



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 One
Sanborn, New York 14132
Monday, June 15, 2026 – 2:00 p.m.

Members Present: William Agronin, J. Anthony Collard, Walter Garrow, Joseph Kibler, Norman Machelor, Garret Meal (Ex-officio)

Members Absent: Michael Carney, Thomas Ohol, James Sobczyk, Mary Jo Tamburlin

Staff Present – Nathaniel Bonafede

1. The meeting was called to order at 2:02 pm.
2. Approval of the May 18, 2026 meeting minutes - A motion for approval was made by Mr. Garrow and seconded by Mr. Machelor. Unanimous. Carried.
3. Niagara County Planning Board Referrals

No. 7051 – City of Lockport – Special Use Permit

Request by Jon George for the Planning Board to review a Special Use Permit to allow for a cannabis dispensary to locate at 55 Lock Street. The property is 0.5 acres and is zoned MU-D Mixed Use Downtown. Jon George was present to discuss the Project. Mr. George explained the dispensary will be located within 500' of the canal and therefore needs County approval before it can be approved by the City of Lockport. There will be no changes to the building which was previously used as a gas station. The board discussed required setbacks. Mr. Garrow raised a concern about the proximity of the dispensary to the nearby church which operates a faith formation school, about 350' away. Mr. Bonafede read aloud the related State code that a minimum straight line measurement of 500' is required between any dispensary and a building used exclusively as a school. It was noted that the faith formation school may not meet the State's Office of Cannabis Management's definition of a school, and this interpretation would be made during their permitting process. A motion for approval of the Special Use Permit was made by Mr. Agronin and seconded by Mr. Machelor. Unanimous. Carried.

No. 7052 – City of North Tonawanda – Moratorium

Request by City of North Tonawanda for the Planning Board to review a twelve (12) month extension of an existing moratorium on the review, approval, and issuance of permits for new development of cryptocurrency mining and data processing centers. The current moratorium is scheduled to expire on July 16, 2026. A representative for the City was not present. Mr. Bonafede explained the City is requesting the extension to allow them more time to work on their local laws. The 12 month extension includes an amendment adding a hardship clause to allow anything that needs to be taken care of with the existing facility that is located in the City. Specifically, it allows the City to remedy any noise issue. Mr. Agronin inquired about the State's pending moratorium on data centers. Mr. Bonafede explained the State is considering a statewide moratorium on data centers which has not yet been signed by the Governor and has not gone into effect. Mr. Machelor inquired about allowable length and quantity of moratorium extensions. Mr. Bonafede explained extensions can be challenged but the reason for this extension and amendment is to give the City the ability to implement solutions to ongoing issues at the current facility that cannot otherwise be addressed. A motion for approval was made by Mr. Garrow which was tabled as Mr. Kibler invited a resident of North Tonawanda to speak on the issue. Mr. Mark Polito expressed his support for the moratorium extension. He resides near the existing cryptocurrency mining center. Mr. Polito explained that the noise produced by the cryptocurrency mining center is constant 24 hours a day, 7 days a week, and is at a level that disruptive to his daily life and many others as well. He added the City needs time to revamp laws specifically addressing noise levels. The center is litigating its requirement to comply with the City's noise ordinance. There are plans for the center to expand

into an AI data center. Mr. Polito believes the 10 large diesel backup generators currently on the site are not for emergency purposes, but are in preparation to ramp up the energy supply the expansion will require. The City needs more time to address multiple issues the expansion will cause. Mr. Machelor asked for a description of the noise. Mr. Polito played a recording of the noise. Mr. Machelor asked how the noise level changes throughout the day and distances that residences are from the center. Mr. Polito explained the recording was at 3:00 in the afternoon and the noise level increases at night. He lives approximately ½ mile away from the facility. Another resident, Mr. Tom Weisbeck voiced concerns about water usage that the data center will require which was disputed by Mr. Alan Sauerland, a representative from the cryptocurrency mining center. The Board noted that the application currently being considered is the moratorium extension. Mr. Kibler brought forward the motion for approval made by Mr. Garrow; it was seconded by Mr. Agronin. Unanimous. Carried.

No. 7053 – WITHDRAWN

No. 7054 – Village of Wilson – New Local Law

Request by the Village of Wilson for the Planning Board to review a new local law regulating recreational vehicles and campers. Greg Martin, Mayor of the Village of Wilson was present to discuss the new local law. Mr. Martin explained the Village Code Enforcement Officer has been dealing with residents living in RVs and dumping into the sewer system. There is currently no Village law regulating recreational vehicles and campers. Mr. Agronin asked if the law prohibits residents from parking an RV/camper on their property or from living in it. Mr. Martin replied that it's specifically for RV's being lived in and added there is a short-term 30 days per year rental application available. The current Zoning Code states that an RV/camper must be set back a minimum of 25' from the front of the house which is impossible on most Village lots, so the code is being updated to a minimum 25' setback from the curb. A motion for approval was made by Mr. Machelor and seconded by Mr. Agronin. Unanimous. Carried.

No. 7055 – Town of Wilson – Area Variance

Request by the Town of Wilson for the Planning Board to review area variance requests related to the construction of a detached 24' x 24' garage on an undersized lot. The property is located at 2678 Braley Road, is 0.43 acres, and zoned RR200, Rural Residential 200. Mr. Bonafede explained the homeowner wants to build a garage on the non-conforming lot which predates the zoning code. It is located on a County road and requires 4 variances. The first is minimum lot size. A minimum of 1.5 acres is required by code; the existing lot is 0.43 acres. The second is lot width. A minimum of 200' is required by code; the existing parcel is 74' wide. Third is front yard setback. A minimum of 100' is required by code; 80' is proposed which is in line with the front of the house. Fourth is the eastern side yard setback. A minimum of 50' is required by code; 12' is proposed. The adjacent property to the west is in the Town of Porter. The Town of Porter noted no concerns over the request. The property owner of the vacant lot to the east has no objection. The Town of Wilson Planning Board gave a positive recommendation to be passed on to the Zoning Board for review. A motion for approval was made by Mr. Agronin and seconded by Mr. Garrow. 4 yes, 1 no (Machelor). Motion failed. The Board reviewed voting options. A motion determining that the request has no significant County-wide nor Inter-community impact was made by Mr. Garrow and seconded by Mr. Collard Unanimous. Carried.

4. Old Business – None

5. New Business

The Board reviewed SEQR Lead Agency designation correspondence from the Town of Lewiston, for a proposed project located at 2835 Saunders Settlement Road.

The Board reviewed SEQR Lead Agency designation correspondence from the Lockport City School District regarding several capital projects on school building throughout the district.

Referral No. 7053 was withdrawn by the Town of Porter. It involves a proposal to construct a cell tower in close proximity to an existing cell tower. The Town stated that the applicant has not provided sufficient information and the project is on hold at this time.

Adjournment – A motion to adjourn the meeting was made by Mr. Garrow and seconded by Mr. Machelor at 2:38 pm. Yes 5, No 0. Carried.

Respectfully submitted,

Margit Denning

Margit Denning, Recording Secretary