

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



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**TOWN OF NIAGARA PLANNING BOARD MEETING MINUTES**

**Zoom Meeting**  
**December 7, 2021**  
**7:00 pm**

**Minutes approved at the January 4, 2022 Planning Board Meeting**

**BOARD MEMBERS PRESENT:**

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

**BOARD MEMBERS EXCUSED:**

**IN ATTENDANCE:**

Patricia Bittar  
David Kruse  
Mike Risman

William Schutt  
Louis Terragnoli

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

**I. PRESENTATIONS:**

**Presentation #1- Louis Terragnoli representing Quicklee's Inc.**

**Project Location: 6001-6025 Porter Road**

**Town of Niagara**

**SEQR**

**Concept Plan/Sketch Plan Review**

**Tax Map # 145.14-3-2.111**

Louis Terragnoli representing Quicklee's Inc. is pursuing Concept Plan/Sketch Plan approval for a Travel Center with regular and diesel fuel sales on the Porter-Packard property currently owned by B&BJV Associates. The property is located on 6001-6025 Porter Road on the West side of Packard Road between Military Road and Niagara Falls City limits.

**Tax Map Number: 145.14-3-2.111**

Louis Terragnoli, Director of Real Estate and Development for Quicklee's is presenting along with Patricia Bittar, Engineer on the project, William Schutt and David Kruse.

Mr. Terragnoli explained that his travel center will include a 12, 000 square foot building that will house a convenience store, a quick service restaurant, a full service restaurant, amenities for the truck and bus driver and driver community such as showers, a place to relax, laundry facilities and a store which will also serve the tourists. There will be available regular and diesel fuel at the site.

Mr. Terragnoli mentioned that the NYS DEC states that a truck cannot idle more than 5 minutes which is monitored by NYS DEC police officers. He said the EPA also supports that a truck is not to idle if they are stationary at a site like this. He said if a driver is staying overnight they will need an alternate power unit and for this site it could be diesel, propane, electric in the future or solar power.

Mr. Terragnoli stated below the changes and revisions they made to the site plan based on their first presentation before the Planning Board:

- On the south end of the site a truck wash was added and will only be available to the truck and bus driver community. This was added without the need for any variances and without reducing the green space area.
- To the north of the site a weigh station was added.
- On the original presentation at the west side of the building there was a row of parking which has been removed and a green area was added. They did not want cars backing in and pulling in from the main access road that goes through the site.
- The retail canopy for the fuel and the building was moved up a little closer based on the lengthy discussion at the first presentation regarding the access road to the west and not being able to have a cut through where you would go all the way over into the Aldi's area.
- The eastern curb cut was widened to allow for truck traffic to come into the site.
- Landscaping was added. The majority is around the perimeter of the site and the front of the bus parking to shield the trucks from other parts of the development.
- A truck circulation plan was included in the applicant packet detailing all the truck movements. It is showing that there is sufficient space for them to back in and out of the spaces and also to get to the truck wash. The circulation plan also shows adequate spaces for the busses to get into the 20 parking spots designated for them at the northeast portion of the site.
- A photometric plan was also added to the applicant packet. Mr. Terragnoli said it should meet the expectation of the Planning Board.

Mr. Murawski asked where the tanks are located. Mr. Terragnoli said they will be located between the canopy and the front row of parking on Porter Road.

Mr. Murawski asked if there would be electric vehicle pumps. Ms. Bittar said 4 electric pump stations have been relocated to the northwest corner of the retail parking. She said they also relocated the dumpsters to where the 8 parking spaces are for employees.

David Kruse gave an overview of the traffic study. They reviewed 9 existing intersections, they studied the peak hours of the gas station and store and traffic counts recorded vehicles and their movements. He said given the type of use and similar facilities in Western New York they deem this facility as a suitable comparison for this new use.

Mr. Kruse said they recommended left turn lanes be installed at both access driveways. They also said consideration should be given to restriping Porter Road from the current four lanes to three lanes with a center turn lane. He said the average daily volumes are within the typical threshold that would allow for this. This would allow left turns to safely enter into the site access driveways and will provide benefit to adjacent properties. They would have to look into this a little closer with the DOT and see if it is part of their review and they will comment on.

One copy of the traffic study was given to Mrs. Hathaway. She will pass the copy to other Planning Board members for their review.

