



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 One
Sanborn, New York 14132
Monday, August 21, 2023 – 2:00 p.m.

Members Present: J. Anthony Collard, Joseph Kibler, Thomas Ohol, James Sobczyk, Mary Jo Tamburlin

Members Absent: Bill Agronin (Ex), Michael Carney (Ex), Walt Garrow (Ex), Norman Machelor (Ex), Garret Meal (Ex-Officio), Jonathan Welka (Alt)

Staff Present – Nathaniel Bonafede, Jacqueline Minicucci

1. The meeting was called to order by Chairman Kibler at 2:00 pm.
2. Approval of the July 17, 2023 Meeting Minutes
3. Niagara County Planning Board Referrals

No. 6906 – City of Lockport – Area Variance, Use Variance, Parking Variance

Request by Bennett & Sons Holdings, Corp. for the Planning Board to review an Area Variance, Use Variance and Parking Variance request to allow for the construction of an eight story mixed use structure, a five story mixed use structure and a five story parking garage with surface parking located at 51 & 63 South Transit Road. The property is 1.29 acres and is zoned B-5, Business District. Jonathan Bennett was present to discuss the project. Mr. Bennett stated that the parcels will be combined and the sale is in progress. The development will include the construction of an 8-story mixed use building with a 5-story parking garage. An existing structure will be demolished but the stonework will be preserved in keeping with the character of the neighborhood. Approximately 64 market rate apartments will be on the upper floors and the ground level will be used for commercial/retail. 299 parking spaces will be allotted for residents and retail customers. Entrances will be on Transit and State Roads. A landscaping plan is in place. Mr. Bennett informed the board that several variances are being requested. A front setback variance is required to allow for 20' where 30' is required, a parking variance for 299 spaces where 328 is required, a height variance for 96' where 35' is allowed, and a variance for lot coverage of 69% where only 39% is allowed. A motion for approval was made by Mr. Sobczyk and seconded by Mr. Ohol. Unanimous. Carried.

No. 6907 – Town of Niagara – Minor Subdivision

Request by The Broadway Group LLC for the Planning Board to review a minor subdivision request to allow for the 14.7 acre property located at 9400 Lockport Road to be subdivided into 4 separate parcels. Three of the parcels will be used for future development and the remainder will remain agricultural. The property is zoned B-1, General Business. Marc Romanowski of Rupp Pfalzgraf, Scott Buckley of Kelton Enterprises and Deanna Hyche of the Broadway Group were present to discuss the project. Mr. Romanowski informed the board that they would like to subdivide the 14.7 acre parcel into four separate plots for commercial development. Proposed lots are as follows: 1.) 1.722 acre lot for a Dollar General retail development; 2.)

2.682-acre lot for the development of a Tim Hortons coffee shop with curb cuts on Tuscarora and Lockport Roads; 3.) 6.293-acre lot which will remain undeveloped; 4.) 3.5-acre lot which has an existing communications tower and does not have any development plans. The 6.293-acre lot is currently being used for agricultural purposes and will have an entrance from Tuscarora Road. Site plans will be reviewed at a later date. All proposed lots meet the Town of Niagara code requirements. A motion for approval was made by Mr. Sobczyk and seconded by Ms. Tamburlin. Unanimous. Carried.

No. 6908 – Town of Newfane – Zoning Text Amendment, Local Law Amendment

Request by the Town of Newfane for the Planning Board to review an amendment repealing and replacing Town Code Local Law 184-3 to include changes of notice and fees for the cutting and removal of overgrown grass, weeds and vegetation. There was no representative present to discuss the project. Mr. Bonafede informed the board that the updates to the local law include changes to notification timelines and surcharges for town grass cutting services. A motion for approval was made by Mr. Sobczyk and seconded by Ms. Tamburlin. Unanimous. Carried.

