



**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, January 24, 2022 – 2:00 p.m.**

**Meeting Held via Webex:**

<https://niagaracounty.webex.com/niagaracounty/j.php?MTID=m748b21c7704af13abf7da27a1235ca79>

**Members Present:** Bill Agronin, Michael Carney, J. Anthony Collard, Walt Garrow, Joseph Kibler, Norman Machelor, James Sobczyk, Mary Jo Tamburlin, 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 2:00 p.m.
2. A motion was made by Mr. Garrow and seconded by Mr. Agronin to approve the December 20, 2021 meeting minutes. Unanimous. Carried.
3. Chairman Kibler thanked board member Andrea Klyczek for her service and welcomed newly appointed member, Michael Carney.
4. *Niagara County Planning Board Referrals*

**No. 6788 – Town of Niagara – Area Variance, Site Plan Review**

Request by Wayside Nursery for the Planning Board to review an area variance and site plan review for demolition of an existing building and construction of a 2,100 sq.ft. pole barn in the same building footprint 5 ft. from the property line. The property is 4 acres and is zoned B-1, General Business. Julie Rotella was present to discuss the project. Ms. Rotella stated they plan to replace the existing greenhouse with a new structure. The current and proposed buildings have a 5ft setback from the property line whereas 10 ft. is required. The board asked if there has been any objection from adjacent neighbors and Ms. Rotella stated there has never been complaints. A motion for approval was made by Mr. Garrow and seconded by Mr. Agronin. Unanimous. Carried.

**No. 6789 – Town of Wilson – Area Variances, Special Permit**

Request by Boatyard Marina, LLC for the Planning Board to review area variances and a special permit request to allow for the construction of 10 townhomes located at 61-1 Harbor Street. Area variances are needed for lot area, minimum lot width/size, lot coverage, open space, and setbacks. The property is 0.53 acres and is zoned WC, Waterfront Commercial. Terry Burton, Project Representative and John Sinclair,

Chairman, Town of Wilson Zoning Board were present to discuss the project. Mr. Burton stated the project site is divided between the Town and Village of Wilson and both municipalities are working together on the project. The Village of Wilson setback requirements will be followed. Townhouses are an allowed use in the Waterfront Commercial zoning district and are consistent with both municipalities' master plans. Site access will be from Harbor Street. Easements for existing public utilities are in place and there will be adequate parking. A fire safety plan will be developed. Mr. Sinclair stated the existing building will be demolished. Mr. Sinclair stated that the project will be a noted improvement to the area. A full site plan will be presented for future review. A motion for approval was made by Mr. Agronin and seconded by Mr. Machelor. Unanimous. Carried.

**No. 6790 – Town of Somerset – Zoning Text Amendment**

Request by the Town of Somerset for the Planning Board to review a zoning text amendment of Local Law Article XXII, Chapter 205, Solar Energy Systems. Changes were made to the version reviewed in November 2021. David Haylett, Town of Somerset Attorney and Andrew Reilly, Town Engineer were present to discuss the project. Mr. Reilly explained there were updates to the current Solar Energy Systems law including Tier 3 and 4 solar systems will not need to go through a rezoning process in a Planned Unit Development (PUD) as required by article XV of the Town Code. Additional clarification was added that landscape screening shall be located outside the fence line. A motion for approval was made by Mr. Garrow and seconded by Mr. Machelor. Unanimous. Carried.

**No. 6791 – Town of Lockport – New Zoning Ordinance, Extend Solar Moratorium**

Request by the Town of Lockport for the Planning Board to review a six-month extension of the current solar moratorium law. The current moratorium expires February 6, 2022. Thomas Seaman, Town of Lockport Attorney was present to discuss the project. Mr. Seaman stated the Town is working to incorporate new state guidance and tax issues for assessment into the new law. Mr. Seaman informed the board there is currently one project in process which will not be affected by the new zoning requirements. A motion for approval was made by Mr. Machelor and seconded by Mr. Collard. Mr. Agronin abstained. Unanimous. Carried.

5. *Old Business* – None

6. *New Business* –

1.) Ms. Fisk welcomed new board member Michael Carney.

2.) Annual Nominations:

a. A motion to nominate Joseph Kibler as Chairman of the Board was made by Mr. Garrow and seconded by Mr. Agronin. Unanimous. Carried.

b. A motion to nominate Walter Garrow as Vice Chairman of the Board was made by Mr. Agronin and seconded by Ms. Tamburlin. Unanimous. Carried.

7. *Adjournment* – A motion was made by Mr. Collard and seconded by Mr. Machelor to adjourn the meeting at 2:36 p.m. Unanimous. Carried.

Respectfully submitted,

  
Jacqueline Minicucci, Recording Secretary