Mr. Herman stated the following concerns he had regarding the project:

- Similar facilities in other areas are away from homes and this facility has nearby residents
- Additional noise
- Toll it takes on the roads
- Not in favor of idling vehicles overnight and diesel fumes in the air
- Increased traffic in the middle of the night which the current area does not experience right now

- Inappropriate behavior of truck drivers that has happened at many truck stops in other areas-prostitution, drugs, garbage, increase of crime, etc.
- Changes the lifestyle of nearby residents with trucks coming in and out all night and the bright lights.
- Property values will go down

Mr. Terragnoli commented that none of the inappropriate behavior happens at any of the other facilities and all of the concerns mentioned can be answered with a visit to the Avon and/or Belmont locations to see the high quality facilities. He has invited Board members to visit.

Mrs. Hathaway was concerned that the people that own the property across from the facility are going to be notified if the project is approved and the construction starts. Mr. Herman asked if there would be a public hearing. Mrs. Hathaway said she would discuss this with the Town Supervisor, Lee Wallace.

Ms. Bittar mentioned that the photometric plan shows the highest light structure is 20 feet on top of a 2 foot pedestal. All light is directed downward and the light spill at any of the surrounding property lines is just about zero. She also said the trucking spaces are sandwiched between the proposed truck wash and the main building to try and block the view of that parking area. She also said the east property line abutting Aldi's will somewhat reduce the overall appearance of the truck parking area.

Mr. Polka stated he assumes this project is properly zoned. Ms. Bittar said it is to her understanding that it is. She said she believes they have to seek one or two area variances due to the size of the underground storage tanks.

Mr. Polka asked if Mr. Terragnoli held an easement to get onto Packard Road. Mr. Terragnoli said yes and the seller, Benderson, will be providing them with that easement to get out to Packard Road and in return they are providing Benderson with an easement so the traffic can access their site.

Mr. Polka asked if both Niagara County DOT and NYS DOT will be involved with the traffic study. Mr. Kruse said they will make sure any jurisdiction overseeing the roadways that are being impacted will receive a traffic study.

Mr. Polka asked about the exception for the idling law which states when a diesel fuel vehicle truck operates in a temperature below 25 degrees Fahrenheit and is occupied for more than 2 hours they are allowed to idle. Mr. Terragnoli said he will look into that. He thought vehicles were not allowed to idle for more than 5 minutes regardless of temperature.

Mrs. Hathaway asked where the water is going to go from the truck wash. Mr. Terragnoli said it would go through the drainage designed for the site. Ms. Bittar said she believes that would be the way, but she will check with the Department of Environmental Conservation on that.

Mrs. Hathaway mentioned about the asphalt abutting the property of Aldi towards the back of their building where the trucks will back in and pull out to deliver the groceries. She asked what will happen with that when the proposed pond is put in. Ms. Bittar said she will look into this further since she did not know that would be incorporated into the easement that Aldi's owned. She said if there is any overlap they would modify their plans. Mr. Terragnoli said he will reaffirm that with Benderson. He said Benderson had approved the site plan based on their perspective as to how the project affects the properties around it. He said he will assume that there is not an easement in place for that, but he said he would verify.

Mrs. Hathaway asked if the proposed pond will be a detention pond. Ms. Bittar said she is aware of the concerns regarding this from the last meeting and she will coordinate that directly with Chuck Haseley. She said if they have to be detention basins that do not hold water they will do whatever is required by the Town.

Mrs. Hathaway said the property is elevated higher than the Aldi's lot is. Ms. Bittar said they will have to meet the elevation of the abutting property line. She said there can be no run off of storm water on to the abutting property. They will be collecting everything and making sure the grades work between the properties.

Mrs. Hathaway emphasized that if evergreens are planted they will have to be maintained for two years or they will die. Mr. Tarragnoli said they will do everything they can to protect their investment and to be assured they will look into irrigation.

Mrs. Hathaway said she will meet with Mr. Haseley and Mr. Wallace and Mr. Haseley will relate any further information to Mr. Tarragnoli.

No further comments.

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**Mr. Polka made a motion recommending to table the request for a concept/sketch plan pending discussions with the Town Supervisor and Town Board regarding the requirements for a public hearing regarding the project.**

**Mr. Herman seconded the motion.**

**ROLL CALL:**

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

**NO- ( )**

**ABSTAIN ( )**

**MOTION CARRIES**

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**Mr. Murawski made a motion recommending approval of the November 2, 2021 Planning Board Minutes with the correction made on the spelling of Patricia "Bittar".**

**Mr. Herman seconded the motion.**

**ROLL CALL:**

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

**NO- ( )**

**ABSTAIN- ( )**

**MOTION CARRIES**

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**Meeting adjourned at 7:58 pm**

**NEXT MEETING: January 4, 2021**

Respectfully submitted,

Kimberly Meisenburg  
Planning Board Secretary