

**TOWN OF NIAGARA**  
COUNTY OF NIAGARA, STATE OF NEW YORK  
NIAGARA FALLS, N.Y.



7105 Lockport Road  
Niagara Falls, New York 14305

PHONE: 297-2150  
FAX: 297-9262

---

**TOWN OF NIAGARA PLANNING BOARD MEETING (Conference Call Session)**  
**MINUTES August 4, 2020**  
**(Approved at the September 1, 2020 Planning Board Meeting)**

**BOARD MEMBERS PRESENT:**

Barbara Hathaway/Chairman  
Renee Granto  
Ed Herman  
Mike Murawski  
John Polka

**BOARD MEMBERS EXCUSED:**

---

**IN ATTENDANCE:**

Mary Bitka	Ryan McCune
David Boniello	Andrew Reisinger
Robert Colpoys	Lucia Woo
Christine Conci	Lauren Rodriguez
Frank Edwards	Bonnie Satarian
Jenelle Faso	George Satarian
Matthew Foster	Thomas Shelberg
Charles Haseley	Anthony Villani
Bob Lannon	Ron Villani
	Rosemary Wightman

---

**The meeting was called to order at 7:00 p.m.**

---

**Pursuant to Executive Order No. 202.1, issued by Governor Cuomo on March 12, 2020, and advisories issued by Federal, State and Local officials related to the COVID-19 virus, the Planning Board convened this meeting remotely.**

---

**Presentation #1- Matthew Foster, Director-Home Operations/Clear Trail Real Estate**

**Project Location: 2740 Service Road, NF  
Town of Niagara**

**Preliminary Site Plan  
Tax Map #145.10-3-15  
SEQR**

Matthew Foster, owner of the Expressway Manufactured Housing Community at 2740 Service Road, Niagara Falls is requesting to remove an old, difficult to maintain and monitor existing public swimming pool that is currently on the property. The property is located on the West side of Services Road, between Porter Road and Niagara Falls city limit. SEQR

**Tax Map Number: #145.10-3-15**

---

Mr. Foster stated his office is located in Richmond, Virginia and he lives off the premises. He stated that he has someone managing the property. He said he does not have the exact measurements of the structure that will be built but he doesn't think it will be larger than 20 feet by 40 feet in size. He hopes to construct the building on the property this year but may go into next year depending on how long the process takes.

Mrs. Hathaway read comments from the Town of Niagara Water and Sewer Superintendent. There is no action required from the Town of Niagara Water and Sewer department at this time. There is a 1 inch service line with meter and back flow that feeds the pool house.

If something is done with this the Town of Niagara Water Department will have to be notified and involved. Mrs. Hathaway told Mr. Foster that he may obtain a copy of the comments from Mr. Haseley if needed.

Mrs. Hathaway stated that on Page 2 of 3 on the SEQR Question #9 needs to have an explanation and on the final page it was not signed and dated. Mr. Foster said he will talk to Mr. Haseley about it.

Mr. Polka asked if there is any opposition from the community for taking the pool out. Mr. Foster said none that they received so far. Mr. Polka asked if they are aware of it. Some heard about this meeting and they know we are considering it and will make them aware once this site plan is approved. He said the pool has been closed this season due to the nature of everything going on.

Mr. Polka asked if the site plan was tracked because of the construction of the gazebo. Mr. Haseley said no and that they do not know the size of the gazebo because it wasn't stated. The recreation area was approved originally and if there is going to be a change of site plan the Town Board has to say whether they approve the plan regardless if they plan to have recreation or not is added to the issue. This has to be done before Mr. Haseley grants demolition.

Mr. Polka asked Mr. Haseley if the construction of the dining area requires site plan approval or just the demolition of the swimming pool. Mr. Haseley said both. He said if they are going to propose to put that in, the site plan would also have to be approved by the Town for change.

Mr. Foster added that one of the reasons for the change is to provide resident amenities during summer months. He would like to put something in that is safer to use, easier to maintain and can be enjoyed by more of the residents for a longer portion of the year.

Mr. Herman asked what type grills would be put in. Mr. Foster said charcoal grills with a permanent structure.

