



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, February 27, 2023 – 2:00 p.m.

Members Present: Bill Agronin, J. Anthony Collard, Walt Garrow, Joseph Kibler, Norman Machelor, Thomas Ohol, Garret Meal (Ex-Officio)

Members Absent: Michael Carney, James Sobczyk, Mary Jo Tamburlin, 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. Garrow and seconded by Mr. Ohol to approve the January 23, 2023 meeting minutes. Unanimous. Carried.
3. *Niagara County Planning Board Referrals*

No. 6865 – Town of Cambria – Zoning Map Amendment

Request by Rodney Rohring for the Planning Board to review a zoning map amendment request to rezone the parcel located at 4074 Ridge Road from B-1, Light Retail Business to AR, Agricultural and Residence to allow for a single-family residence. The property is .33 acres. There was no representative present to discuss the project. Mr. Bonafede informed the board that the corner-lot is currently for sale pending the rezoning. The building was formerly an antique store. The applicant is changing the use to residential which is commensurate with the surrounding properties. There were no concerns noted by the board. A motion for approval was made by Mr. Garrow and seconded by Mr. Machelor. Unanimous. Carried.

No. 6868 – Town of Cambria – Area Variance

Request by Garret Meal for the Planning Board to review an area variance request to allow for the expansion of an existing garage 6ft. from the south side lot line where 15ft. is required by code. The property is .64 acres and is zoned AR, Agricultural and Residence. Mr. Meal was present to discuss the project. Mr. Meal stated that the existing garage will be demolished and a new 24' wide garage will be built requiring the setback variance. Mr. Meal stated that the adjacent neighbor has no concerns regarding the project. A motion for approval was made by Mr. Collard and seconded by Mr. Agronin. Unanimous. Carried.

No. 6869 – Town of Hartland – New Local Law, Local Law Amendment

Request by the Town of Hartland for the Planning Board to review a new local law for Battery Energy Storage Systems and a proposed amendment to Section 144-17 Solar Energy Systems. Andrew Reilly on behalf of the Town of Hartland was present to discuss the project. Mr. Reilly stated that the original Solar Energy System's Law was modeled with NYSERDA guidelines. The amendment includes more specific definitions and restrictions that were not part of the original law. Changes include more defined regulations regarding glare, vegetation requirements, prime farmland distinction and regulations for large scale solar energy systems. Mr. Reilly stated that the new Battery Energy Storage Systems Law mirrors NYSERDA's

model law but includes separate definitions for Tier 2 and Tier 3 systems specific to indoor/outdoor locations and ownership of utility scale projects. The board had no concerns regarding the updates. A motion for approval was made by Mr. Garrow and seconded by Mr. Agronin. Unanimous. Carried.

No. 6870 – Town of Lockport – Site Plan Review

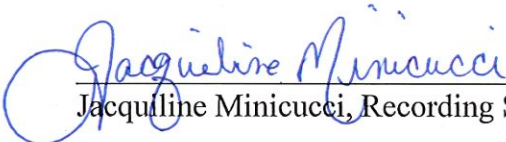
Request by Catholic Health Systems for the Planning Board to review an amendment to a previously approved site plan for the addition of an emergency only access drive connecting the proposed medical facility to New York State Route 93. The property is 97 acres and zoned B-2, General Business. Lindsey Haubenreich of Phillips Lytle, Joseph Hanss, David Vitka and Chad Ratijczak of Catholic Health were present to discuss the project. Ms. Haubenreich informed the board that after the original site plan was approved, the project was amended to include a dedicated entrance/exit for emergency vehicle traffic. The 24' wide proposed access road will be located on Route 93 (Lockport Bypass). Emergency vehicles will also be able to access the facility thru a gated entrance located on Ruhlman Road. The site plan amendment was initiated after traffic study results showed quicker response times for emergency vehicles. The project has received approval from the NYS Department of Transportation and local emergency response agencies. A motion for approval was made by Mr. Agronin and seconded by Mr. Machelor. Unanimous. Carried.

No. 6871 – Town of Niagara – Site Plan Review

Request by Steve Fuller for the Planning Board to review a site plan for the construction of a 3,600 sq. ft. accessory motor vehicle/storage garage at an existing business located at 3001 Military Road. The property is 3.04 acres and zoned B-1, General Commercial. Steve Fuller, owner, was present to discuss the project. Mr. Fuller stated that his business has expanded requiring additional vehicles and equipment that he would like to store in the new 50' x 70' garage. The only utility required is electric and there won't be any storage of hazardous materials on site. All setback requirements have been met. A motion for approval was made by Mr. Agronin and seconded by Mr. Collard. Unanimous. Carried.

4. *Old Business* – None
5. *New Business* – Mr. Bonafede informed the board of Erosion, Sediment Control and Stormwater Training taking place at the Niagara County 4-H Facility in Lockport, NY on March 3, 2023 at 9 a.m.
6. *Adjournment* – A motion was made by Mr. Collard and seconded by Mr. Garrow to adjourn the meeting at 2:28 p.m. Unanimous. Carried.

Respectfully submitted,


Jacqueline Minicucci, Recording Secretary