



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

Joseph Kibler
Chairman

Phone: (716) 278-8750
Fax: (716) 278-8757

MEETING MINUTES
Niagara County Planning Board
6311 Inducon Corporate Drive – Suite One
Sanborn, New York 14132
Monday, August 17, 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, Margit Denning

1. The meeting was called to order at 2:00 pm.
2. Approval of the July 20, 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. 7065 – Town of Lewiston – Moratorium

Request by the Town of Lewiston for the Planning Board to review a proposed 12-month moratorium on the placement, installation, use, storage, and occupancy of shipping containers within the Town. Alfonso Bax, Attorney for the Town of Lewiston was present to discuss the moratorium. Mr. Bax explained that the Town has been dealing with issues regarding shipping containers being used for storage. The Town is concerned with the outward appearance in neighborhoods and wishes to incorporate a new law into the zoning code to control where they can be placed as well as setbacks from neighboring yards. The Board had no concerns with the proposed moratorium. A motion for approval was made by Mr. Garrow and seconded by Mr. Agronin. Unanimous. Carried.

No. 7068 – Town of Wheatfield – Moratorium

Request by the Town of Wheatfield for the Planning Board to review a proposed 12-month moratorium on Battery Energy Storage System (BESS) developments within the Town. Mr. Garrow excused himself from the meeting due to his direct involvement in drafting the Town's BESS law. There was no representative from the Town to discuss the moratorium. The Town had informed County Planning Board staff that the moratorium will allow the Town time to study and, if warranted, make revisions to the Town code to address BESS concerns, noting advancements in BESS technologies and recent state code changes. The Town's current BESS law was adopted in 2022. A recent BESS application was denied. The Board had no concerns regarding the moratorium. A motion for approval was made by Mr. Sobczyk and seconded by Mr. Agronin. 6 yes, 0 no. Carried.

Mr. Garrow returned to the Board Room.

No. 7069 – Town of Wheatfield – Moratorium

Request by the Town of Wheatfield for the Planning Board to review a proposed six (6) month moratorium on applications and approvals of accessory structures with a wall height exceeding 10 feet and/or total maximum height of 16-ft. There was no representative from the Town to discuss the moratorium. The Town had informed County Planning Board staff that the moratorium will allow the Town time to study and potentially revise the Town code in order to address accessory structure height concerns, noting that current regulations may allow overly large accessory structures on residential properties. The Board discussed height necessities for different types of equipment and the target zones in the moratorium. It was noted that commercial accessory structures in nonresidential areas are not included in the scope of the moratorium; the

target zone is residential. A motion for approval was made by Mr. Machelor and seconded by Mr. Ohol. Unanimous. Carried.

No. 7064 – Town of Niagara – Special Use Permit

Request by Linda Danovskis for the Planning Board to review a special use permit to establish and operate a cannabis retail store in the existing building located at 5 Colomba Drive. The property is 0.38 acres and is zoned MR, Mixed Residential. Linda Danovskis and Anthony Santarosa were present to discuss the project. Ms. Danovskis corrected the spelling of Colomba Drive submitted on the agenda and application (misspelled as Columbia Drive). She explained that the commercial building has been vacant for more than a year. Mr. Kibler inquired about the hours of operation. The applicants responded that they will conform to Town Code requirements with regards to hours of operations. Per the Town Cannabis Law, operation between the hours of 12:00AM and 8:00AM is prohibited. It was noted that the current Town Code prohibits cannabis dispensaries from locating in the MR district. The property was zoned commercial prior to the Town's comprehensive rezoning in 2025, when it was changed to residential. The historic use of the property is commercial. The Town had indicated that the process of rezoning the property back to commercial is underway and cannabis dispensaries are an allowed special use in the Town's commercial districts. Mr. Bonafede informed the Board that referral of this request is not required per the intermunicipal agreement between the County Planning Board and the Town, although the project was placed on the agenda at the Town's request. A motion to report that the action has no significant inter-municipal or countywide impacts was made by Mr. Agronin and seconded by Mr. Garrow. Unanimous. Carried.

No. 7066 – Town of Lockport –Moratorium

Request by the Town of Lockport for the Planning Board to review a proposed 18-month moratorium on cluster developments within the Town. There was no representative from the Town to discuss the moratorium. Mr. Garrow asked if 18 months is unusual. Mr. Bonafede responded that a 12 month moratorium with an option for a six month extension is more common, but 18 months could be deemed acceptable as long as there is a sound planning justification behind it. He added that a public hearing for the moratorium was held locally and there were no concerns raised. A motion for approval was made by Mr. Machelor and seconded by Mr. Collard. Unanimous. Carried.

No. 7067 – Town of Lockport – Zoning Text Amendment

Request by the Town of Lockport for the Planning Board to review a zoning text amendment changing minimum lot width in the R-1 district from 85' to 100', and the minimum lot area for sewer properties in the R-1 district from 12,700 sq. ft. to 15,000 sq. ft. Mr. Bonafede read an excerpt of a quote from the Town Supervisor, explaining that the minimum lot width in the R-1 district was previously 100', and was reduced to 85' to promote development at the time. The Town wishes to reinstate the 100' minimum lot width requirement along with the minimum lot area requirement of 15,000 sq. ft. for sewer properties in the R-1 district. Mr. Garrow noted that the 15,000 sq. ft. area requirement will allow for better handling of stormwater runoff compared to the current requirement. A motion for approval was made by Mr. Agronin and seconded by Mr. Machelor. Unanimous. Carried.

4. Old Business – None

5. New Business

- Town of Niagara submitted a NYS GML 239N referral pertaining to a lot combination proposal near 7800 Packard Road. The applicant wishes to build a pole barn, but has not submitted an application subject to NYS GML 239M referral requirements at this time. The Niagara County Planning Board is not authorized to conduct GML 239N reviews. No action required by the Board at this time.
- Mr. Bonafede notified the Board that staff communicating with NYS DOS regarding the fall training seminar, which will likely be held during the week of October 21. Additional information will be forthcoming.

Adjournment – A motion to adjourn the meeting was made by Mr. Collard and seconded by Mr. Garrow at 2:35 pm. Yes 7, No 0. Carried.

Respectfully submitted,



Margit Denning, Recording Secretary