building, I'm not doing anything. It's just like basically word of mouth. If anybody hears of me, oh, you're local, I can do a transfer. Okay, fine. I need some work on guns. I'm not looking to have anything huge.

Gary Daum - Thank you.

There were no other questions.

Chairman Richard Kurz entertained a motion to accept Jason Millers Special Use Permit Application for a Home Business A (Federal Firearms License) for online sales, firearm transfers and to do repairs.

RESOLUTION# 01-2/26

RESOLUTION TO ACCEPT JASON MILLERS SPECIAL USE PERMIT APPLICATION FOR A HOME BUSINESS A (FEDERAL FIREARMS LICENSE) FOR ONLINE SALES, FIREARM TRANSFERS AND TO DO REPAIRS AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to accept Jason Millers Special Use Permit Application for a Home Business A (Federal Firearms License) for online sales, firearm transfers and to do repairs as presented to each Board Member.

Offered by: Ralph Smith

Seconded by: Gary Daum

Votes: 3 Ayes (Smith, Daum, Kurz); 0 Nays

Chairman Richard Kurz entertained a motion to close the public hearing.

Offered by: Ralph Smith

Seconded by: Gary Daum

Votes: 3 Ayes (Smith, Daum, Kurz); 0 Nays

Reconvened to the regular meeting.

Ralph Smith - You understand it is contingent upon continuation of the FLL? No problems with letting the Code Enforcement Officer know about that?

Jason Miller – Yes. No, absolutely, if something happens, if I turn my FFL in or anything, I will notify you.

Ralph Smith - Okay, thank you.

Chairman Richard Kurz – Next we have Call Farms. Is there someone here representing Calls?

Chris Hansen – Yes, That's me.

Chairman Richard Kurz - Would you like to tell us a little bit about what's going on there?

Chris Hansen -Yes, the Calls own the house. They have allowed me to represent them through this process. My name is Chris Hanson. I'm with CSS Farms. So we own the storage that we built back there together. It's a joint venture between CSS and Calls. Through the process, we have workers that work at the facility.

Chairman Richard Kurz - Will they be year-round or just seasonal?

Chris Hansen - Probably there could be people in the house 10 months out of the year.

Chairman Richard Kurz - If you need to have them there longer, you can have them go beyond those dates. The new employees are there end of November to April, as an example. But if you need to extend then that can be arranged.

Chris Hansen - We have to do an H2A permit and go through all the proper channels every year in order to get the number of people that we need.

Chairman Richard Kurz -So what is that number you're going to try to put in there? Because Orleans County makes that determination, correct?

Chris Hansen - It depends on the house; it's the size of the rooms and so on. So they've been out and inspected, pre-inspected before. Actually, they've been through a housing inspection already. It's set right now that we could put up to 10 people in there.

Chairman Richard Kurz - Okay, we'll need to put that on the permit; 10 people.

Chris Hansen - We're hoping that we might be able to make some modifications to get two more employees in there to get 12. And I think by rights, we could do that with a couple little changes. Again, it just comes down to the room and it has to be 50 square feet per individual. What we don't like is putting that many people in a house that only has a bath and a half. So we may have to add a bathroom in there. Of course, we'd have to work with the Code Enforcement Officer on that and go through the permitting process to do improvements inside the house or whatever.

Ralph Smith – Are the residents going to be H2As and H2Bs?

Chairman Richard Kurz – No, they are just asking for H2As

Ralph Smith – H2As only, so it's strictly seasonal, right?

Chris Hansen – Yes seasonal housing.

Chairman Richard Kurz - But he can have workers there longer if they ask. They've got to ask the town if they need them between November and April 1st. You can't restrict them.

Chris Hansen - Every permit is different. So we have to apply for the permit and so the permit that we're about to start, I believe starts March 1st and goes until November 30th, December 1st.

Chairman Richard Kurz - So that's perfect.

