



NIAGARA COUNTY PLANNING BOARD

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

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MEETING MINUTES

**Niagara County Planning Board
6311 Inducon Corporate Drive – Suite One
Sanborn, New York 14132
Monday, January 26, 2026 – 2:00 p.m.**

Members Present: William Agronin, J. Anthony Collard, Walter Garrow, Joseph Kibler, Norman Machelor, Thomas Ohol, James Sobczyk via Webex, Garret Meal (Ex-officio) via Webex

Members Absent: Michael Carney, Mary Jo Tamburlin

Staff Present – Nathaniel Bonafede, Margit Denning

1. The meeting was called to order at 2:03 pm.
2. Approval of the December 15, 2025 meeting minutes - A motion for approval was made by Mr. Garrow and seconded by Mr. Ohol. Unanimous. Carried.
3. Niagara County Planning Board Referrals

No. 7025 – City of North Tonawanda – Site Plan Review

Request by People, Inc. for the Planning Board to review a site plan pertaining to the conversion of the DeGraff 5-story, former hospital bed tower at 445 & 452 Tremont Street into residential senior housing. The property is 1.75 acres and is zoned RC, Residence-Restricted Business. Corey Auerbach of Barclay Damon LLP, Matt Long of Long Associates Architects, and Brian Smith of People Inc. were present to discuss the project. Mr. Auerbach explained the project is in partnership with the City of North Tonawanda. It will redevelop the tower portion of the hospital and consist of 70 units of senior housing. There will be 62 one bedroom units and 8 two bedroom units. The project is compliant with the City's comprehensive plan. There will be limited demolition to portions of the hospital building to accommodate infrastructure associated with the development. An existing parking lot located on the other side of Tremont Street will be dedicated for the senior housing development as well as some handicap spaces at the rear of the tower. Existing hospital parking will not change. City DPW will assist with connectivity to ensure safety of pedestrians. Mr. Garrow asked for clarification on the zero foot setback requests associated with the project. Mr. Auerbach explained that the zero foot setback conditions are created by the proposed lot subdivision to separate the property containing the tower from the rest of the hospital property, not from construction of a new structure on a preexisting lot line. A motion for approval was made by Mr. Garrow and seconded by Mr. Machelor. Unanimous. Carried.

No. 7026 – Town of Lockport – Area Variance, Use Variance, Special Use Permit, and Site Plan Review

Request by Transit Car Wash for the Planning Board to review an area variance, use variance, special use permit and site plan to allow for the replacement of the existing car wash at 5673 South Transit Road with a new 5,040 sq. ft. car wash tunnel. The car wash development will occupy two parcels. The project also includes the construction of a 1,000 sq. ft. convenience store. The existing auto service and detail shop will remain. The project site is 2.55 acres. The main parcel is zoned B-2 General Business, and the secondary parcel is zoned R-1 Single Family Residential. Cole Overhoff, Engineer from Passero Associates, and Brenden Lederhaus, representing Transit Carwash, were present to discuss the project. Mr. Overhoff explained the new stand-alone carwash tunnel and stand-alone convenience store will improve traffic flow and on-site safety. There are several issues with the current carwash tunnel that the new design will improve. The current car wash entrance faces west towards Transit Road and provides limited stacking space, causing vehicle stacking to back up into the gas canopy area and block the drive aisle. With the new design, the entrance will face east and allow stacking of up to 40 vehicles. New automated pay booths will increase efficiency. Currently, the noise from the fans at the end of the tunnel is directed east toward the neighboring

residential properties. The new design will direct the noise towards Transit Road instead, where the vehicles will exit. A 6' high screening fence will be installed at the north and east property lines to prevent headlights from shining onto adjacent residential properties. There will be an emergency bypass lane to the north of the wash tunnel. A bio-retention area will be added to treat storm water runoff from a slight increase in impervious area. Landscaping improvements will be used for screening purposes and to enhance aesthetics. The project has been presented at two Town of Lockport Planning Board work sessions. Details from feedback by the Board and the public have been incorporated into the design. They include a fenced enclosure around the existing dumpster pad, an adjustment to the screening fence location to avoid restricting the line of sight for people exiting the adjacent driveway, and the provision of additional parking spaces. The setback variance and use variance was approved by the Town of Lockport ZBA meeting on December 23, 2025. The concerns of the neighbors were addressed at the Town of Lockport Planning Board public hearing on January 20, 2026 and the public hearing was closed. Mr. Agronin inquired about the location of the nearest residents. Mr. Bonafele displayed an aerial view of the property for the Board to see. Mr. Sobczyk inquired about where the vehicles will exit the property from the carwash tunnel. Mr. Overhoff explained there will options to exit onto Transit Road or Dorchester Road. A motion for approval was made by Mr. Agronin and seconded by Mr. Ohol. Unanimous. Carried.

No. 7027 – Village of Barker – New Local Law

Request by the Village of Barker for the Planning Board to review a new Local Law regulating Battery Energy Storage Systems within the Village. Abe Platt, Attorney representing the Village was present to discuss the new local law. Mr. Platt stated that the law is consistent with neighboring municipalities. The Board asked if the law follows a tiered structure differentiating between battery storage systems of different scales and types. Mr. Platt stated that the law was designed to be all inclusive and does not follow a tiered structure. Mr. Garrow noted the importance of the Village's inclusion of the verbiage "as otherwise noted by the Village" in the law's "Safety" section as a catch all. He commented that the availability of water at or in close proximity to a site should remain an important safety consideration during project review, particularly to address the potential spread of fire to surrounding batteries, vegetation or adjacent properties outside the limits of a battery project. He noted that this will have a major influence on site design and asked Mr. Platt to share this information with the Village. The Board also commented that the Village should consider integrating the tiered approach into their law. Mr. Garrow added the highest tier requires input from the State which could be helpful for the Village to regulate the lower tiers. He also cautioned about proposals of waivers. A motion for approval with comments noted was made by Mr. Machelor and seconded by Mr. Garrow. Unanimous. Carried.

No. 7028 – Town of Cambria – Moratorium

Request by the Town of Cambria for the Planning Board to review a proposed moratorium on the processing, permitting and/or construction of all Utility-Scale Electrical and Battery Energy Storage Systems (whether or not developed in conjunction with a Solar Energy production component) within the Town of Cambria for a period of nine (9) months. Abe Platt, attorney representing the Town, was present to discuss the moratorium. Mr. Platt explained the Town's four year old battery energy storage law needs to be reconsidered due to new technology. The moratorium will allow the Town to analyze where these types of operations could be installed and how best to handle setbacks and other considerations in order to be in line with the Town's comprehensive plan. The Town is acting on a recommendation from the Town Engineer. Mr. Garrow advised that the Town consult the Emergency Response Guide book regarding evacuation distances to consider for determining setbacks. A motion for approval was made by Mr. Garrow and seconded by Mr. Agronin. Unanimous. Carried.

4. Old Business - None

5. New Business

- a.) Correspondence Review – The Board reviewed a SEQR Lead Agency Designation determination of non-significance for the Town of Newfane School District capital projects.
- b.) Elections for Chair and Vice-chair of the Board – Joseph Kibler was nominated for Chair by Mr. Agronin and seconded by Mr. Ohol. Unanimous. Carried.

Walter Garrow was nominated for Vice-chair by Mr. Agronin and seconded by Mr. Ohol. Unanimous. Carried.

Adjournment – A motion to adjourn the meeting was made by Mr. Collard and seconded by Mr. Agronin at 2:29 pm. Yes 7, No 0. Carried.

Respectfully submitted,

Margit Denning
Margit Denning, Recording Secretary