



**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 100**  
**Sanborn, New York 14132**  
**Monday, September 20, 2021 – 2:00 p.m.**

**Members Present:** Bill Agronin, J. Anthony Collard, Walt Garrow, Joseph Kibler, Normal Machelor, Thomas Ohol, Mary Jo Tamburlin, Garret Meal (Ex Officio)

**Members Absent:** Andrea Klyczek, James Sobczyk, Jonathan Welka

**Staff Present:** Amy Fisk, Jacqueline Minicucci

1. The meeting was called to order by Chairman Kibler at 2:00 p.m.
2. A motion was made by Mr. Garrow and seconded by Mr. Ohol to approve the August 16, 2021 meeting minutes. Unanimous. Carried.
3. *Niagara County Planning Board Referrals*

**No. 6760 – Town of Niagara – Special Permit, Site Plan Review**

Request by SAI Group for the Planning Board to review a special permit request and site plan for 1900 Military Road for the installation and operation of 4 EV charging stations and accessory utility equipment in the existing Fashion Outlets Mall parking lot. The property is 35.20 acres and is zoned B-1, General Business. Frank Grant, Project Manager from SAI Group was present via phone conference to discuss the project. Mr. Grant reviewed the charging process stating that a utility transformer will be installed which draws AC power from the electric grid. The power is fed into six switch cabinets which converts the electricity to DC current that goes into four dispensing stations. The equipment has been consolidated to reduce the project footprint on the parcel. Mr. Machelor confirmed that any future expansion/upgrades would need board approval. Mr. Garrow asked what safety measures have been put in place for the equipment. Mr. Grant stated that the transformer is being purchased from the utility company with a state of the art oil containment system that will prevent leaks. The equipment is protected with a padlock system requiring a code from Electrify America. There is no charging capacity at the dispensers unless they are plugged into a vehicle. There is no need for onsite attendants. Consumer pricing is based on the type of vehicle and the Kw rates per region. All setback and zoning requirements have been met. A motion for approval was made by Mr. Agronin and seconded by Mr. Collard. Unanimous. Carried.

**No. 6759 – Town of Niagara – Site Plan Review**

Request by Jim Fittante on behalf of Randall Sinatra for the Planning Board to review a site plan for 6810 Laur Road for the construction of a 308'x50' building divided into 15 commercial rental units. The property is 2.35 acres and is zoned B-1, General Business. Jim Fittante and Randall Sinatra were present to discuss the project. Mr. Fittante stated that the property was previously subdivided and rezoned in 2019. The proposed commercial units will be leased to small businesses and contractors which are similar to the

existing use of other buildings on the property. The units will be utilized for storage, not retail purposes, so traffic impact is minimal. The property is partially fenced and all setback requirements have been met. A motion for approval was made by Ms. Tamburlin and seconded by Mr. Machelor. Unanimous. Carried.

**No. 6761 – Town of Niagara – Special Permit**

Request by Steven Villont of B.V. Construction WNY Inc. for the Planning Board to review a special permit request to allow for an in-home business to be conducted at 7030 Packard Road. The property is 0.21 acres and is zoned R-1, Single-Family Residential. Steven Villont was present to discuss the referral. Mr. Villont informed the board that he is requesting to conduct his businesses administrative duties from his home. There will not be any equipment stored at the property and no signage installed. The board had no concerns. A motion for approval was made by Mr. Garrow and seconded by Mr. Ohol. Unanimous. Carried.

**No. 6762 – Town of Cambria – Area Variance and Site Plan**

Request by Cody Development 2 LL for the Planning Board to review an area variance request and site plan to allow for the construction of a 2,400 sq. ft. convenience store building addition 9.9' from the road right-of-way located at 5218 Upper Mountain Road. The Town zoning ordinance requires an 80' setback. The property is 0.93 acres and is zoned B-1, Light Retail Business. Tim Arlington of APEX Engineering was present to discuss the project. Mr. Arlington stated that the rear portion of the existing convenience store will be demolished and the 2,400 sq. ft. addition will be constructed in its place. The existing gas pumps will be relocated to the rear of the property and will be covered by a canopy. The existing underground gas storage tanks will remain in place. There will be four parking spaces in the front of the current building and seventeen spaces will be added in the rear of the property. The drive thru pickup only window and main entrance will be off of Lockport Junction Road. Landscaping and fencing will be installed for screening. New utilities and a detention pond will be installed. Since less than one acre of land is being disturbed a SPDES plan is not required. Amylynn Manning, resident, presented the board with pictures of the parking issues stating that large trucks are currently parking on the roadside limiting visibility and causing safety concerns. Ms. Manning stated that the large trucks impair driver's ability to see the stop signs and that there have been several accidents at the location. Ms. Manning has made several attempts with the municipality to address the parking/safety concerns with no resolution. Mr. Arlington stated that the plan will be submitted to the Department of Transportation for review. The board reviewed the new parking plan noting the installation of more spaces should help alleviate some of the congestion and will improve traffic flow on the site. Board members noted that large trucks may still park on the roadside but should be a safer distance from the intersection since the convenience store entrance will be off Lockport Junction Road. A motion for approval was made by Mr. Ohol and seconded by Mr. Agronin. Unanimous. Carried.

**No. 6763 – Town of Cambria – Special Permit**

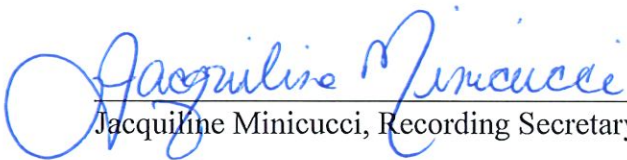
Request by Lauretta Parlette for the Planning Board to review a special permit request to allow for the operation of a private dog kennel located at 5748 Campbell Boulevard. The property is 2.2 acres and is zoned AR, Agricultural and Residence. Lauretta Parlette and Tona Parlette were present to discuss the referral. Tona Parlette stated that they have a long history of operating a dog kennel at the location but due to a reduction in the number of animals being housed, they no longer met the minimum number requiring a special use permit. Ms. Parlette stated that they recently acquired a new dog which triggers the need for a special use permit. The board had no concerns due to the fact that this was an existing use in the past with no issues. A motion for approval was made by Mr. Agronin and seconded by Mr. Garrow. Unanimous. Carried.

**No. 6764 – Town of Cambria – Area Variance**

Request by Robin Nacca for the Planning Board to review an area variance request to allow for the construction of a 4,000 sq. ft. accessory building at 5421 Townline Road whereas town code allows 2,000 sq. ft. accessory building. The building will be used for storage of personal vehicles and equipment and farm equipment. The property is 88.2 acres and is zoned R-1, Residence. Robin Nacca, Alex Nacca, William Nacca and Chris Ginnane were present to discuss the project. Robin Nacca informed the board that the accessory building would be used to store cars and antique farm equipment that her son repairs. Ms. Nacca stated that this is not an operating business and the vehicles are for personal use only. Trees will provide screening. The board noted that the building would have no impact to the property due to the size of the parcel. A motion for approval was made by Mr. Collard and seconded by Ms. Tamburlin. Unanimous. Carried.

4. *Old Business* – None
5. *New Business* – Ms. Fisk reminded the board of the required four hours of annual training. In-person training is not possible this year but several options exist for virtual training.
6. *Adjournment* – A motion was made by Mr. Garrow and seconded by Mr. Ohol to adjourn the meeting at 3:33 p.m. Unanimous. Carried.

Respectfully submitted,

  
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Jacqueline Minicucci, Recording Secretary