



**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 One**  
**Sanborn, New York 14132**  
**Monday, July 20, 2026 – 2:00 p.m.**

**Members Present:** William Agronin, J. Anthony Collard, Walter Garrow, Joseph Kibler, Norman Machelor, Thomas Ohol, James Sobczyk

**Members Absent:** Michael Carney, Mary Jo Tamburlin, Garret Meal (Ex-officio)

**Staff Present – Nathaniel Bonafede**

1. The meeting was called to order at 2:03 pm.
2. Approval of the June 15, 2026 meeting minutes - A motion for approval was made by Mr. Garrow and seconded by Mr. Agronin. Unanimous. Carried.
3. Niagara County Planning Board Referrals

**No. 7056 – City of North Tonawanda – WITHDRAWN**

Original request was for site plan review to allow for the construction of an 80,000 sq. ft. building to house an AI data center at 1070 Erie Avenue. The City of North Tonawanda informed the Niagara County Planning Board that the proposed action is subject to the City's existing moratorium and, as a result cannot proceed through the local site plan review process at this time. As a result, the project was removed from the County Planning Board's meeting agenda.

**No. 7057 – Town of Lockport – Special Use Permit & Site Plan Review**

Request by Russell Triggillio for the Planning Board to review a special use permit & site plan to allow for the installation of a single 1,000 gallon propane tank on the property at 6563 S. Transit Road for the purpose of retail sale. The property is 4 acres and is zoned B2 General Business Use District. No representative was present to discuss the project. Mr. Bonafede explained the project triggered Site Plan Review even though there are no changes to the site; they are just adding the propane tank. He pointed out the location where the tank will be installed. Mr. Agronin inquired about the type of business exists at the site. Mr. Tom Seaman, attorney for the Town, who has knowledge of the project, informed the board that the business is WNY Accessories and they sell trailers. He explained that Mantelli RV closed down nearby. They serviced RV propane which WNY Accessories will be taking over. Mr. Bonafede stated the project was referred to the NCPB due to proximity to the Pendleton town-line. Several board members inquired about safety precautions and codes. Mr. Seaman stated the building setbacks are being followed, bollards will be installed, and an appropriate drive circle will be set up. Mr. Garrow commented that the Town should consult with the fire department to ensure safety protocols are followed. A motion for approval with comments noted was made by Mr. Garrow and seconded by Mr. Agronin. Unanimous. Carried.

**No. 7058 – Town of Lockport – Special Use Permit & Site Plan Review**

Request by Tim Friendsdih for the Planning Board to review a special use permit and site plan to allow for sheds to be displayed outdoors at 6893 S Transit Road, for the purpose of retail sale. The property is 4 acres and is zoned B2 General Business Use District. No representative was present to discuss the project. Mr. Bonafede explained that the sheds will be placed near the road and a driveway will be installed behind them to allow access for viewing. The proposal meets setback requirements. Mr. Tom Seaman, attorney for the Town, who has knowledge of the project, informed the board that in the Town an outdoor display requires a special use permit and being across from the Town of Pendleton trigger the NCPB review. The board had no concerns. A motion to report that the request has no significant inter-municipal or countywide impact was made by Mr. Garrow and seconded by Mr. Agronin. Unanimous. Carried.



**No. 7059 – Town of Lockport – Moratorium**

Request by the Town of Lockport for the Planning Board to review a moratorium on permitting and approval of Utility Scale Battery Energy Storage Systems within the Town for a period of eighteen (18) months. Mr. Tom Seaman, attorney for the Town, was present to discuss the moratorium. He explained that the primary concerns for the Town are to protect agricultural lands, making sure BESS are in appropriate locations, and protections from runaway fires. The Town is drafting BESS regulations. Mr. Sobczyk asked if there are any pending permits. Mr. Seaman replied that there are none. The board had no further concerns. A motion for approval was made by Mr. Machelor and seconded by Mr. Garrow. Unanimous. Carried.

**No. 7060 – Town of Lockport – Moratorium**

Request by the Town of Lockport for the Planning Board to review a moratorium on permitting and approval of data centers within the Town for a period of eighteen (18) months. Mr. Tom Seaman, attorney for the Town, was present to discuss the moratorium. Mr. Agronin asked if there have been any requests for data centers. Mr. Seaman replied that there are none. Mr. Agronin inquired about how the moratorium would be affected by the State's moratorium. Mr. Bonafede explained that the State executive order applies to State level permitting and does not apply to local permitting. A motion for approval was made by Mr. Machelor and seconded by Mr. Agronin. Unanimous. Carried.

**No. 7061 – Town of Cambria – Moratorium**

Request by the Town of Cambria for the Planning Board to review a moratorium on the processing permitting, and/or construction of all Artificial Intelligence and/or Internet Data Centers within the Town of Cambria for a period of nine (9) months. Abraham Platt, attorney for the Town, was present to discuss the moratorium. Mr. Agronin asked if there have been any requests for data centers. Mr. Platt replied that there are none. A motion for approval was made by Mr. Garrow and seconded by Mr. Ohol. Unanimous. Carried.

**No. 7062 – Town of Niagara – Special Use Permit**

Request by Richard Kindzia for the Planning Board to review a special use permit to allow for the establishment and operation of a firearms sales business out of his home, located at 7212 St. Joseph Road, which would service customers by appointment. The property is 0.25 acres and is zoned NR Neighborhood Residential. No representative was present to discuss the Special Use Permit. Mr. Bonafede explained that the property is in a residential neighborhood. It does not meet any General Municipal Law 239-m trigger thresholds, but the Town requested county review pursuant to the Inter-municipal Agreement. The Town views it as a home occupation, which is a permitted special use in the NR district. Mr. Collard inquired if any neighbors have had objections. Mr. Bonafede explained that there will be a public hearing as part of the special permit review process where the residents would have the opportunity to express concerns. A motion to report that the request has no significant inter-municipal or countywide impact was made by Mr. Garrow and seconded by Mr. Machelor. Unanimous. Carried.

**No. 7063 – City of Lockport – Use Variance**

Request by Muhammad Azhar for the Planning Board to review a use variance to allow for the construction of a 2-story structure with 8 one-bedroom apartments at 167 Van Buren Street. The property is 0.24 acres and is zoned Low Density Residential. No representative was present to discuss the variance. Mr. Bonafede explained that the property is within 500' of the canal, which triggered the referral. The applicant intends to demolish the former restaurant building and build a multi-family residential structure. Mr. Sobczyk inquired about the zoning in the area. Mr. Bonafede explained that the residential block is zoned for single family and that the use variance is required to allow for the multifamily structure to locate on site. The adjacent use is non-conforming commercial, and the manufacturing site across the street is zoned industrial. Mr. Sobczyk asked if the request meets use variance requirements. Mr. Bonafede explained that initial information received from the city indicated that the hardship is self-created. He noted that the final determination on this would be made by the City ZBA. Mr. Machelor expressed his concern that it does not meet the criteria for use variance. A motion for disapproval was made by Mr. Machelor and seconded by Mr. Agronin. Unanimous. Carried.

4. Old Business – None

5. New Business – Mr. Bonafede asked the Board to notify him and provide him with certificates or proof of any accredited trainings they attend or participate in on-line.

Adjournment – A motion to adjourn the meeting was made by Mr. Collard and seconded by Mr. Garrow at 2:34 pm. Yes 7, No 0. Carried.

Respectfully submitted,

A handwritten signature in blue ink that reads "Margit Denning". The signature is written in a cursive, flowing style.

Margit Denning, Recording Secretary