Chris Hansen - Yes, so it falls within that period. And then usually there's a two-month reset and then we'll bring back people again in February to March. It just depends on the season and what our needs are. If we've got to take potatoes out earlier, grade earlier, we may have to bring people in. But again, it'll be within, there has to be a one month reset is what has to be in between according to H2A laws or rules. They don't have to leave the country; they can transfer on to somebody else's permit during that time. But they can't be on our permit year-round. We can't do a year-round permit. That's why that program doesn't work for dairy farmers and so on.

Ralph Smith - What's the population you're looking at.

Chris Hansen - I'm hoping to get to 12. We have to be what the county tells us. The Health Department is the one that sets those rules. They have an inspector that comes and goes through it with us. And they measure all the square footage and have closet spaces, etc. to make sure that we meet all the codes.

Ralph Smith - Any comments from the neighbors?

Chris Hansen - The Calls pretty much are all the neighbors. I think they own all the houses down there. They have some people that rent right next to them. According to Pete, there are no issues.

Chairman Richard Kurz - One thing I brought up to Dave on the driveway is Calls own the farm, and you own the building together with the Calls. And you're sharing the same driveway. Has that all been legalized on the deeds?

Chris Hansen - Yes. The deed is set up the way that it was. But since they own that property next to it, there's going to be a written right of way to use that driveway for the length of time. They want to rent to us (CSS Farms) the house and then the shop building that sits behind it. So basically we'll just use the shop for our equipment and for repairs. And then the house, since it sits there, it's actually set up well for housing.

Chairman Richard Kurz - Because we've had trouble in the past when there's a shared driveway and the one person owns the driveway towards the road, then there's a business in the back trying to utilize it. So normally how it works is the business has to maintain the personal driveway, but Calls would be an owner of it. But where it gets to be an issue is if he ever got out of the agreement.

Chris Hansen - If they ever sold the house we'd have to put some sort of contingency in there. We've talked to Dave about a strip of land there that we could always put the driveway in, and if they ever did decide down the road that they wanted to sell the property and we didn't want it for some reason, we would have to just put the driveway in. But for right now, they have water lines and there are some tile lines that we would have to chop all the pieces. We have the driveway there already, we improved it, we added some gravel and they said let's just continue to use it.

Ralph Smith - What's the septic system arrangement?

Chris Hansen - On the house? It's a septic setup; the County also inspected that as well. We did have to put in a grease trap, per Orleans County. It does meet the requirements for the number of people.

Chairman Richard Kurz - If it gets changed, if it goes to 12 on the next inspection just tell the Code Enforcement Officer; he will update the permit.

Chris Hansen - Yes

Chairman Richard Kurz - Because if there's any complications, someone complaining and they turn you in for having more, what's on permit you got 12, then it goes a little easier on you.

Chris Hansen - And just typically, if we were to have that many people in the house, it would be for very short amount of time. That would be while we're loading out, which is a fairly concise six weeks or so, and then we'd bring them back for when we store, which is probably another four weeks to six weeks of time. In between that time, it would probably just be four people in there, four people on the front end. So the number of months we would have that many people in there, it might be, four months out of the year.

Chairman Richard Kurz - It looks like everything else you have is in order, you did a nice job of filling everything out and the dimensions.

Chairman Richard Kurz entertained a motion to accept Call Farms SEQR form.

RESOLUTION# 02-2/26

RESOLUTION TO ACCEPT CALL FARMS SEQR FORM AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to accept Call Farms SEQR form as presented to each Board Member.

Offered by: Gary Daum

Seconded by: Ralph Smith

Votes: 3 Ayes (Daum, Smith, Kurz); 0 Nays

Chairman Richard Kurz informed Chris Hansen that the Permit will get passed on to the Orleans County Planning Board for review and then the Town of Yates Planning Board will meet next month for the Public Hearing.

Chairman Richard Kurz entertained a motion to approve Call Farms, Inc. site plan.