No. 6909 – Town of Niagara – Area Variance, Special Permit & Site Plan Review

Request by the Town of Niagara for the Planning Board to review a site plan with an area variance and special permit request to allow for the renovation of an existing building which will operate as a vehicle service center located at 2429 Military Road. The property is 2.96 acres and is zoned B-1, General Business and R-1, Single-Family Residential. Kristin Savard of Advanced Design Group was present to discuss the project. Ms. Savard stated that Joe Cecconi's Chrysler Service currently has ownership of the parcel which has a Military Road address. The town has requested the address be changed to Fourth Avenue which will be the main entrance to the facility. There is an existing easement that was utilized by the previous owner. The existing building will be repurposed for used car sales and as a service facility. There will be no changes to the current footprint of the building or to the parking area. An area variance is being requested for a pre-existing side yard setback. A motion for approval was made by Mr. Ohol and seconded by Ms. Tamburlin. Unanimous. Carried.

No. 6910 – Town of Newfane – Zoning Map Amendment

Request by the Town of Newfane for the Planning Board to review a zoning map amendment from MHP, Mobile Home Park to R-2, Multi-Family Residential to allow for the redevelopment of an existing mobile home park with the construction of new pre-manufactured homes located at 6520 Ridge Road. The property is 1.54 acres. Mike Metzger, Civil Engineer, Eric Percy and Bart Adams were present to discuss the project. Mr. Metzger stated that the parcel was a previous mobile home park and they are requesting the zoning amendment to allow for the development of pre-manufactured homes. The existing structures will be removed and 19 units with 1-2 bedrooms will be constructed for senior living rentals. Site plan to follow. Board members stated that it is a good reuse of the property. A motion for approval was made by Mr. Sobczyk and seconded by Mr. Collard. Unanimous. Carried.

No. 6911 – City of Lockport – Special Permit, Site Plan Review

Request by Richard W. Ries III for the Planning Board to review a site plan and special permit request to allow for the installation of a 705.6KwDC roof and ground mounted solar array located at 616 West Avenue. Proposed are 10 rows of ground-mounted solar panels and roof mounted panels on 8 existing buildings. The property is 8.8 acres and is zoned I-3, Heavy Industrial. Richard Ries, Architect was present to discuss the project. Mr. Ries informed the board that project includes the installation of solar panels to 8 existing buildings and the construction of 10 rows of fixed tilt ground mounted solar array. The solar array will produce 705.6 Kw which will power the buildings onsite with the excess power to feed the local utility grid. A special permit is required to allow for the solar construction in a Heavy Industrial zone. A motion for approval was made by Ms. Tamburlin and seconded by Mr. Ohol. Unanimous. Carried.

No. 6912 – City of Lockport – Site Plan Review

Request by Zeton US Properties, Inc. for the Planning Board to review a site plan for the construction of a 16,000 sq. ft. industrial warehouse and office building located at 115 Oakhurst Street. The property is 7.24 acres and is zoned I-2, Light Industrial and I-3, Heavy Industrial. Robert Pidanic of Nussbaumer & Clarke

and Paul Beakman, representing Zeton Industries were present to discuss the project. The development includes the construction of a 16,000 sq. ft. industrial warehouse to be used for light manufacturing and office space. Mr. Beakman informed the board that Zeton manufactures air purification systems and is currently looking to expand its operations and the current location does not have the capacity to do so. The relocation and expansion would be completed in three phases and create approximately 150 new jobs. All parking would be in the rear of the building with an entrance from Oakhurst Street. A motion for approval was made by Ms. Tamburlin and seconded by Mr. Collard. Unanimous. Carried.

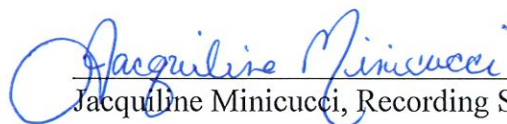
4. Old Business - None

5. New Business

a.) Correspondence Review – SEQR Niagara Falls

6. Adjournment – A motion was made by Mr. Sobczyk and seconded by Mr. Collard to adjourn the meeting at 3:01 p.m. Unanimous. Carried.

Respectfully submitted,


Jacqueline Minicucci, Recording Secretary

Adjournment

