



NIAGARA COUNTY PLANNING BOARD

SAMUEL M. FERRARO CENTER FOR
ECONOMIC DEVELOPMENT
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Joseph Kibler
Chairman

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MEETING MINUTES

Niagara County Planning Board

Monday, September 16, 2019 – 2:00 p.m.

Niagara County Center for Economic Development, Sanborn

Members Present: Bill Agronin, Walt Garrow, Joseph Kibler, Andrea Klyczek, Richard Muscatello, Thomas Ohol, James Sobczyk, Garret Meal (ex-officio)

Members Absent: William Paton, Jonathan Welka

Staff Present: Amy Fisk, Jacqueline Minicucci

1. The meeting was called to order by Chairman Kibler at 2:00 p.m.
2. A motion was made by Mr. Garrow and seconded by Mr. Agronin to approve the August 19, 2019 meeting minutes. Unanimous. Carried.
3. *Niagara County Planning Board Referrals*

No. 6631 – City of Lockport – Other

Request by the City of Lockport for the Planning Board to review a local law establishing a moratorium on approvals in the RA, Reserve District for a period of 6 months. Several residents were present to discuss the proposed plan. Rick Abbott, 5th Ward Alderman informed the board that the purpose of the moratorium is to give the municipalities involved time to ensure proper planning and zoning for the parcels in the RA district. David Wohleben, 4th Ward Alderman, stated the developer was aware of the current zoning when the property was purchased and asked the board to approve the moratorium allowing the City time to review the zoning ordinance and comprehensive plan. Jim Hagerbach, resident, reviewed the purposes of zoning laws and their effects on residents. Craig Colling, resident, reviewed past sewer infrastructure issues stating the need for further review of a multi-residential impact to the system. Janet Sinclair, resident, presented an option for the proposed facility to be placed at the former Eastern Niagara Hospital Rehabilitation location. Carolyn Manning, resident, stated the need for the board to consider the impact to resident safety, population increase, greenspace, traffic and lack of existing infrastructure. She submitted a written statement to this effect for the record. A motion for approval was made by Mr. Sobczyk and seconded by Ms. Klyczek. Unanimous. Carried.

No. 6623 Town of Lewiston – Use Variance

Request by Christopher Danielewicz for the Planning Board to review a use variance request to conduct a commercial business in a barn located at 2799 Ridge Road. The property is 293 acres and is zoned RR, Rural Residential. John Bartolomei, Attorney was present to discuss the project. Mr. Bartolomei stated that his client has made several repairs to the barn which caused a large debt to a tree management company. In turn, he has allowed the company to store their vehicles in his barn as a form of in-kind repayment. Mr. Danielewicz was issued a Notice of Violation from the Town of Lewiston. Mr. Bartolomei requested an interpretation from the Town of Lewiston regarding the vehicle type, stating that the equipment is allowable within the RR, Rural Residential zoning since it is related to forestry and conservation uses. A public hearing was held on 9/12/19 and no one from the public spoke. The public hearing period is still open. A motion stating that there is no significant county-wide or inter-community impact was made by Mr. Garrow and seconded by Mr. Sobczyk. Unanimous. Carried.

No. 6629 City of North Tonawanda – Use Variance, Site Plan Review

Request by Rock One Development, LLC for the Planning Board to review a site plan and use variance request for the installation of a 4' X 2' LED sign at the front entrance of the new apartment complex located at 600 River Road. The site is 5.95 acres and is zoned WD, Waterfront District. There was no representative present to discuss the project. Ms. Fisk stated the current owner of both 600 & 624 River Road would like to install an LED entrance sign and a use variance is required because the signs will be used for cross promoting the properties, which is considered to be off-site advertising. The signs dimensions and specifications are within the code requirements. A motion for approval was made by Mr. Sobczyk and seconded by Mr. Ohol stating that the approval was based on common ownership of the adjacent parcels. Unanimous. Carried

No. 6630 City of North Tonawanda – Use Variance, Site Plan Review

Request by DLV Properties, LLC for the Planning Board to review a site plan and use variance for the installation of an 8' X 5' LED sign to be placed on the lower half of an existing sign located at 624 River Road. The site is 4.97 acres and is zoned WD, Waterfront District. There was no representative present to discuss the project. Ms. Fisk stated the current owner of both 600 & 624 River Road would like to install an LED entrance sign and a use variance is required because the signs will be used for cross promoting the properties, which is considered to be off-site advertising. The signs dimensions and specifications are within the code requirements. A motion for approval was made by Mr. Sobczyk and seconded by Mr. Ohol stating that the approval was based on common ownership of the adjacent parcels. Unanimous. Carried

No. 6632 Town of Niagara – Site Plan Review, Special Permit & Other

Request by Adam Backus for the Planning Board to review a site plan, special permit and lot combination request to combine four parcels located at 2727 and 2736 Military Road, and SBL #'s 145.11-2-47 and 145.11-2-49. The single-family home will be demolished and a self-service car wash will be constructed. Total acreage is 0.89 and the parcels are zoned B-1, General Business. Adam Backus was present to discuss the project. Mr. Backus stated that he is currently under contract to purchase the parcels. Water will be discharged into catch basins. There is less than an acre of land disturbance so a SPDES permit is not required. An existing curb cut and vehicle stacking lanes will be utilized with no impact to current traffic. The board had no concerns. A motion for approval was made by Mr. Agronin and seconded by Ms. Klyczek. Unanimous. Carried.

5. *New Business* –

- a.) Correspondence – Board members received a copy of a 9/3/19 letter from Evelyn Buffone sent to the Town of Cambria Zoning Board. No action required.
- b.) New York State Department of State Training – Date set for October 22, 2019. The topics will include Floodplain Regulation, Regulating Telecommunications Facilities, and SEQ. R.
- c.) The board stated concerns regarding the open board positions. There was discussion regarding changing the meeting time but board members present were not in favor of that option. Ms. Klyczek stated that she would contact the NC Legislative office to inquire on the status of new membership.

6. *Adjournment* – A motion was made by Mr. Garrow and seconded by Mr. Sobczyk to adjourn the meeting at 3:16 p.m. Unanimous. Carried.

Respectfully submitted,



Jacquiline Minicucci, Recording Secretary