



## 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**  
**Monday, April 19, 2021 – 2:00 p.m.**  
**Meeting held via WebEx:**

<https://niagaracounty.webex.com/niagaracounty/j.php?MTID=mf57afcbe1e1d259393a73a9fab5925d0>

**Members Present:** Bill Agronin, J. Anthony Collard, Joseph Kibler, Andrea Klyczek, Normal Machelor, Thomas Ohol, James Sobczyk, Garret Meal (ex-officio)

**Members Absent:** Walt Garrow (Ex), Mary Jo Tamburlin (Ex), 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. Agronin and seconded by Mr. Collard to approve the March 15, 2021 meeting minutes. Unanimous. Carried.
3. *Niagara County Planning Board Referrals*

#### **No. 6714 – Town of Niagara – Site Plan Review and Area Variances**

Request by the Town of Niagara for the Planning Board to review a site plan for the construction and operation of an aircraft research, design and prototyping facility (SNAPPER Facility) located at 9400 Porter Road. The project includes the demolition of three existing buildings and the repurposing of remaining structures. Area variances are needed to accommodate existing site conditions. The property is 15.1 acres and is zoned HI, Heavy Industrial. Dave Nardozzi, Silvestri Architects and John Simon, Stavatti were present to discuss the project. Mr. Nardozzi informed the board that the project will be completed in phases. Phase I includes the demolition of 3 existing buildings and renovating a building to be used as administrative offices as well as the airplane hangar. Due to pre-existing conditions, setback area variances will be required for the buildings since they are closer than the 100' setback requirement. A height variance of 15' is required for the existing hangar building. Mr. Nardozzi stated the remaining structures on the property are being reviewed for feasibility and will be part of Phase II development. A motion for approval was made by Mr. Agronin and seconded by Mr. Machelor. Unanimous. Carried.

#### **No. 6715 – Town of Pendleton – Site Plan Review**

Request by Last Frontier LLC for the Planning Board to review a site plan for the construction of five (8-unit) apartment buildings located on Tonawanda Creek and Transit Road. The property is 7.7 acres and is zoned CO2, Medium Commercial. Tim Arlington of Apex Consulting was present to discuss the project. Mr. Arlington informed the board that the buildings will be a mix of one and two bedroom apartments.

The building facade will be brick and landscaping will be installed in front of the apartment structures. A parking variance was granted by the town to allow for 2.6 parking spaces instead of the required three spaces per unit. All utilities will be maintained by the owner. The entrance to the development is from Tonawanda Creek Road and a gated cross access paved drive at the rear of the adjacent hotel parking lot will allow for emergency access. The cross access agreement is being negotiated with the hotel owner. Drainage will flow through a retention pond into the floodplain and to Tonawanda Creek. The SPDES permit application is in process with NYS. A motion for approval was made by Mr. Sobczyk and seconded by Ms. Klyczek. Unanimous. Carried.

**No. 6716 – Town of Lewiston – Special Permit, Site Plan Review**

Request by Lisa Caldwell for the Planning Board to review a special permit request and site plan for the installation and operation of a 5Mw ground-mounted utility solar energy system located at 2481 Saunders Settlement Road. The project area is 25 acres of a 97.58 acre parcel and is zoned RR, Rural Residential. Marc Kenward of Erdman Anthony Engineers was present to discuss the project. Mr. Kenward informed the board that the parcel is currently an inactive farm. The 25 acre project will include two fenced area solar arrays. There will be 8,136 panels installed with screw posts into the ground. A 20' wide stoned access drive will be installed from Saunders Settlement Road. There will be no tree removal but minor grading is needed to prevent flood hazards. There is minimal wetland encroachment for the fence posts and a permit request has been filed with DEC. 10' evergreen trees will be planted as well as green fence for screening. A 50' easement to the gas line exists and all other setback requirements have been met. There will be no battery storage on site. Panel repairs will be maintained by Borrego Solar Systems. A decommissioning plan has been submitted. A motion for approval was made by Mr. Collard and seconded by Mr. Agronin. Mr. Machelor abstained. Unanimous. Carried.

**No. 6717 – City of North Tonawanda – Zoning Text Amendment**

Request by the City of North Tonawanda for the Planning Board to review a zoning text amendment to repeal and replace in its entirety Chapter 42 – Flood Damage Protection in response to new FEMA mapping and insurance regulations. Ms. Fisk explained the zoning ordinance follows the model law provided by NYSDEC in response to FEMA flood mapping changes. A motion for approval was made by Ms. Klyczek and seconded by Mr. Machelor. Unanimous. Carried.

**No. 6718 – Town of Cambria – Site Plan Review**

Request by Morley Clause III for the Planning Board to review a site plan for the construction and operation of a propane filling facility located at 5274 Junction Road. The property is 1.76 acres and is zoned I-1, Industrial. Anthony Mussachio, Architect and Morley Clause III, owner were present to discuss the project. Mr. Mussachio informed the board that they are requesting a preliminary approval before moving forward with the project. If approved, a formal site plan will be submitted at a later date. Mr. Mussachio stated that the parcel is a former agriculture site. Phase I will include the construction of an office for administrative purposes and the installation of an 18,000 lb. tank for public filling and a 30,000 lb. tank that will be used for commercial and residential delivery. There will be approximately 10 jobs created. Home delivery will be available 24/7 but the main hours of operation will be 8-4:30 p.m. There will be lighting installed that meets dark sky friendly requirements. Phase II will include the installation of a pole barn utilized for equipment repair. Local fire department review will be done as part of the final site plan submittal. A motion for approval was made by Mr. Agronin and seconded by Mr. Machelor. Unanimous. Carried.

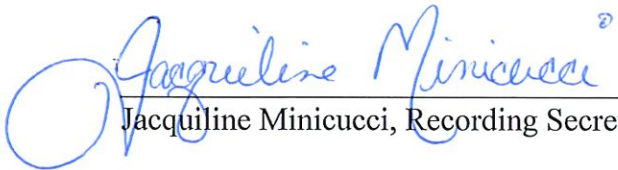
4. *Old Business* – None

5. *New Business* –

- 1.) Ms. Fisk informed the board that the Town of Niagara referral for the construction of an asphalt plant was received after the referral deadline for this meeting and will be included on the agenda for May 17, 2021.
- 2.) Ms. Klyczek discussed the quantity of smaller solar projects that are being approved and the possible county wide impact they will have. The board discussed the need to have better municipality coordination for solar projects.

6. *Adjournment* – A motion was made by Mr. Agronin and seconded by Mr. Collard to adjourn the meeting at 3:46 p.m. Unanimous. Carried.

Respectfully submitted,

  
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Jacqueline Minicucci, Recording Secretary

