



NIAGARA COUNTY PLANNING BOARD

SAMUEL M. FERRARO CENTER FOR
ECONOMIC DEVELOPMENT
6311 INDUCON CORPORATE DRIVE
SANBORN, NEW YORK 14132

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Chairman

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MEETING MINUTES

Niagara County Planning Board
6311 Inducon Corporate Drive – Suite 100
Sanborn, New York 14132
Monday, March 20, 2023 – 2:00 p.m.

Members Present: Bill Agronin, J. Anthony Collard, Walt Garrow, Joseph Kibler, Norman Machelor, James Sobczyk

Members Absent: Michael Carney, Thomas Ohol, Mary Jo Tamburlin, Garret Meal (Ex-Officio), Jonathan Welka (Alt)

Staff Present: Nathaniel Bonafede, Jacqueline Minicucci

1. The meeting was called to order by Chairman Kibler at 1:58 p.m.
2. A motion was made by Mr. Garrow and seconded by Mr. Collard to approve the February 27, 2023 meeting minutes. Unanimous. Carried.
3. *Niagara County Planning Board Referrals*

No. 6872 – Town of Newfane – Area Variance

Request by William Costello for the Planning Board to review an area variance request to allow for the demolition of an existing garage and the construction of a new 24' x 24' attached garage with breezeway located at 2615 Main Street. The rear setback request is 24' where 50' is required by town code. The property is .26 acres and is zoned R-1, Single Family Residential. There was no representative present for the project. Mr. Bonafede informed the board that the original non-conforming garage will be demolished and the owner would like to move the new structure closer to the home to allow for the construction of a breezeway connecting the two buildings. Board members noted that the relocation of the new structure would improve the site. Mr. Machelor stated that the setback relief request is more than 50%. A motion for approval was made by Mr. Sobczyk and seconded by Mr. Garrow. 5-Yes, 1 No (Machelor). Carried.

No. 6873 – Town of Newfane – Area Variance

Request by Clark Dunkelberger for the Planning Board to review an area variance request to allow for the construction of a 24' x 32' pole barn located at 2541 Main Street. The side setback request is 2' where 10' is required by town code. The property is 11.31 acres and is zoned R-1, Single Family Residential. Clark Dunkelberger was present to discuss the project. Mr. Dunkelberger informed the board that the previous nonconforming barn was demolished and he would like to construct a smaller, 24' x 32' structure on the same footprint. The building will be used for personal storage. Board members noted that there is ample land to relocate the structure and meet the setback requirements. Mr. Dunkelberger stated that his request will allow him to utilize the existing driveway avoiding additional expenses. The board noted that the prior structure was non-conforming. A motion for approval was made by Mr. Agronin and seconded by Mr. Collard. 5-Yes, 1 No (Machelor). Carried.

No. 6874 – Town of Newfane – Area Variance

Request by Donald David for the Planning Board to review an area variance request to allow for the construction of a 16' x 24' shed located at 5987 Laffler Street. The front setback request is 22' where 50' is required by town code. The property is .22 acres and is zoned R-1, Single Family Residential. There was no representative present for the project. Mr. Bonafede informed the board that the parcel is non-conforming. The proposed shed will be in alignment with the residence on the property and will be used for personal storage. The board had no concerns. A motion for approval was made by Mr. Garrow and seconded by Mr. Machelor. Unanimous. Carried.

No. 6875 – Town of Newfane – Area Variance

Request by Peter & Max Russell for the Planning Board to review an area variance request to allow for the demolition of an existing building and the construction of a new 54' x 152' pole barn to be used for agricultural storage located at 1876 Hess Road. The front setback request is 25' where 60' is required and the rear setback is 11' where 50' is required by town code. The property is 1.18 acres and is zoned RR, Rural Residential. Peter Russell was present to discuss the project. Mr. Russell informed the board that all previous structures on the parcel have been demolished and he would like to use the existing cement pad for the new pole barn. There is an adjacent existing rail line that is inactive. The structure will be used for dry storage. A motion for approval was made by Mr. Agronin and seconded by Mr. Machelor. Unanimous. Carried.

