



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

Joseph Kibler
Chairman

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MEETING MINUTES

Niagara County Planning Board
6311 Inducon Corporate Drive – Suite 100
Sanborn, New York 14132
Monday, October 17, 2022 – 2:00 p.m.

Members Present: Bill Agronin, J. Anthony Collard, Walt Garrow, Joseph Kibler, Thomas Ohol, James Sobczyk (Via Webex), Mary Jo Tamburlin, Garret Meal (Ex-Officio-Ex)

Members Absent: Michael Carney (Ex), Norman Machelor (Ex), Jonathan Welka (Alt)

Staff Present: Nathaniel Bonafede, 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 Ms. Tamburlin and seconded by Mr. Agronin to approve the September 19, 2022 meeting minutes. Unanimous. Carried.
3. *Niagara County Planning Board Referrals*

No. 6849 – Town of Wheatfield – Zoning Text Amendment

Request by the Town of Wheatfield for the Planning Board to review a zoning text amendments to Town Code Chapters 200 – Zoning, 169 Subdivision of Land, and 198 – Wind Energy Conversion Systems. There was no representative present to discuss the referral. Mr. Garrow stated that he is familiar with the amendments and informed the board that the Town of Wheatfield worked closely with Wendell Engineering to implement the new zoning which is consistent with the towns other alternative energy plans. The board had no concerns. A motion for approval was made by Mr. Agronin and seconded by Mr. Collard. Mr. Garrow abstained. 6 Yes, 0 Noes, 1 Abstained (Garrow).

No. 6850 – Town of Lockport – Area Variance, Special Permit, Site Plan Review

Request by Hix Snedeker Companies, LLC for the Planning Board to review a site plan with special permit and area variance requests to allow for the construction of a 23,957 sq. ft. Tractor Supply Store with a 3,744 sq. ft. Garden Center located at 1110 S. Transit Road. The property is 47.1 acres and is zoned B-2, General Business and CCO, Commercial Corridor Overlay District. Peter Sorgi, Attorney and Jeff Abanese, Real Estate Agent were present on behalf of the applicant to discuss the project. Mr. Sorgi informed the board that they are in the process of purchasing 5 acres of frontage that will be utilized for the development. The referral was generated due to its proximity to the Town of Wheatfield border. The existing store will be closed and relocated. A special use permit is requested for the operation of the outdoor display area. A SEQR coordinated review is in process. The developer is working with adjacent neighbors regarding mitigating existing drainage issues due to the natural flow of the water. Mr. Sorgi stated that the Commercial Corridor Overlay district requires higher design standards which have been incorporated in the plan. There will be one access from Transit Road and the plan is currently under the Department of Transportation review. There is no impact to local residences. A motion for approval was made by Mr. Garrow and seconded by Mr. Ohol. Unanimous. Carried.

No. 6851 – Town of Newfane – Area Variance

Request by Robert Pusateri and Alan Vilaux for the Planning Board to review an area variance request to allow for the subdivision of land creating two non-conforming parcels located at 5855 Ridge Road. The property is 1.5 acres and is zoned AR, Agriculture/Residence. There was no representative present to discuss the project. Mr. Bonafede informed the board that the property owners are requesting to subdivide the parcel into two non-conforming lots. The owners have renovated an existing home and plan to construct a new residence on the adjacent lot to the North. The board had no concerns. A motion for approval was made by Ms. Tamburlin and seconded by Mr. Collard. Unanimous. Carried.

No. 6852 – Town of Newfane – Area Variance

Request by Ridgeview MHP, LLC for the Planning Board to review an area variance request to allow for the installation of eight single-family manufactured homes to replace older units that have been removed located at 3902 Lockport-Olcott Road. The property is 27.3 acres and is zoned MHP, Mobile Home Park and HC, Highway Commercial. Jeff Reigle and Jim Luttrell were present to discuss the project. Mr. Reigle stated that new manufactured homes will be placed on existing vacant lots. There will be no change to the current footprint of the parcel. The new homes will be slightly larger and closer to adjacent units. The board discussed the need to have a fire safety review conducted due to the close proximity of the homes. A motion for approval with the recommendation of review by the local fire department for safety was made by Mr. Garrow and seconded by Mr. Collard. Unanimous. Carried.

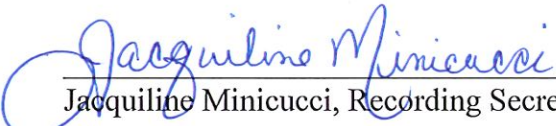
4. *Old Business* – None

5. *New Business* –

- a.) Richard Palladino, Rochester Road resident requested to speak with the board. Mr. Palladino stated that the board issued approval for a project located at 7691 Rochester Road at its September meeting and stated that he felt the board was misinformed by the project representative. Mr. Palladino stated the board was informed that there was no project opposition by adjacent neighbors, when in fact, the neighbors are in opposition so the decision was based on a false instrument. Mr. Palladino requested the board review its prior decision. Board members discussed that State law dictates projects cannot be denied due to public opposition. The board requested a letter be drafted on behalf of the board alerting the Town of Royalton to closely examine all project documentation and confirm the project's consistency with both the town and county comprehensive plans.
- b.) Department of State training registration is complete and will take place on October 20, 2022.
- c.) David Reckahn of the Niagara County Soil & Water Conservation District informed the board that he is certified to conduct trainings for Site Plan Review, Erosion & Sediment Control and Emergency Flood Plains and wanted to offer his services to the board upon request.

6. *Adjournment* – A motion was made by Mr. Garrow and seconded by Mr. Collard to adjourn the meeting at 2:57 p.m. Unanimous. Carried.

Respectfully submitted,


Jacquiline Minicucci, Recording Secretary