



NIAGARA COUNTY PLANNING BOARD
SAMUEL M. FERRARO CENTER FOR
ECONOMIC DEVELOPMENT
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Joseph Kibler
Chairman

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MEETING MINUTES
Niagara County Planning Board
Monday, June 15, 2020 – 2:00 p.m.
Meeting held via WebEx

Members Present: Bill Agronin, J. Anthony Collard, Walt Garrow, Joseph Kibler, Andrea Klyczek, Richard Muscatello, James Sobczyk, Garret Meal (ex-officio)

Members Absent: Thomas Ohol, Jonathan Welka

Staff Present: Amy Fisk, Jacqueline Minicucci

1. The meeting was called to order by Chairman Kibler at 2:04 p.m.
2. A motion was made by Mr. Garrow and seconded by Mr. Agronin to approve the March 16, 2020 meeting minutes. 6 Yes, 0 No, Mr. Muscatello abstained. Carried.
3. *Niagara County Planning Board Referrals*

No. 6657 – Town of Lewiston – Special Permit, Site Plan Review

Request by Niagara Properties for the Planning Board to review a special use request and site plan for the construction and operation of a soil recycling center and composting facility located on Pletcher Road (SBL # 74.00-1-49, 74.00-1-45.1). The property is 127.2 Acres and is zoned I-1, Light Industrial. John Battaglia and Jeremiah Smith of EnSol Engineering were present to discuss the project. Mr. Battaglia stated that local contractors are in need of a location to dispose of soil from project sites. There will be three different areas on the site for compost, general fill soil, and restricted use soil. NYSDEC requires all soil to undergo testing prior to disposal. The proposed facility will follow NYSDEC regulations to compost and recycle soil on site. No hazardous materials will be allowed. Composting piles will have a maximum height of 15 ft and will be in windrows allowing proper air circulation. An access road will be constructed off Pletcher Road with the composting operations on the east side and soil areas on the west side of the property. Noise levels were discussed and the noise study concluded that noise levels will be lower than the standard 62db(A). Timothy Masters, Town of Lewiston Building Inspector stated the Town Environmental Committee commented on traffic, contaminants, and odors. The Town Engineer submitted comments on the stormwater management plan and the Fire Department provided comments. A buffer will be maintained to adjacent property owners. A motion for approval was made by Mr. Garrow and seconded by Ms. Klyczek. Unanimous. Carried.

No. 6658 – Town of Newfane – Zoning Map Amendment, Rezoning

Request by the Town of Newfane for the Planning Board to review a zoning map amendment and rezoning request to change the current zoning of Community Facilities to Rural Residential to allow use of premises as a recreation vehicle park, campgrounds and accessory uses located at 6419 Lake Road. The property is 33.7 acres. There was no representative from the Town of Newfane to discuss the project. Ms. Fisk stated that the prior use was the operation of a bible study and religious retreat camp. The Town of Newfane rezoned the property to Community Facilities which focuses on churches, schools, etc. The rezoning to Rural Residential is more appropriate and will allow for the proposed use. The board had no concerns. A motion for approval was made by Mr. Agronin and seconded by Mr. Muscatello. Unanimous. Carried.

No. 6659 – Town of Lewiston – Special Permit, Site Plan Review

Request by Mount St. Mary's Hospital for the Planning Board to review a special use request and site plan review for the construction & operation of a 115' x 115' helipad southeast of its main building located at 5300 Military Road. The property is 18.55 acres and is zoned PD, Planned Development District. Edward Perlman and Janet Faulhaber were present to discuss the project. Ms. Faulhaber stated the helipad would be used specifically for transportation to and from the facility and the Mercy Flight helicopter will be stored off site. Per FAA regulations, the landing area will be fully gated and personnel will guard the area when a helicopter is at the hospital. A fire safety review was completed and concerns regarding the existing fire lane have been addressed. The existing parking lot will be reconfigured and restriped to maintain the number of parking spaces. The board had no concerns. A motion for approval was made by Mr. Garrow and seconded by Mr. Muscatello. Unanimous. Carried.