Mr. Haseley stated that any construction is going to have to be to the building code of New York State and because of the overlap jurisdiction he would want to make sure of any requirements from Niagara County Health. He said any action the Town of Niagara Board makes does not nullify any requirements that the Niagara County Health department may or may not have.

No further discussion.

---

**Mr. Polka made a motion for a recommending approval of the preliminary site plan with the applicant noting that they need to meet the department head requirements as outlined in the letter read by Mrs. Hathaway and to meet the Niagara Health department requirements.**

**Mr. Herman seconded the motion.**

**ROLL CALL:**

**YES- (5) Mrs. Grant, Mr. Herman, Mr. Murawski, Mr. Polka, Mrs. Hathaway**

**NO- ( )**

**ABSTAIN ( )**

**MOTION CARRIES**

---

**Mr. Polka made a motion for recommendation to approve the negative declaration on the SEQR after the applicant makes the necessary amendments.**

**Mr. Murawski seconded the motion.**

**ROLL CALL:**

**YES- (5) Mrs. Grant, Mr. Herman, Mr. Murawski, Mr. Polka, Mrs. Hathaway**

**NO- ( )**

**ABSTAIN ( )**

**MOTION CARRIES**

---

---

**Presentation #2- David Boniello, Esq./Attorney at Law, 3233 Military Road, Niagara Falls (representing applicants George and Bonnie Satarian)**

**Project Location: 8389 Ziblut Court  
Town of Niagara**

**Combination of Lots  
Tax Map #'s- 146.17-3-25 & 146.17-3-26  
SEQR**

---

George and Bonnie Satarian are requesting a combination of lots. They would like to have a 50' x 50' structure on the current vacant lot abutting their home on 8389 Ziblut Court. The sole purpose for the structure is for storage of approximately (6) of their high end classic cars. The property is located on the South side of Ziblut Court between Tuscarora Road and Ziblut Court cul-de-sac. SEQR  
**Tax Map Numbers: # 146.17-3-25 & 146.17-3-26**

---

Mr. Boniello stated that George and Bonnie Satarian are titled to both lots- the vacant lot next to their home and the lot with their home. Their intention is to combine both lots and to put on the existing vacant lot which is 70 foot by approximately 147 foot in size and put a 50 foot by 50 foot structure on the end of the lot. Mr. Boniello said there will be a fence around the building and along the back. He said that in his application that was submitted there is a SEQR, a petition from most of the residents that are in the area of Ziblut Court, a plan of the building, a survey and a colored picture of the building. The building will consist of a brick front with 3 windows, a door, and a center garage door approximately 14 feet high. The building will be insulated and heated and will meet or exceed any energy requirements. The garage will store classic expensive cars which are currently housed on Pine Avenue in Niagara Falls. The cost of the construction will be approximately \$50,000 and he does not think it includes the concrete driveway leading to the street and structure. The lot is currently grass and will be landscaped and will not be an eyesore to the neighborhood. It will be located in the back of the lot.

Mrs. Hathaway read the Town of Niagara Water and Sewer department comments. It stated no water and sewer work is shown. The Water and Sewer department have no comment at this time. If a building is proposed in the future they will need a set of plans to review and comment on. A copy can be obtained from Mr. Haseley.

Mrs. Hathaway stated that on the SEQR the zip code was left off on Page 1. She also stated that on Page 2 of 3, Question number 13b was not answered. Mrs. Hathaway told Mr. Boniello to speak to Mr. Haseley about answering that question and to see if that question needs to be answered. Mr. Boniello said that this will be a foundation only and he doesn't believe that would need to be answered. Mrs. Hathaway referred to Question number 20 on Page 3 of 3 and the answer given was yes to the question if there has been remediation on the property for hazardous waste. Mr. Boniello said he is not aware of any remediation on the property and said that answer should be no instead of yes.

Mr. Polka asked about question number 5 on page 2 of 3 – *Is the proposed action a permitted use under the zoning regulation.* Mr. Haseley said the action is for a combination of lots. Mr. Boniello said it is normally yes, but it is to his understanding that by combining the two lots into one and filing a mylar with the county showing that the two lots are currently one and that will overcome any requirement for zoning.

