



NIAGARA COUNTY PLANNING BOARD
SAMUEL M. FERRARO CENTER FOR ECONOMIC
DEVELOPMENT
6311 INDUCON CORPORATE DRIVE
SANBORN, NEW YORK 14132

Joseph Kibler
Chairman

Phone: (716) 278-8750
Fax: (716) 278-8757

MEETING MINUTES

Niagara County Planning Board
6311 Inducon Corporate Drive – Suite One
Sanborn, New York 14132
Monday, February 24, 2025 – 2:00 p.m.

Members Present: William Agronin, J. Anthony Collard, Walter Garrow, Joseph Kibler, James Sobczyk, Mary Jo Tamburlin.

Members Absent: Michael Carney, Norman Machelor (Ex), Thomas Ohol (Ex), Garret Meal (Ex-officio)

Staff Present – Nathaniel Bonafede, Margit Denning

1. The meeting was called to order at 2:00pm.
2. Approval of the January 27, 2024 meeting minutes - A motion for approval was made by Mr. Garrow and seconded by Ms. Tamburlin. Unanimous. Carried.
3. Niagara County Planning Board Referrals

No. 6981 – Town of Newfane – Local Law Amendment, Moratorium

Request by the Town of Newfane for the Planning Board to review a local law amendment to enact a moratorium on all utility grade battery storage system facilities in the Town of Newfane. There was no representative present to discuss the request. Mr. Bonafede explained to the Board that the Town of Newfane plans to place a moratorium on battery storage facilities in anticipation of updates to the State fire codes. Mr. Sobczyk asked if the town already has a code pending or on record. Mr. Bonafede answered that it does not. Mr. Garrow discussed the potential fire hazards and the special requirements needed to extinguish them. A motion for approval was made by Mr. Garrow and seconded by Mr. Agronin. Unanimous. Carried.

No. 6982 – City of North Tonawanda – Area Variance

Request by Gerald Grant for the Planning Board to review an Area Variance to allow for the construction of a 1,200 sq. ft. detached structure on the property located at 692 Niagara Falls Boulevard, where the maximum allowed size is 750 sq. ft. The property is 0.55 acres and is zoned R-C Residence-Business District. There was no representative present to discuss the request. Mr. Bonafede explained to the Board that the variance is required strictly due to the size of the building. He added that there is currently a home on the property and the intended use of the proposed structure is for commercial storage for the business being operated out of the home. The board reviewed a map of the area and discussed the uses of the other properties in the area, which are mostly commercial. The view from the road and the other neighbors was also discussed. A motion for approval was made by Mr. Sobczyk and seconded by Mr. Agronin. Unanimous. Carried.

No. 6983 – City of Lockport – Zoning Text Amendment

Request by the City of Lockport for the Planning Board to review a zoning text amendment to allow for additional revisions to the updated Zoning Code (Chapter 190). Jason Dool, Chief Building Inspector for the City of Lockport, was present to discuss the revisions. Mr. Bonafede informed the Board that the original review of the comprehensive plan and the zoning code took place at the October 2023 Planning Board meeting. Mr. Dool explained that the revisions consisted mostly of changes to legal language within the law. Additionally, the draft zoning map was revised to better align proposed zoning with existing land uses on various properties throughout the city, as well as to correct an error caused by a glitch in the GIS system used to create the map. There were no major changes to use, setback and other related requirements. Mr. Agronin inquired whether concerns raised by business owners in the City's west end had been addressed. Mr. Dool responded that the City shared these concerns, which were resolved through revisions to the zoning

map. There were no changes to the draft comprehensive plan that was reviewed by the Board in October 2023, and the updated zoning code remains consistent with the plan. A motion for approval was made by Mr. Sobczyk and seconded by Mr. Agronin. Unanimous. Carried.

No. 6984 – Town of Lockport – Site Plan Review, Area Variance, Special Use Permit

Request by John Iski (Brewtopia Buffalo, LLC) for the Planning Board to review a Site Plan, Area Variance, and Special Use Permit to allow for the development of a prefabricated 541 sq. ft. coffee stand on the property located at 5770 S. Transit Road. The leased premises is 0.5 acres of 12.78 total. The property is zoned B-2 General Business and CCO Commercial Corridor Overlay. John Iski, Director of Real Estate for Brewtopia, was present to discuss the project. Mr. Iski identified the location of the proposed development on the map. It is located in the northeastern section of the main shopping center parking lot closest to the South Transit Road/Shimer Drive intersection. Mr. Iski gave an overview of the company's background. He went on to explain that the prefabricated building will be trucked to the site in two pieces and placed into position over several days. A small cooler building will be located directly behind the main building. The drive-thru will operate in a similar fashion to Chick-Fil-A's. The stand will only serve beverages. Hours of operations will be 6am-10pm daily. Mr. Bonafede asked Mr. Iski to explain the traffic pattern. Mr. Iski stated that the site may be accessed indirectly from South Transit Road via the shopping center parking lot entrance nearest the South Transit/Shimer intersection. The site also may be accessed indirectly by traffic entering the main lot via Shimer Road. The existing curb cut providing access to the section of the parking lot designated for development will be relocated further from the South Transit Road entrance to the main shopping center parking lot. Vehicles will enter the two lane drive-thru via this curb cut, move around the building as orders are taken and served, and eventually exit via the curb cut located nearest Shimer Road. The area variances are required due to the project's proximity to an adjacent parcel owned by NYSEG. An additional variance is required due to the location of a trash enclosure within 75 feet of the Shimer Drive right of way. The Special Use Permit is required in order to operate a drive-thru. The board noted that the building will align with other structures along the South Transit Road corridor near the site. A motion for approval was made by Mr. Sobczyk and seconded by Mr. Garrow. Unanimous. Carried.

4. Old Business – None

5. New Business –

- a. Correspondence - Mr. Bonafede reviewed SEQR lead agency designation correspondence received from the Town of Lockport Planning Board regarding the project reviewed in Referral #6984 and from the Lockport City School District for capital improvement projects.
- b. Elections - Joseph Kibler was re-elected to a 1-year term as board Chairman. Walt Garrow was re-elected to a 1-year term as board Vice-Chairman.

Adjournment – A motion to adjourn the meeting was made by Mr. Collard and seconded by Mr. Garrow at 2:32 pm. Yes 6, No 0. Carried.

Respectfully submitted,



Margit Denning, Recording Secretary