RESOLUTION# 03-2/26

RESOLUTION TO APPROVE CALL FARMS, INC. SITE PLAN AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to accept Call Farms, Inc., site plan as presented to each Board Member.

Offered by: Gary Daum

Seconded by: Ralph Smith

Votes: 3 Ayes (Daum, Smith, Kurz); 0 Nays

Gary Daum read a letter from Code Enforcement Officer David Reese. (See attached). A copy of that will be forwarded to the Orleans County Planning Board as well.

Chairman Richard Kurz entertained a motion to send Call Farms, Inc. Special Use Permit application to the Orleans County Planning Board for review.

RESOLUTION# 04-2/26

RESOLUTION TO SEND CALL FARMS, INC. SPECIAL USE PERMIT APPLICATION TO THE ORLEANS COUNTY PLANNING BOARD FOR REVIEW AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to send Call Farms, Inc. Special Use Permit application to the Orleans County Planning Board for review as presented to each Board Member.

Offered by: Gary Daum  
Seconded by: Ralph Smith

Votes: 3 Ayes (Daum, Smith, Kurz); 0 Nays

Chairman Richard Kurz - Regarding Kervin Stauffer's application at 11916 Roosevelt Highway. I see a couple mistakes here. If you look over the paperwork, he doesn't have on his Application whether he wants a home business A or B, but because of the location of the building, he's going to have to have an A.

Dawn Metty - I did ask the Code Enforcement Officer today, and he said it was an A. I did write it on his Application.

Chairman Richard Kurz – Also if you look on the last page his site plan doesn't have any dimensions from the front of the building to the road and the property line. That's why Dawn made us up a map on the tax map, but he's got to be at least 75 feet from the road for an A, and he is that, but it's not on the paperwork. We can't send it to the County until that's changed. I'll stop down and get the dimensions, and then you can send it to the County. Both of them can go in. The other thing we will need to put on the permit is, he's going to have to salvage all his waste oil; it's got to be picked up by either a place like a Speedy Clean, or whoever his vendor of oil is, they will need to take it back.

Chairman Richard Kurz entertained a motion to accept Kervin Stauffer's site plan as amended.

RESOLUTION# 05-2/26

RESOLUTION TO ACCEPT KERVIN STAUFFER'S SITE PLAN AS AMENDED AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to accept Kervin Stauffer's site plan as amended as presented to each Board Member.

Offered by: Gary Daum  
Seconded by: Ralph Smith

Votes: 3 Ayes (Daum, Smith, Kurz); 0 Nays

Chairman Richard Kurz entertained a motion to send Kervin Stauffer's Special Use Permit application to the Orleans County Planning Board for review.

RESOLUTION# 06-2/26

RESOLUTION TO SEND KERVIN STAUFFER'S SPECIAL USE PERMIT APPLICATION TO THE ORLEANS COUNTY PLANNING BOARD FOR REVIEW AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to send Kervin Stauffer's Special Use Permit application to the Orleans County Planning Board for review as presented to each Board Member.

Offered by: Gary Daum  
Seconded by: Ralph Smith

Votes: 3 Ayes (Daum, Smith, Kurz); 0 Nays

Chairman Richard Kurz entertained a motion to accept the minutes from the December 4, 2025 Planning Board meeting.

RESOLUTION # 07-2/26

RESOLUTION TO ACCEPT THE MINUTES FROM THE DECEMBER 4, 2025 PLANNING BOARD MEETING AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to accept the minutes from the December 4, 2025 Planning Board meeting as presented to each board member.

Offered by: Ralph Smith  
Seconded by: Gary Daum

Votes: 3 Ayes (Smith, Daum, Kurz); 0 Nays

NO FURTHER BUSINESS WAS DISCUSSED

Chairman Richard Kurz entertained a motion to adjourn the regular meeting.

Offered by: Ralph Smith  
Seconded by: Gary Daum

Votes: 3 Ayes (Smith, Daum, Kurz); 0 Nays