In regards to Mr. Polka's question Mr. Haseley stated that this action of the applicant combining the lots does not require a variance. Mr. Haseley said that he will need a variance for the oversized garage.

Frank Edwards, a resident of 8324 Ziblut Court, stated that the original proposal shown to them was a building that needed to be rezoned entirely. The dimensions of the building were not originally shown and the height and size of the building should not be on Ziblut Court. He said that 90 percent of the residents on Ziblut Court opposed the original design. He said the petition was delivered to Councilman, Mr. Teixeira. Mr. Boniello said that he stated during the petition and before signatures the size and showed pictures. He stated that it was a 50 foot by 50 foot structure and 14 feet high.

Mrs. Hathaway said the applicant is here for a combination of lots and applicants are commenting on the height of the building. What is being considered today is just for the combination of lots. Mr. Haseley said the action is combination of lots and the applicant will not have to come back for approval once he wants to build the garage.

Anthony Villoni, a nearby resident, stated that he did not get any notification in the mail from the Town of Niagara regarding any joining of lots, a variance, or notification of a Planning Board meeting and wanted to know why. Mr. Haseley said the Planning Board action and Town Board action does not require any notifications. The Zoning Board of appeals tabled their action until the combination of lots is done and notifications will be sent out for public hearing support.

Mr. Villoni asked if their petition to oppose the structure is part of the file. Mrs. Hathaway said she has just a list, but nothing showing opposition. Mr. Villoni said he gave the list of those opposing the garage as proposed to Councilman, Mr. Teixeira a few months ago. Mr. Haseley said it was filed with the Zoning Board of Appeals and was not presented as part of the Planning Board package because the petition was not filed for the Board.

Christine Conci, nearby resident, said her cousin signed the petition. She asked if the lots are combined does that mean they cannot oppose the garage. Mrs. Hathaway said no and that would have to be brought up before the Zoning Board of Appeals. Ms. Conci was concerned what the garage will do to the value of homes on the street.

Mr. Robert Colpoys and his wife who are nearby residents, signed the petition. He said if the garage is built what is holding him to any standards to have it look nice and meet all zoning regulations. He said he can show one thing, but once he gets a variance or lot approved he can do whatever he wants. Mr. Boniello said this all has to go through the Town of Niagara Building Inspector who oversee the construction, the plans have to be approved and they have to conform to the regulations.

Mrs. Hathaway said that any complaints or objections have to go before the Zoning Board of Appeals and voice their opinions there.

Mr. Colpoys asked if the combination of lots would allow the applicant to build a bigger structure. Mr. Haseley said it does not. It allows him to build a structure.

Mr. Polka stated that the letter of intent was to build a 50 foot by 50 foot structure. He said he agrees with the comment about the combining of lots to meet tax requirements and building requirements, but the desire is to build 50 by 50 foot garage on the property. There seems to be confusion about which property owners on Ziblut Court are in favor of the structure and which are not. There are conflicting opinions. He said the Planning Board has to be very cautious on the message they send to the Town Board with regard to their recommendation.

Mr. Boniello said it is not for approving the project just approving the combination of lots so they can proceed to the next step. Mr. Polka agrees, but he says it is their role as a Planning Board to advise the Town Board.

No further comments.

---

**Mr. Murawski made a motion for recommendation to approve the combination of the two lots on Ziblut Drive.**

**Mrs. Granto seconded the motion.**

**ROLL CALL:**

**YES- (4) Mrs. Granto, Mr. Herman, Mr. Murawski, Mrs. Hathaway**

**NO- (1) Mr. Polka (Mr. Polka commented that he asks the Town Board to look at the specifics with the property owners comments and be very careful with regards to the petitions and to have a clear understanding).**

**ABSTAIN ( )**

**MOTION CARRIES**

---

**Mr. Murawski made a motion to amend the motion previously stated with the description that Mr. Polka made (Mr. Polka commented that he asks the Town Board to look at the specifics with the property owners comments and be very careful with regards to the petitions and to have a clear understanding) in his denial and to make sure that the Town Board is aware of the final project that is going to be taking place with the combination of the lots.**

