



NIAGARA COUNTY PLANNING BOARD
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Joseph Kibler
Chairman

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MEETING MINUTES

Niagara County Planning Board
Monday, July 16, 2018 – 2:00 p.m.

Niagara County Center for Economic Development, Sanborn

Members Present: Bill Agronin, Walt Garrow, Chairman Joseph Kibler, Andrea Klyczek, Norman Machelor, Vice Chairman Richard Muscatello, James Sobczyk, Garret Meal (ex-officio)

Members Absent: Thomas Ohol, William Paton

Staff Present: Amy Fisk, Jacqueline Minicucci

1. The meeting was called to order by Chairman Kibler at 1:57 p.m.
2. A motion was made by Mr. Garrow seconded by Mr. Machelor to approve the June 18, 2018 meeting minutes. Unanimous. Carried.
3. *Niagara County Planning Board Referrals*

No. 6564 Town of Porter – Subdivision

Request by 3881 River Road, LLC for the Planning Board to review a residential subdivision consisting of 21 lots for single-family homes and a boathouse with docks. The property located at 3881 River Road is 102.58 acres and is zoned MDR, Medium-Density Residential. Sean Hopkins, Esq. and developer Chris Guard were present to discuss the project. The proposed site will consist of single-family homes with lot sizes ranging from .5 to 1.5 acres in size. All setback requirements have been met. There will be one entrance off of River Road. The new road exceeds width requirements and has received preliminary fire department approval. Developer owned waterfront property will have space for 12 private boat slips. There will be no public access or commercial uses. A motion for approval was made by Mr. Machelor and seconded by Vice Chairman Muscatello. Unanimous. Carried.

No. 6565 City of Niagara Falls – Zoning Map Amendment

Request by Sean W. Hopkins, Esq. on behalf of Kavcon Development, LLC for the Planning Board to review a zoning map amendment to rezone two parcels located at 679-71st and 676-72nd Streets from R1-C, Medium Density Residential to C-3, General Commercial to allow for the redevelopment of the existing Consumer Beverage retail building and construction of a new banking facility. Sean Hopkins, Esq. and Neil Cavanaugh of Kavcon Development were present to discuss the project. Two parcels will be developed with a new Bank on Buffalo facility including a drive thru and a renovated 10,000 sq.ft. Consumer Beverage retail store. The two buildings will share parking space with a single right in/right out entrance. There will also be 2 side entrances from 71st and 72nd Streets. Mr. Hopkins stated that Kavcon Development met with adjacent neighbors and no concerns noted. A motion for approval was made by Mr. Garrow and seconded by Mr. Agronin. Unanimous. Carried.

No. 6561 Town of Wheatfield – Area Variance & Special Permit

Request by Borrego Solar Systems, Inc. for the Planning Board to review an area variance and special permit to install a 6.3 MW, ground mounted, utility grade Solar Energy System on a 30.2 acre site. The property is located at 2469 Lockport Road and is owned by David and Dennis Jakubaszek. The total parcel is 72.25 acres and is zoned A-R, Agricultural-Residential. Steve Long and Marc Kenward on behalf of Borrego Solar Systems were present to discuss the community grade solar project stating that residents may purchase energy at a discount. The parcel is bisected with utility company lines from both National Grid and NYSEG. The project frontage is on Lockport Road and an area variance is required to reduce the 50 ft. utility corridor setback requirement to 20 ft. on the north end of the property. All other setback requirements have been met. There will be an access road installed that will be utilized for maintenance purposes only and the site will be fenced in. There will be minimal ground disturbance and solar is permissible in the Agricultural zoning district with a special use permit required by the Town of Wheatfield. A glare study has been completed and the project has been referred to the NFTA, FAA, and Mercy flight for review. A motion for approval was made by Mr. Agronin and seconded by Mr. Machelor. Mr. Garrow and Vice Chairman Muscatello abstained. Unanimous. Carried.

No. 6562 Town of Lewiston – Site Plan Review

Request by Timothy Masters for the Planning Board to review a site plan for the construction and operation of a 5.3 MW, ground mounted, utility grade solar energy system on a 40.69 acre site by Borrego Solar Systems. The property is located at 1897 Swann Road and is zoned RR, Rural Residential. Steve Long and Marc Kenward from Borrego Solar Systems were present to discuss the project on behalf of the applicant. The fixed solar panels, generating 5.3MW, will be placed on a 16.5 acre portion of the larger parcel with a 100 ft. setback. The utilized area will be fenced in and a lock box will be installed for fire department access if necessary. There are existing fire hydrants on Swann Road. A 20 ft. driveway will be installed utilizing an existing culvert. The Community Solar project will have a 25 year renewable lease that requires a Special Use Permit by the Town of Lewiston. A motion for approval was made by Mr. Agronin and seconded by Mr. Garrow. Unanimous. Carried.

No. 6563 City of Lockport – Site Plan Review


Request by John Yakich of Candlelight Cabinetry for the Planning Board to review a site plan for the installation of an oxidizer to burn off VOC's from paint exhaust fumes at the existing Candlelight Cabinetry manufacturing facility located at 24 Michigan Street. The oxidizer will have a footprint of 10'x31' and be installed on a concrete pad. The property is zoned I-2, Light Industrial. Currently there are approximately 50 tons of emissions per year. The proposed oxidizer will reduce emissions into carbon dioxide with 98% efficiency. The application to the DEC has been approved. Board members discussed the positive effect on the environment and had no concerns. A motion for approval was made by Mr. Sobczyk and seconded by Mrs. Klyczek. Unanimous. Carried.

No. 6566 City of Niagara Falls – Site Plan Review

Request by Santarosa Development/Buffalo Fuel Corporation for the Planning Board to review a site plan for the construction of a pre-engineered 12,000 sq.ft. building to be utilized for truck maintenance at 4870 Packard Road. The property is 5.7 acres and is zoned I-2, Industrial. Tim Arlington with Apex Consulting stated the owner will be constructing an addition to an existing building. The proposed pre-engineered steel garage will have 5 bays, oil/water separators, and 4 catch basins. Utilities will be utilized from the existing building. The property will be re-graded and drainage improvements made. A fire safety review has been submitted as well as a spill control plan that revealed no hazmat concerns. A motion for approval was made by Mr. Machelor and seconded by Vice Chairman Muscatello. Unanimous. Carried.

4. *Old Business* – None
5. *New Business* – Staff is currently in the process of planning the Niagara-Orleans fall training at NCCC. The board members suggested topics including Telecommunications, Solar and Use Variances.
6. *Adjournment* - A motion was made by Vice Chairman Muscatello and seconded by Mr. Machelor to adjourn the meeting at 2:57 p.m. Unanimous. Carried.

Respectfully submitted,



Jacquiline Minicucci, Recording Secretary