



**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, September 16, 2024 – 2:00 p.m.**

**Members Present:** William Agronin, J. Anthony Collard, Walter Garrow, Joseph Kibler, Norman Machelor, James Sobczyk (via phone)

**Members Absent:** Michael Carney, Thomas Ohol, Mary Jo Tamburlin (Ex), Garret Meal (Ex-officio)

**Staff Present –** Nathaniel Bonafede, Margit Denning

1. The meeting was called to order at 1:59pm.
2. Approval of the August 19, 2024 meeting minutes - A motion for approval was made by Mr. Garrow and seconded by Mr. Machelor. Unanimous. Carried.
3. Niagara County Planning Board Referrals

**No. 6957 – Town of Wilson – Special Use Permit**

Request by What a Great Day, LLC for the Planning Board to review a special use permit to allow for the operation of a short term rental at 2693 West Lake Road. The property is 0.57 acres and is zoned SRR100 Semi-Rural Residential 100. Josh and Emilee James were present to discuss the request. Mr. James stated that the one bedroom dwelling will be used as an AirBnB short term rental property. The property consists of two separate parcels located on the Porter/Wilson municipal boundary. A three foot section of the garage located in in the Town of Porter, while the rest of the property, including the dwelling, is within the Town of Wilson. Mr. Collard asked if Town of Porter Code Enforcement has been contacted. Ms. James stated that the towns are coordinating with one another, and no concerns have been raised. The two properties are being treated as one in the case of this request. The permit is required to be renewed annually. Maximum occupancy of the dwelling is limited to four. A motion for approval was made by Mr. Agronin and seconded by Mr. Collard. Unanimous. Carried.

**No. 6958 – City of North Tonawanda – Area Variance**

Request by Mike Sandmann for the Planning Board to review an area variance to allow for the construction of a 1,152 sq. ft. single story detached garage at 767 Sweeney Street where a limit of 750 sq. ft. is set by code. The property is 1.1 acres and is zoned R1-2 Single Family District. No representative was present to discuss the project. Mr. Bonafede informed the board that the project was referred due to its proximity to the municipal boundary. The garage will be constructed in the property's rear yard and is consistent with the character of the surrounding area. A motion for approval was made by Mr. Garrow and seconded by Mr. Machelor. Unanimous. Carried.

**No. 6959 – Town of Somerset – New Local Law**

Request by the Town of Somerset for the Planning Board to review a new local law regulating short term rentals within the Town. Anthony Serriani, Assistant Town Attorney for the Town of Somerset was present to discuss the local law. Mr. Serriani stated that the law is modeled after the short term rental laws of neighboring lakeshore towns. Properties being converted to short term rentals will be required to apply for a special use permit, which is subject to annual renewal. Inspection by the town building department is required as part of the renewal process. Mr. Machelor asked if a cap will be set on the number of short term rentals allowed within the town. Mr. Serriani stated that the law does not set a limit to the number of short term rental properties, but does set occupancy limits for each property based on number of bedrooms. The law is

specifically designed for the residential lakeshore district of the town. A motion for approval was made by Mr. Collard and seconded by Mr. Sobczyk. Unanimous. Carried.

**No. 6960 – City of Lockport – Site Plan Review, Area Variance**

Request by R. Charles Bell for the Planning Board to review a site plan and area variance request to allow for the renovation of the existing building at 7 Ontario Street to include a first floor restaurant with outdoor seating and three second floor residential apartment units. The property is 0.042 acres and is zoned B2 Central Business. Tim Arlington of Apex Consulting, Surveying, & Engineering Services was present to discuss the project. Mr. Arlington stated that the building will be renovated with a new exterior finish, windows, and stairs. Ramps will also be added. A variance is requested to allow for the construction of a 359 sq. ft. and 497 sq. ft. apartment when a minimum of 600 sq. ft. is allowed by code. A parking variance is also being requested. The building encompasses the entire lot so off-street parking is unavailable. Parking is available on surrounding streets as well as in a nearby City owned parking lot. The owner is expected to negotiate parking arrangements for the tenants with a nearby business. The owner is also working with the City to reconfigure the sidewalk along the south side of the building to accommodate outdoor dining tables while maintaining a 6' buffer zone between the sidewalk and the curb. A motion for approval was made by Mr. Collard and seconded by Mr. Agronin. Unanimous. Carried.

**No. 6961 – Town of Wheatfield – Site Plan Review**

Request by David Southall for the Planning Board to review a site plan to allow for the renovation of the existing building located at 2181 Lockport Road. The property is 9.7 acres and is zoned M-2 General Industrial. Bill McDonald, General Manager of Equipment Share, was present to discuss the project. Mr. McDonald stated that the project involves a total renovation of the entire inside and outside of the existing buildings located on site. This will include the renovation of offices, and installation of new heating & cooling systems, plumbing, and electrical, as well as roof renovations, exterior painting, and upgrades to the existing outbuildings. No new construction will take place at this time. There also will be no changes to existing building footprints. The company plans to operate a heavy equipment storage and rental business on site. A motion for approval was made by Mr. Agronin and seconded by Mr. Machelor. Unanimous. Carried.

4. Old Business - Mr. Bonafede informed the board that registration is complete for the County hosted NYS Dept. of State training seminar scheduled for October 1, 2024.
5. New Business – Mr. Bonafede informed the board of SEQR lead agency designation correspondence received from the Town of Wheatfield Planning Board for the Joe's Kwik Mart project, and from the Royalton-Hartland Central School District for capital improvement projects.

Adjournment – A motion to adjourn the meeting was made by Mr. Collard and seconded by Mr. Garrow at 2:30pm. Yes 6, No 0. Carried.

Respectfully submitted,



Margit Denning, Recording Secretary