**Mrs. Hathaway seconded the motion.**

**ROLL CALL:**

**YES- (4) Mrs. Granto, Mr. Herman, Mr. Murawski, Mrs. Hathaway**

**NO- (1) Mr. Polka**

**ABSTAIN ( )**

**MOTION CARRIES**

---

---

**Mrs. Granto made a motion for recommendation to approve a negative declaration on the SEQR**

**Mr. Murawski seconded the motion.**

**ROLL CALL:**

**YES- (4) Mrs. Granto, Mr. Herman, Mr. Murawski, Mrs. Hathaway**

**NO- (1) Mr. Polka**

**ABSTAIN- (0)**

**MOTION CARRIES**

---

**Presentation #3- Thomas Shelberg, R.A., 183 Bathurst Drive, Buffalo, NY (Representing Packard Road LLC)**

**Project Location: 8297-8309 Packard Road  
Town of Niagara**

**Sketch Site Plan Review  
Tax Map # 146.05-1-3  
SEQR**

Thomas Shelberg, R.A., representing Packard Road LLC, is requesting a sketch site plan review for property located on 8297-8309 Packard Road. The applicant would like to construct a commercial office building and storage facility. SEQR

**Tax Map Number: # 146.05-1-3**

---

Mr. Shelberg introduced himself and Jenelle Faso, primary attorney for property owners Scott and Christine Miller. Mr. Shelberg stated he is seeking sketch plan approval and a future site plan approval. They are requesting an approximate 9900 square foot commercial building project consisting of a 1500 square foot front office building connected to an approximate 8400 square foot metal sided and roof building proposed for cold storage. They will have approximately 5 or 6 overhead garage doors which will face Haseley Drive. They will have a small customer and employee parking area off of Packard Road and a commercial truck entrance off of Haseley Drive. They will have necessary green space and the project will amount to approximately .9 to .95 acres of disturbance. Scott Lawn Yard across the street has ownership of the property and will use their skill for landscape treatments for the corner parcel.

Mrs. Hathaway shared the Town of Niagara Water and Sewer Superintendent comments. She said they will need to see a set of building plans and to review water and sewer hook-ups. She said a new building is limited on hook-ups for sewer due to the fact that the Town of Niagara sanitary sewer main is on the north side of Packard Road and there is no way to connect a new service lateral to this property. If the existing house or repair building is being removed the sewer lateral may work. She said Mr. Haseley can give a copy to the applicant if needed.

Ms. Faso said there will probably be one bathroom with a sink and the auto repair will not be utilizing this company probably never. She said they could meet with Mr. Haseley and address the water and sewer issues. She said it should not be a problem at all.

Mrs. Hathaway stated that the 8 ½ x 11 drawings that were submitted were not big enough and hard to make out the writing even with a magnifying glass. Ms. Faso said that it is available electronically and can be zoomed in for better viewing or they could mail drawings for Planning Board members.

Mrs. Hathaway said on Page 3 number 20. It states: Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? She said yes was answered to the question. The SEQR then stated Total Parcel (7.37 acre) includes a former auto sales building with shop repair bays. Mrs. Hathaway asked if that means there has been remediation there. Mr. Shelberg said that they filled out the form using the DEC mapper and some of the questions are pre-determined and it was checked off as yes. The bank has not completed the work of any of the environmental. The parcel had a former old repair shop and they assume there might be some underground tanks. He said being that it was an assumption they left the answer on the form. Ms. Faso said they can provide to the Planning Board a letter from the attorney that closed the property and there was a due diligence period for the client before purchasing it. She said there are no records relating to the property with the NYS Environmental Protection Agency or the

New York State Department of Environmental Conservation data base. In the letter she said there are no prior spills, leaks or other environmental issues relating to the property. Mr. Shelberg said there could be an adjoining property tagged by the DEC.

Mrs. Hathaway asked if they are going to take down the buildings on the property. Ms. Faso said at this time there are no plans to do that. Mrs. Hathaway asked if the only thing that will be utilized is the field across on Haseley Drive across from the Scott Lawn business. Ms. Faso said that is correct.