No. 6660 – City of Lockport – Subdivision, Area Variances

Request by Kearney Realty & Development Group for the Planning Board to review a subdivision request and three area variances based upon pre-existing conditions for the redevelopment of an existing building (Harrison Place) located at 100 South Street. The property is 1.49 acres and is zoned, I-3, Heavy Industrial. Robert Pidanick of Nussbaumer & Clarke Engineers was present to discuss the project. The existing building will be subdivided and redeveloped into a mixed use commercial and residential complex. The first floor will have restaurants, retail and a brewery. The second and third floors will be converted into market rate apartments. Area variances are required to allow for zero foot setbacks since the existing building encompasses the proposed lot lines. The required lot size is 2 acres but the new lot will be 1.49 acres requiring an area variance of 0.51 acres. The allowable lot coverage is 50% but the new lot will have 100% coverage. No parking is being proposed at this time but the City of Lockport is working on streetscape improvements and street parking as part of the Downtown Revitalization Initiative plan. A motion for approval was made by Mr. Agronin and seconded by Mr. Collard. Unanimous. Carried.

No. 6661 – Town of Lewiston – Special Permit

Request by Richard Washuta for the Planning Board to review a special permit request to operate a roadside produce stand located at 1815 Ridge Road. The property is 80 acres and is zoned RR, Rural Residential. Patricia Susice was present to discuss the project. Ms. Susice stated that the structure was originally a produce stand and the current owners would like to reopen and sell fresh fruit and vegetables. Ms. Fisk informed the board that it is an allowable use in the current zoning with a special permit. A motion for approval was made by Mr. Agronin and seconded by Mr. Collard. Unanimous. Carried.

No. 6662 – City of Lockport- Site Plan Review

Request by The Broadway Group, LLC for the Planning Board to review a site plan for the construction and operation of a 9,002 sq. ft. Dollar General retail store located at 195 Walnut Street. The property is 0.861 acres and is zoned B-2, Central Business. Tara Mathias from The Broadway Group was present to discuss the project. Ms. Mathias stated the construction of the 9,002 sq. ft. building will take place on a corner lot that is currently used for parking. Stormwater, sewer and water will connect to the City's existing systems. Some landscaping will be added and 30 parking spaces will be used. A motion for approval was made by Mr. Agronin and seconded by Mr. Muscatello. Unanimous. Carried.

No. 6663 – Town of Royalton – Site Plan Review

WITHDRAWN

No. 6664 – Town of Niagara – Site Plan Review, Zoning Map Amendment

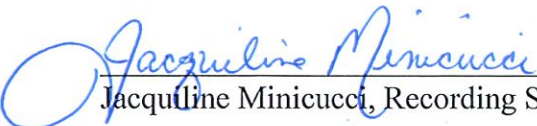
Request by the Town of Niagara for the Planning Board to review a site plan and zoning map amendment request to allow for the construction and operation of a 3.5 Mw ground-mounted solar energy system on the Town of Niagara landfill located at 4798 Lockport Road. The property is 34.45 acres and is zoned R-1, Single-Family Residential. Ryan McCune of Nexamp Solar and Corey Auerbach, Special Counsel to the Town of Niagara were present to discuss the project. Mr. Auerbach stated the solar project is being sponsored by the Town of Niagara and will be constructed on the town's closed landfill. The rezoning is consistent with the surrounding area. Mr. McCune said that the panels are bifacial and semi-transparent to reduce any glare issues. The solar panels will be south facing. A glare study has not been completed at this time. The existing access road will be resurfaced and minimal vegetation will be removed. The site is surrounded by an existing fence but if any gaps exist they will be filled in. Mr. Muscatello stated the developer should be aware of fence height restrictions and variances that may be needed. A decommissioning plan is in place. The Town issued a SEQR Negative Declaration. A motion for approval was made by Mr. Collard and seconded by Mr. Garrow. Unanimous. Carried.

4. *Old Business* – None

5. *New Business* – Ms. Fisk reviewed online training opportunities that have been made available to board members and advised that we will continue to distribute all information as it is received.

6. *Adjournment* – A motion was made by Mr. Muscatello and seconded by Mr. Agronin to adjourn the meeting at 3:39 p.m. Unanimous. Carried.

Respectfully submitted,



Jacqueline Minicucci, Recording Secretary