



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 23, 2023 – 2:00 p.m.

Members Present: Bill Agronin, Michael Carney(Via Webex), J. Anthony Collard, Walt Garrow, Joseph Kibler, Norman Machelor, Thomas Ohol, James Sobczyk(Via Webex), Mary Jo Tamburlin, Garret Meal (Ex-Officio)

Members Absent: Jonathan Welka (Alt)

Staff Present: Nathaniel Bonafede, Jacqueline Minicucci

1. The meeting was called to order by Chairman Kibler at 2:00 p.m.
2. A motion was made by Mr. Machelor and seconded by Mr. Garrow to approve the December 19, 2022 meeting minutes. Unanimous. Carried.
3. *Niagara County Planning Board Referrals*

No. 6863 – Town of Niagara – Area Variance

Request by Pemm, LLC for the Planning Board to review an area variance request for approval of the comprehensive signage package related to the travel plaza development located at 6021 Porter Road. The property is 14.47 acres and is zoned B-1, General Business. Lou Terragnoli, representing Quicklees was present to discuss the project. Mr. Terragnoli reviewed the overall site plan with board members and presented the sign configuration plan. Several signs require variances for size and placement as follows: 1.) three signs on the travel plaza building where only one sign is allowed by code; 2.) Number allowed and size of four canopy signs for fueling stations; 3.) Three building signs to be placed on the vehicle wash where only two are allowed 4.) Five free standing signs located throughout the facility where only one is allowed by code, also size variances for pole signage. The proposed pole sign adjacent to the NYS Thruway meets setback requirements but a variance is required to allow for installation. The NYS Department of Transportation has reviewed the site plan and has requested directional signage throughout the site as well as restricting the ability to make a left hand turn into the truck wash/Aldi Supermarket entrance. Mr. Terragnoli stated that with the exception of the thruway pole sign, there will not be any light spillage from illuminated signs. A motion for approval was made by Mr. Ohol and seconded by Mr. Agronin. 8 Yes, 1 No (Machelor). Carried.

No. 6862 – Town of Lockport – Site Plan Review

Request by The Broadway Group, LLC for the Planning Board to review a site plan to allow for the construction of a 10,640 sq. ft. Dollar General retail store located at 4919 Sunset Drive. A waiver is being requested to reduce the number of required parking spaces to 35 and a 2-lot subdivision is proposed. The project area is 1.5 acres and is zoned B-2, General Business. Tara Bennett of the Broadway group was present via Webex to discuss the project. Ms. Bennett stated that the required number of parking spaces is 53 but a waiver has been granted by the Town of Lockport to reduce the number of spaces to 35. The board had no concerns. A motion for approval was made by Mr. Garrow and seconded by Mr. Machelor. Unanimous. Carried.

*At 2:42 Board Member James Sobczyk left the meeting.

No. 6864 – City of Niagara Falls – Area Variance

Request by Cal Schilling on behalf of Delta Sonic Car Wash for the Planning Board to review an area variance request to allow for the installation of wall mounted signage and an additional pole sign located at 7920 Niagara Falls Boulevard. The property is 5.24 acres and is zoned C3, General Commercial. James Boglioli was present via Webex to discuss the project. Mr. Boglioli informed the board that the signage is part of a project that was previously approved in 2019. A variance is required to allow for a second pole sign to be installed when only one is allowed by city code, also the proposed sign is 22 sq. ft. larger than allowed. A variance is requested to allow for the installation of an additional wall sign where only one is allowed per code. There are several wall signs currently on site. A motion for approval was made by Ms. Tamburlin and seconded by Mr. Collard. Unanimous. Carried.

No. 6865 – Town of Cambria – Zoning Map Amendment *WITHDRAWN*

No. 6866 – City of Niagara Falls – Site Plan Review, Zoning Map Amendment

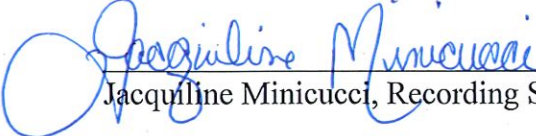
Request by Carl Hasselback for the Planning Board to review a site plan and zoning map amendment to allow for the construction of a new travel plaza, fueling facility, restaurant and retail space located at 6200-6390 Niagara Falls Boulevard. Lot consolidation will be required. The combined parcel acreage is 8.58 acres and are zoned I2, Industrial and C3, General Commercial. Kristin Savard of Advanced Design Group and Kevin Forma of the City of Niagara Falls were present to discuss the project. Ms. Savard informed the board that the developer has purchased two parcels that will be combined to allow for the development. The project is enrolled in the NYS Brownfields Cleanup Program. Studies are in process for sewer infrastructure and possible traffic concerns. The former gas station building still exists on the property but all other structures have been demolished. Two new buildings will be constructed for a convenience store and restaurant. Automobile fueling stations will be separate from truck lanes. There will be temporary overnight parking stalls for truck traffic. Per the Department of Transportation, the SEQR process has been initiated. Ms. Savard informed the board that the Department of Transportation is considering a highway intersection reconfiguration in the future and the project depends on that plan. The Brownfields SEQR is separate of the construction site plan SEQR. There are no wetlands on the property and it is SPDES compliant. There will be four entrances into the project. Of the two entrances on Connecting Boulevard, one will remain and the other will be relocated. There is currently an existing entrance off of Niagara Falls Boulevard that will be controlled by a traffic light and a new curb cut will be installed which will be dedicated to truck traffic. A zoning amendment is requested to change the consolidated parcels to C3, General Commercial. A motion for approval was made by Mr. Agronin and seconded by Ms. Tamburlin. Unanimous. Carried.

No. 6867 – City of Niagara Falls – Zoning Text Amendment

Request by the City of Niagara Falls for the Planning Board to review a new zoning text amendment for Chapter 1329 – Use, Cultivation, Production, And Sale of Recreational Cannabis. Kevin Forma, Planner and Christopher Mazur were present to discuss the referral. Mr. Forma informed the board that the State of New York will be issuing licenses to business for the sale of recreational cannabis and that the City of Niagara Falls needed to develop zoning regulations for the industry. The board was provided with a copy of the proposed ordinance that was modeled according to state regulations as well as a map showing permitted areas. Retail sales will be allowed in commercial zoning and cultivation greenhouses will only be allowed in industrial zones. Enforcement will be the responsibility of the Niagara Falls Building Inspection Department. Board members reviewed the zoning and expressed concerns that there were not enough restrictions regarding the placement of retail establishments throughout the city. Concerns were raised regarding the effect to schools, churches and daycares that may be in close proximity to the establishments. Mr. Machelor asked if there was any financial benefit from the operations to the city and Mr. Forma stated that licenses are issued through New York State. Several board members stated that the ordinance should be more restrictive on location but Mr. Forma and Mr. Mazur reiterated that their ordinance follows the State of New York guidelines. Mr. Garrow motioned for disapproval due to the potential impact to Niagara County. 7 Yes, 1 No (Carney). Carried.

4. *Old Business* – None
5. *New Business* – Board members reviewed of correspondence received.
6. *Adjournment* – A motion was made by Ms. Tamburlin and seconded by Mr. Machelor to adjourn the meeting at 3:24 p.m. Unanimous. Carried.

Respectfully submitted,


Jacqueline Minicucci, Recording Secretary