Mr. Polka asked what the intent of the front and rear parts of the building. Ms. Faso said the owner of the property is Scott Lawn and Yard and it is their intent to use a small part for office space with 1 or 2 secretaries and the large building will be for cold storage for landscape equipment and vehicles.

Mrs. Hathaway asked if there is a need for water for washing down equipment. Ms. Faso said in the office area there will likely be a need for a bathroom with a sink, and a kitchenette in the break room for the 2-3 employees working.

Mr. Haseley asked if the cold storage building is going to be accessory to the office or if it will be independent. Mr. Shelberg said it will be the same business operation. Mr. Haseley asked if the business operation will be in the B1 zoning. Mr. Shelberg said yes. Mr. Haseley asked if it would be an office for contractors because that would be light industrial. Ms. Faso said they are not a contractor. Mr. Haseley wanted to make sure that whatever is proposed falls under B1 so that the project doesn't go further along to realize it doesn't belong.

Mr. Polka adjust the parking off Packard and move the dumpster so the traffic could flow from the front parking lot to the side entrance lot without any pullout onto Packard Road and go around Haseley. Ms. Faso said the driveway off of Packard would only be for the employees and any customer. They don't expect there to be any more than 3 to 4 cars in the parking lot at any given time or none at all. Ms. Faso also said if Packard Road driveway does not work there is a driveway on both sides of the house and the right side of house there is a "U" shaped driveway. Mr. Polka said if there is plowing of snow in front of the office building they can't get to the side property off of Haseley without pulling out onto Packard Road. The parking would have to be adjusted and move the dumpster so the parking lot are connected. Ms. Faso said they can do that. She said the dumpster is going to have a fence around it as well.

Mr. Polka asked if there would be equipment parked on the outside of the cold storage. Mr. Shelberg said there would be service trucks parked outside as well as inside. They will have a privacy fence with landscaping, retaining walls, etc. It will not be an eyesore.

Mr. Polka stated he does not have a problem with what they are proposing. Planning Board members were all in agreement. No further comments.

---

**Mr. Polka made a motion for recommendation for approval of the sketch plan with the following noted that the applicant will have to draft the water and sewer issues, meet the requirements of the department heads, approved drawing scale will be provided at the applicants next submittal, consider adjusting the parking lot layout to relocate the dumpster which will permit parking flow between the two parking lots and the plan will show detailed landscaping as proposed.**

**Mr. Herman seconded the motion.**

**ROLL CALL:**

**YES- (5) Mrs. Granto, Mr. Herman, Mr. Murawski, Mr. Polka, Mrs. Hathaway**

**NO- ( )**

**ABSTAIN ( )**

**MOTION CARRIES**

---

**Mr. Polka made a motion for recommendation to approve a negative declaration on the SEQR.**

**Mr. Herman seconded the motion.**

**ROLL CALL:**

**YES- (5) Mrs. Granto, Mr. Herman, Mr. Murawski, Mr. Polka, Mrs. Hathaway**

**NO- (0)**

**ABSTAIN- (0)**

**MOTION CARRIES**

---

---

**Presentation #4- Rosemary Wightman, P.E./Fisher Associates, 325 Delaware Ave, Suite 200, Buffalo, NY (Representing National Fuel Gas)**

**Project Location: Packard Road  
Town of Niagara**

**Development Flood Plan Request  
Tax Map # 132.17-3-1  
SEQR**

Rosemary Wightman P.E. from Fisher Associates, representative of National Fuel Gas, is requesting approval of their Floodplain Development Permit Application in order to replace the existing gas pipeline with a proposed 12” steel pipeline along Packard Road. There is a section of pipeline that is proposed within a floodplain and floodway approximately 40’ north off the Packard Road centerline, just east of Haseley Road. SEQR

**Tax Map Number: 132.17-3-1**

---

Ms. Wightman stated that National Fuel Gas has an existing pipeline along Packard Road and has the right-of-way right in that area to put in a replacement pipe. They are traveling through the floodplain and floodway and are looking to reinstall a pipe and establish the existing grade as it is currently. There should not be any negative impacts to the floodplain and floodway.

Mrs. Hathaway stated that the Town of Niagara Water and Sewer Superintendent commented that there are utilities in this area and to request a mark-out of the Town utilities so they can be located.

