



NIAGARA COUNTY PLANNING BOARD
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Chairman

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MEETING MINUTES

Niagara County Planning Board

Monday, August 20, 2018 – 2:00 p.m.

Niagara County Center for Economic Development, Sanborn

Members Present: Bill Agronin, Walt Garrow, Chairman Joseph Kibler, Norman Machelor, Vice Chairman Richard Muscatello, Thomas Ohol, William Paton, James Sobczyk, Garret Meal (ex-officio)

Members Absent: Andrea Klyczek

Staff Present: Amy Fisk, 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 seconded by Mr. Muscatello to approve the July 16, 2018 meeting minutes. Unanimous. Carried.
3. *Niagara County Planning Board Referrals*

No. 6560 Town of Cambria – Use Variance & Special Permit

Request by Tyler Booth for the Planning Board to review a use variance to conduct an antique sales business in an existing barn and host public and private events by special permit in the former Forsyth Tavern historical landmark building located at 5182 Ridge Road. The property is 5.172 acres and is zoned AR, Agricultural and Residence. Tyler Booth and John Decran were present to discuss the project. Mr. Booth stated that the 60' x 45' historic barn would be used as a small antique business which is an allowable use with a special permit. A 31 space gravel parking lot will be installed next to the barn. A Department of Transportation permit has been requested for parking lot entrances on both Route 104 and Townline Roads. Residents Bill and Kathy Rickerson were present to discuss concerns they have regarding the overflow of parking, the need for landscape buffers, and traffic safety at the nearby intersection. The developers assured the board that residents concerns would be addressed. A motion for approval was made by Walt Garrow and seconded by Bill Agronin with the following recommendations: 1.) Clarification that a use variance is actually needed since business use is allowed by special permit. 2.) A landscaping plan should be completed that includes a buffer for adjacent residential properties. 3.) Receive feedback from Dept. of Transportation and take action accordingly. 4.) Ensure that the number of parking spaces meets town code requirements. 5.) Incorporate traffic flow signage on premises. Unanimous. Carried.

No. 6567 City of Niagara Falls – Area Variance

Request by Sean W. Hopkins, Esq. on behalf of Kavcon Development, LLC for the Planning Board to review an area variance to allow for the redevelopment of the existing Consumer Beverage retail building and construction of a new banking facility located at 7101 & 7102 Niagara Falls Boulevard. The variance will allow the residential buffer area to be reduced in size. The property is 1.28 acres and is zoned C-3, General Commercial. Tony Palmer, City of Niagara Falls Planning Board Chairman was present at the meeting. Two area variances for 7ft. and 10 ft. setbacks where 20ft. is required, is being requested for the Southern end of the property. The site plan will include specifications for landscaping, lighting, utility and drainage. A motion that the variances have no significant county-wide or inter-community impact was made by Mr. Sobczyk and seconded by Mr. Machelor. Unanimous. Carried.

No. 6568 Town of Niagara – Comprehensive Plan

Request by the Town of Niagara for the Planning Board to review the 2018 Town Comprehensive Plan. The board had no concerns. A motion for approval was made by Mr. Sobczyk and seconded by Mr. Ohol. Unanimous. Carried.

No. 6569 Town of Lewiston – Special Permit

Request by Marc Varisco for the Planning Board to review a special permit allowing for outdoor seating and a bar at the existing Tony's Pizza Restaurant located at 2935 Saunders Settlement Road. The property is 0.37 acres and is zoned B, Business District. Zach Varisco was present to discuss the project. The proposed outdoor bar will have approximately 10 seats. A 6 ft. fence will be installed surrounding the rear of the property. Board members had concerns with the level of noise and discussed the requirement to comply with the local noise ordinance. A motion for approval was made by Mr. Agronin and seconded by Mr. Paton. Unanimous. Carried.

No. 6570 Town of Lewiston – Site Plan Review & Special Permit

Request by Bella Rose Vineyard & Winery for the Planning Board to review a site plan and special permit to allow for the development of a winery farm and construction of buildings that will be utilized for production and wine tasting located at 1243 Ridge Road. The property is 56.978 acres and is zoned RR, Rural Residential. Owner Michael Schweitzer and engineer Andy Johnson were present to discuss the project. The proposed 6,200 sq.ft. building will have a 2,900 sq.ft. tasting room and the remaining 6,200 sq.ft. will be used for production. There will be under an acre of land disturbed and a storm water dry detention pond installed. The winery will run mainly on geo thermal and solar power. A motion for approval was made by Mr. Agronin and seconded by Mr. Garrow. Unanimous. Carried.

No. 6571 City of Niagara Falls – Site Plan Review

Request by Niagara Falls BTS Retail, LLC for the Planning Board to review a site plan for the construction of a 9,100 sq.ft. Dollar General retail store located at 3622 Hyde Park Boulevard. The property is 2.046 acres and is zoned I2, Industrial. Michael Wohlwend, engineer, was present to discuss the project on behalf of BTS Retail. Phase I and Phase II environmental assessments have been completed. All required setbacks have been met and there is a fire hydrant in close proximity. The board had no concerns. A motion for approval was made by Mr. Sobczyk and seconded by Mr. Agronin. Unanimous. Carried.

No. 6572 Town of Cambria – Area Variance, Site Plan Review and Special Permit

Request by Crosslake Fiber USA, LP for the Planning Board to review a site plan with area variance and special permit allowing for the construction of a single-story 12 x 26 ft. utility building located at SBL #107.00-2-31 South of Lockport Junction Road. The shelter will be utilized to provide in-line amplification for an underground cable being installed along Lockport Junction Road. The property is 39.697 acres and is zoned AR, Agricultural and Residence. Greg Scholand, attorney, was present on behalf of Crosslake Fiber USA. The proposed 1-story utility structure will be 12 ft. in height and made of fiberglass material. A 4 space parking lot will be installed for maintenance vehicles. The developer is requesting to install an 8 ft. fence surrounding the property for security purposes where only 6 ft. is allowed. The building and fencing meet all setback requirements. A motion for approval was made by Mr. Machelor and seconded by Mr. Ohol. Unanimous. Carried.

4. *Old Business* – None

5. *New Business* – After polling the board members, it was decided to approve the requested educational solar presentation by Nixon Peabody. Ms. Fisk will attempt to schedule the presentation for September's planning board meeting.

6. *Adjournment* - A motion was made by Mr. Ohol and seconded by Mr. Garrow to adjourn the meeting at 3:05 p.m. Unanimous. Carried.

Respectfully submitted,



Jacquiline Minicucci, Recording Secretary