No. 6876 – Town of Newfane – Area Variance

Request by David Ferrington for the Planning Board to review an area variance request to allow for a parcel subdivision located at 6597 Charlotteville Road. The lot width town code minimum is 150' where 130' is requested. The property is 3.3 acres and is zoned RR, Rural Residential. There was no representative present to discuss the project. Mr. Bonafede stated that the owner would like to subdivide the land into two 130' wide parcels. Once subdivided, the owner will sell the parcel with the existing home and renovate the existing barn on the second parcel into another residence. The board discussed code restrictions regarding allowing the current barn to exist on the parcel without a residence. Mr. Bonafede stated that the structure will not remain a barn but will be renovated into a new home. A motion for approval was made by Mr. Collard and seconded by Mr. Agronin. Unanimous. Carried.

No. 6877 – Town of Lockport – Special Permit, Site Plan Review

Request by Martin Maloney for the Planning Board to review a special use permit request and site plan to allow for the reuse of an existing building as a sales office and outdoor sales of storage sheds, furniture and playground equipment located at 6703-6707 S. Transit Road. The combined property acreage is 1.9 acres and is zoned B-2, General Business Use. Timothy Arlington of Apex Consulting was present to discuss the project. Mr. Arlington stated that the existing structure was a former restaurant. The owner would like to lease the property to be used for outdoor sales of playground equipment and sheds. The adjacent parcel has an existing home that is currently being leased. A special use permit is required for the outdoor sales. The parcels are currently non-conforming. All setback requirements have been met. There will be 8 parking spaces. There is an existing retail facility adjacent to the property that currently has outdoor displays. The board noted that it is commensurate with the surrounding area. A motion for approval was made by Mr. Sobczyk and seconded by Mr. Agronin. Unanimous. Carried.

No. 6878 – Town of Lockport – Area Variance, Site Plan Review

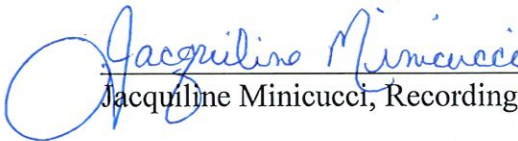
Request by Redline Auto and Transmission for the Planning Board to review a site plan and area variance request to allow for the construction of a 30' x 60' addition to an existing auto repair shop on a non-conforming parcel located at 5700 Otto Park Place. The property is .66 acres and is zoned B-2, General Business Use. Timothy Arlington of Apex Consulting was present to discuss the project. The parcel is currently non-conforming. The 30' x 60' new structure would be placed on the west side of the parcel. The dumpster and parking area will be relocated. 31 parking spaces will be installed which meets code requirements. The entrance will be located on Otto Place which is a dead end road. A landscaping plan is in place. A motion for approval was made by Mr. Sobczyk and seconded by Mr. Machelor. Unanimous. Carried.

No. 6879 – City of Lockport – Special Permit

Request by Zeton US Properties, Inc. for the Planning Board to review a special use permit request to allow an existing single-family home on the parcel while simultaneously operating an industrial use located at 115 Oakhurst Street. The property is 7.24 acres and is zoned I-2, Light Industrial and I-3, Heavy Industrial. Robert Pidanick of Nussbaumer & Clarke and Paul Beakman were present to discuss the project. Mr. Pidanick stated that their client, Zeton US Properties, Inc. purchased the parcel which has an existing single-family residence. They have entered into a lifetime use agreement with the resident to allow them to reside in the home while they operate their industrial facility. Zeton manufactures electrical panels and components. The project will create 100 local jobs. The special use permit is to allow a residence to exist in an industrial zone. The board had no concerns. A motion for approval was made by Mr. Garrow and seconded by Mr. Machelor. Unanimous. Carried.

4. *Old Business* – None
5. *New Business* – Mr. Bonafede reviewed a Lead Agency Designation correspondence received from the City of Niagara Falls.
6. *Adjournment* – A motion was made by Mr. Collard and seconded by Mr. Garrow to adjourn the meeting at 3:00 p.m. Unanimous. Carried.

Respectfully submitted,



Jacquiline Minicucci, Recording Secretary