Mr. Polka will decline any comments since he is an officer of National Fuel Gas.

Mrs. Granto noticed they are doing gas lines already on Packard Road. Ms. Wight said it was a plastic pipeline and smaller project further down the road from this project. This is a similar project with a larger line on the north side of the road. When the project is complete everything will be put back to how it was. They have to under the DEC permit and will also establish the existing grade.

No further comments.

---

**Mrs. Granto made a motion for recommendation for Town Board approval for the development floodplain request for National Fuel Gas.**

**Mr. Herman seconded the motion.**

**ROLL CALL:**

**YES- (4) Mrs. Granto, Mr. Herman, Mr. Murawski, Mrs. Hathaway**

**NO- (0)**

**ABSTAIN- (1) Mr. Polka**

**MOTION CARRIES**

---

**Mrs. Granto made a motion recommending a negative declaration on the SEQR.**

**Mr. Herman seconded the motion.**

**ROLL CALL:**

**YES- (4) Mrs. Granto, Mr. Herman, Mr. Murawski, Mrs. Hathaway**

**NO- (0)**

**ABSTAIN- (1) Mr. Polka**

**MOTION CARRIES**

---

**Presentation #5- Ryan McCune/Nexamp, 101 Summer Street, 2<sup>nd</sup> Floor, Boston, MA (Representing Niagara Depot Solar, LLC)**

**Project Location: 4798 Lockport Road, NF  
Town of Niagara**

**Final Site Plan Review  
Tax Map #131.17-1-4  
SEQR**

Ryan McCune from Nexamp is requesting final site plan approval for the 3.5MWac solar facility to be constructed on the Town of Niagara Landfill located on Lockport Road. The property is located on 4798 Lockport Road on the North side of Lockport Road between Military Road and Norman Street. SEQR

**Tax Map Number: #131.17-1-4**

---

Mr. McCune introduced some of his partners that have joined the meeting, Lucia Woo and Lauren Rodriguez from LaBella Associates, PLLC.

Mr. Polka asked about the gravel area in the front. Mr. McCune said it is a temporary lay down area for construction storage for staging purposes and also for their engineers' temporary offices. At the conclusion of the construction the gravel will be picked up and used to resurface the road.

Mr. Polka asked what is holding the solar panels in a windstorm. Mr. McCune said concrete blocks. He said as far as wind and snow loading at this point they are waiting for final confirmation about what threshold they are to work with and that will decide what size ballads there are. He said now they have them sized to code, but can be increased if needed.

Mr. Polka commented that the landscaping is needed to be touched up along Lockport Road. Mr. McCune said they would have natural tree line on other side of creek that will remain. They would be happy to put some trees in. They generally stagger evergreens and will screen where utility poles will be located.

Mr. McCune asked if planting plans along the southern edge would not be subject to setback rules. Mrs. Hathaway said that is correct. Mr. Haseley said it is correct as long as you keep them off the road right-of-way.

A representative from GHD commented that the plans show an access road on the northeastern side of the site in the wetland buffer. Mr. McCune said it is an Army Corp wetland and there is no buffer. It is more of a cautionary buffer than a jurisdictional one.

Mrs. Grant asked what the solar is going to power. Mr. McCune said it is a community solar project which will be plugged directly into the local grid. The solar facility will be reinforcing the grid locally.

No further comments.

---

**Mr. Polka made a motion recommending final site plan approval with the applicant providing additional landscaping along the north side of Lockport Road.**

**Mr. Murawski seconded the motion.**

**ROLL CALL:**

**YES- (5) Mrs. Grant, Mr. Herman, Mr. Murawski, Mr. Polka, Mrs. Hathaway**

**NO- (0)**

**ABSTAIN- (0)**

**MOTION CARRIES**

---

---

**Mr. Polka made a motion recommending a negative declaration on the SEQR.**

**Mrs. Granto seconded the motion.**

**ROLL CALL:**

**YES- (5) Mrs. Granto, Mr. Herman, Mr. Murawski, Mr. Polka, Mrs. Hathaway**

**NO- (0)**

**ABSTAIN- (0)**

**MOTION CARRIES**

---

**Presentation #6- Ed Kostowniak, PE/Fisher Associates (Representing National Grid)**

**Project Location: N/A  
Town of Niagara**

**Site Plan Review  
Tax Map #'s-131.17, 130.12, 130.16  
SEQR**

Ed Kostowniak from Fisher Associates is representing National Grid for the Niagara Packard 191/192/193/194 115kV Asset Condition Refurbishment and Reconductoring Project. SEQR

