



**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**  
**Monday, June 17, 2019 – 2:00 p.m.**

**Niagara County Center for Economic Development, Sanborn**

**Members Present:** Bill Agronin, Walt Garrow, Joseph Kibler, Andrea Klyczek, Richard Muscatello, James Sobczyk

**Members Absent:** Garret Meal (proxy ex-officio), Thomas Ohol, William Paton

**Staff Present:** Amy Fisk, Jacqueline Minicucci

1. The meeting was called to order by Chairman Kibler at 2:00 p.m.
2. A motion was made by Mr. Muscatello and seconded by Mr. Agronin to approve the May 20, 2019 meeting minutes. Unanimous. Carried.
3. *Niagara County Planning Board Referrals*

**No. 6604 Town of Newfane – Special Permit**

Request by Ronald Human for the Planning Board to review a special permit request to sell produce and general merchandise out of an existing pole barn located at 2853 Hess Road. The property is 1.687 acres and is zoned AR, Agriculture/Residence. Ronald Human was present to discuss the project. A driveway has been installed with a parking lot for 12 vehicles which exceeds the minimum required. Produce and merchandise will be sold out of a 30 x 48 pole barn which is an allowed use with issuance of a special permit. A portable sign will be utilized. The board had no concerns. A motion for approval was made by Ms. Klyczek and seconded by Mr. Garrow. Unanimous. Carried.

**No. 6605 Town of Newfane – Use Variance**

Request by Frankin Rezarch for the Planning Board to review a use variance to convert the existing flower shop into a coffee shop located at 2350 Lockport-Olcott Road. The property is 2.0 acres and is zoned R-1, Single Family Residential. There was no representative present to discuss the project. Ms. Fisk stated the flower shop was a non-conforming use at the site. Questions were raised about whether the applicant demonstrates the unnecessary hardship criteria required for issuance of a use variance. A motion was made by Mr. Sobczyk stating that the project has no significant county wide or inter-community impact and was seconded by Mr. Muscatello. Unanimous. Carried.

**No. 6606 – City of Niagara Falls – Site Plan Review**

Request by Vann Advertising, Inc. for the Planning Board to review a site plan to install a two sided 10' x 36' digital billboard mounted on an 8' x 8' foundation with a 35' pole located at 10158 Niagara

Falls Blvd. The property is 1.16 acres and is zoned C3, General Commercial. Larry Vann was present to discuss the project. Mr. Vann stated that after a lengthy process, they have received the necessary approvals from the Federal Aviation Administration (FAA) and the Niagara Frontier Transportation Authority (NFTA). The board reviewed the memo from the FAA. One side of the sign will not change messages more than every 8 seconds which meets code requirements and the other side will remain static. There will be some landscaping enhancement as was requested by the City of Niagara Falls. A motion for approval was made by Ms. Klyczek and seconded by Mr. Sobczyk. Unanimous. Carried.

**No. 6607 – Town of Niagara – Zoning Map Amendment & Other (Combination of Lots)**

Request by Randall Sinatra for the Planning Board to review a zoning map amendment & lot combination request to sub-divide 6800-6810 Laur Road into 2 parcels. 6800 Laur Road will remain R-1, Single-Family Residential and 6810 will be rezoned from R-1, Single-Family Residential to B-1, General Business. The total acreage is 2.902 acres. There was no representative present to discuss the project. Ms. Fisk stated there is one residential property in between two business zoned parcels with the same owner. The request is to subdivide the residential property in half making the rear section B-1 then combining that with the adjacent parcels as a continuation of the B-1 district. The residence will remain zoned R-1. A motion for approval was made by Mr. Garrow and seconded by Mr. Muscatello. Unanimous. Carried.

**No. 6608 – Town of Niagara – Zoning Map Amendment & Other (Combination of Lots)**

Request by Randall Sinatra for the Planning Board to review a zoning map amendment & lot combination request. Request to combine SBL #145.11-2-4, 145.11-2-5 and 145.11-2-6 and rezone from R-1, Single-Family Residential to R-3, Multi-Family Residential. Total acreage is 1.452. There was no representative present to discuss the project. The board reviewed aerial pictures and zoning maps of the surrounding area and did not find the R-3 request to be commensurate with the neighborhood. A motion for denial due to spot zoning and the project not being consistent with the surrounding area was made by Mr. Muscatello and seconded by Ms. Klyczek. Unanimous. Carried.

**No. 6609 – Town of Wheatfield – Site Plan Review**

Request by Zaxis Architectural P.C. for the Planning Board to review a site plan for the construction of an 8,430 sq.ft. Family/Training Center as part of Horizon Village located at 6301 Inducon Drive. The property is 3.97 acres and is zoned M-1, Light Industrial. Don Will and Doug Hutter were present to discuss the project. Horizon Health Services will construct the building that will be utilized as an employee and family training center with meeting rooms, offices and a 200 person auditorium. The existing house, shed and barn are being demolished. The entrance will be from Inducon Drive and the parking lot will have capacity for 110 vehicles. A sidewalk will be installed as a continuation of the existing campus walkways. Bio-retention ponds will be utilized for drainage and landscaping will be added. Niagara County agreed to provide the necessary easements for site access and utilities. A motion for approval was made by Mr. Agronin and seconded by Mr. Muscatello. Mr. Garrow abstained. Unanimous. Carried.

**No. 6610 – Town of Pendleton – Site Plan Review**

Request by West Herr Automotive Group for the Planning Board to review a site plan for the construction of a private cross access driveway to allow for vehicle movement between two auto dealerships located at 6120 & 6200 S. Transit Road. The proposed project acreage is 22.03 and is zoned CO2, Medium Commercial and L1, Light Industrial. Robert Pidanick was present to discuss the project. Mr. Pidanick stated that West Herr Automotive purchased an existing dealership as well as the connecting property between the two. A 33ft wide road will be constructed between

the two properties to efficiently move vehicles between the dealerships. A 20ft. buffer will exist between the other existing businesses. The road will be for private use only and has capacity for emergency vehicles if necessary. A small area of wetlands will be disturbed and West Herr is working closely with DEC and Army Corps of Engineers on obtaining the necessary permits for wetland disturbance and mitigation. The board had no concerns. A motion for approval was made by Mr. Garrow and seconded by Mr. Agronin. Unanimous. Carried.

**No. 6611 – City of Lockport – Site Plan Review, Variance (Other)**

Request by Hydraulic Race Co., Inc. for the Planning board to review a site plan and variance request to install a 12ft. tall x 9ft wide sign, a seasonal light box, and place two equipment pods on each end of the property to be used for equipment storage. The property is 1.849 acres and is zoned, I-2, Light Industrial. Tom Callahan, owner was present to discuss the project. The lighted sign will be constructed on the City of Lockport's right-of-way and portable flag signage will be installed. A 15ft. high seasonal light box will be installed with interior illumination. There will be one additional equipment pod added to the property for storage. A 50ft. setback will remain from the railroad. A motion for approval was made by Mr. Agronin, seconded by Ms. Klyczek. Unanimous. Carried.

4. *Old Business* – The Orleans County Department of State Training was held on May 29, 2019.
5. *New Business* – Ms. Fisk advised the board that she will not be in attendance for the July 2019 meeting and Benjamin Bidell will be facilitating for the board.
6. *Adjournment* – A motion was made by Mr. Agronin and seconded by Mr. Muscatello to adjourn the meeting at 3:10 p.m. Unanimous. Carried.

Respectfully submitted,

  
Jacquiline Minicucci, Recording Secretary