**Tax Map Number: #'s-131.17, 130.12, and 130.16**

---

Mary Bitka stated she will be representing National Grid.

Mrs. Hathaway read the Town of Niagara Water and Sewer comments. The Town of Niagara Water and Sewer department has utilities in the Towns right of way on the north side of Lockport Road and the south side of Witmer Road which may be close to project. The applicant is to contact the Town of Niagara Water and Sewer department so utilities can be located and marked. Existing water and sewer mains must have access maintained and existing depth of cover must remain. Ms. Bitka said they will do that.

Ms. Bitka wanted to clarify that she is not with Fisher Associates, but is the Environmental Engineer with National Grid.

Ms. Bitka stated that she is presenting a reconductoring and refurbishing project on the Niagara Packard 191, 192, 192, 193 and 194 lines. They want to rewire the lines for about 3.7 miles. In order to access these structures they would like to construct in some areas permanent gravel access roads to minimize impact to the wetlands. Ms. Bitka said they prepared a stormwater prevention plan.

Mrs. Granto asked if this project and the solar project will interfere with each other. Mr. Haseley said they will not. They are adjacent to each other.

Mr. Polka asked if the towers are replacements or rewiring. Ms. Bitka said in general it's mostly rewiring. All together there are 8 circuits. She said they are working on 4 of them. Some will be replaced and some rewired.

Mr. Polka asked what the construction time frame is. Ms. Bitka said she is not certain, but thinks line 191 will start in February 2021 and the other lines after that. She said that is why they want to get the roads in, in advance so that they can get in and do the construction.

Mrs. Hathaway said they have no comments from the Town Engineers. Mr. Haseley believes they looked at it. Mr. Lannon, Town of Niagara Engineer, said they did look at it and it's pretty straightforward. They did have a minor comment or two on the SWPP.

Mr. Haseley stated that the Town of Niagara Water and Sewer Superintendent had the same issue regarding utilities. Mr. Haseley spoke to him and there were no issues other than the city road (Lockport Road) and Route 31 is out of the town.

No further comments.

---

~~Mr. Polka made a motion recommending final site plan approval with the applicant noting any requests from the Town Engineers and department heads.~~

Mr. Murawski seconded the motion.

**ROLL CALL:**

**YES- (5) Mrs. Granto, Mr. Herman, Mr. Murawski, Mr. Polka, Mrs. Hathaway**

**NO- (0)**

**ABSTAIN- (0)**

**MOTION CARRIES**

---

Mr. Polka made a motion recommending a negative declaration on the SEQR.

Mr. Murawski seconded the motion.

**ROLL CALL:**

**YES- (5) Mrs. Granto, Mr. Herman, Mr. Murawski, Mr. Polka, Mrs. Hathaway**

**NO- (0)**

**ABSTAIN- (0)**

**MOTION CARRIES**

---

Mrs. Granto stated that she did not see an application for Presentation #3 and questioned if the fees were paid. Mrs. Hathaway said she does not have an application. Mr. Haseley said they filed without the application in order to make the deadline. He believes the checks are in place, but will look into.

---

Mr. Murawski made a motion to approve the July 7, 2020 Planning Board Minutes.

Mrs. Granto seconded the motion.

**ROLL CALL:**

**YES- (4) Mrs. Granto, Mr. Murawski, Mr. Polka, Mrs. Hathaway**

**NO- ( )**

**ABSTAIN (1) Mr. Herman**

**MOTION CARRIES**

---

Meeting adjourned at 8:59 pm.

**NEXT MEETING:** Tuesday, September 1, 2020

Respectfully submitted,

Kimberly Meisenburg  
Planning Board Secretary