

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

March 1, 2022

(Approved at the April 5, 2022 Planning Board Meeting)

7:00 pm

Meeting held at the Town Hall

BOARD MEMBERS PRESENT:

Barbara Hathaway/Chairman
Ed Herman
Mike Murawski

BOARD MEMBERS EXCUSED:

Renee Grant
John Polka

IN ATTENDANCE:

| | |
|-----------------|------------------|
| Kim Goergen | James Runkle |
| Chuck Haseley | Randy Searut |
| Gerald Hathaway | Julie Rotella |
| Mike Risman | Richard Sirianni |

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

I. PRESENTATIONS:

Presentation #1- Wayside Nursery Inc. /Julie Rotella

Project Location: 8962 Porter Road

Town of Niagara

**SEQR
Preliminary Site Plan Review
Tax Map # 146.14-1-7**

Julie Rotella is requesting a variance for the removal of an existing building on the property and would like to replace it with a new pole barn building. The property is located on the North side of Porter Road between Tuscarora Road and Niagara Falls Boulevard.

Tax Map Number: 146.14-1-7 SEQR

Mrs. Hathaway asked Julie Rotella if she already has the variance from the Zoning Board of Appeals and Ms. Rotella said she received it last month.

Ms. Rotella said she has an existing topsoil building now and they are trying to replace it with a better structure so they do not have to keep replacing the tarp on it. The variance was needed because they are located 5 feet from the property line. Ms. Rotella said the structure of the building will be all metal. It will have roofing with metal siding and a French door. She said they will keep topsoil in the building. Mrs. Hathaway asked if there was a concrete slab. Ms. Rotella said there will not be a concrete slab even though it shows that in the drawings that were submitted. She said there is an asphalt floor and they will keep it that way. Mrs. Hathaway asked how high the building will be and it will be 26 feet and will fit over the existing asphalt.

Question Number 7 of the SEQR (*Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If yes, identify*) was originally answered as “Yes”, but Ms. Rotella changed it to a “No” on the original copy of the SEQR.

No further comments.

Mrs. Hathaway recommended a motion for a negative declaration as amended on the SEQR.

So moved as per Mr. Herman.

Mr. Murawski seconded the motion.

ROLL CALL:

YES- (3) Mr. Herman, Mr. Murawski, Mrs. Hathaway

NO- ()

ABSTAIN ()

MOTION CARRIES

Mrs. Hathaway recommended a motion that the request for a preliminary site plan approval be moved up to a final site plan approval.

So moved as per Mr. Herman.

Mr. Murawski seconded the motion.

ROLL CALL:

YES- (3) Mr. Herman, Mr. Murawski, Mrs. Hathaway

NO- ()

ABSTAIN ()

MOTION CARRIES

Mrs. Hathaway recommended a motion for final site plan approval following department heads and engineers review.

So moved as per Mr. Herman.

Mr. Murawski seconded the motion.

ROLL CALL:

YES- (3) Mr. Herman, Mr. Murawski, Mrs. Hathaway

NO- ()

ABSTAIN ()

MOTION CARRIES

Presentation #2- James Runkle

Project Location: 4610 Theresa Lane

Town of Niagara

**SEQR
Special Use Permit Request
Tax Map # 131.11-1-79**

James Runkle is requesting a special use permit authorization for his residence located at 4610 Theresa Lane. The residence is zoned R-1. The office space in his home will be used for phone calls and mail purposes only.

Tax Map Number: 131.11-1-79 SEQR

Mr. Runkle said there will be no signage at his residence and the office space will be used just for phone calls and mail, no commercial equipment or construction equipment will be on the premises.

No further comments.

Mrs. Hathaway recommended a motion for a negative declaration on the SEQR.

So moved as per Mr. Herman.

Mr. Murawski seconded the motion.

ROLL CALL:

YES- (3) Mr. Herman, Mr. Murawski, Mrs. Hathaway

NO- ()

ABSTAIN ()

MOTION CARRIES

Mrs. Hathaway recommended a motion for a special use permit for an in-home occupation for a home office at the applicant's residence which is zoned R-1.

So moved as per Mr. Herman.

Mr. Murawski seconded the motion.

ROLL CALL:

YES- (3) Mr. Herman, Mr. Murawski, Mrs. Hathaway

NO- ()

ABSTAIN ()

MOTION CARRIES

Presentation #3- Scott Miller/Scotts Lawn Inc.

Project Location: 8297-8309 Packard Road

Town of Niagara

SEQR

Sketch Plan Review

Tax Map # 146.05-3.1

Scott Miller is requesting approval for a Zoning Variance to allow 8297-8309 Packard Road to become a residential dwelling. The property is located on the South side of Packard Road between Haseley Drive and Young Street.

Tax Map Number: 146.05-3.1 SEQR

Mrs. Hathaway tabled the presentation for Scotts Lawn to the April 5, 2022 Planning Board meeting being that the applicant was not present.

Presentation #4- Kimberly Goergen, Wegmans Food Market, Inc.

Project Location: 1575-1653 Military Road

Town of Niagara

**SEQR
Preliminary Site Plan Review
Tax Map # 161.05-1-3.21**

Kimberly Goergen is requesting a Preliminary Site Plan Review for property on 1575-1653 Military Road, Niagara Falls. The applicant would like to construct a slightly larger patio than what was previously approved. They are also proposing 6 drive-thru grocery pick-up lanes for online orders to be installed in the parking lot.

Tax Map Number: 161.05-1-3.21 SEQR

Ms. Kim Goergen introduced herself as the Project Manager with the site development group for Wegmans. She stated that they purchased the property last year and they would now like to mill and resurface the parking lot this upcoming spring and summer. She said that it would be the perfect time to put in a larger patio. The larger patio would take up 6 parking spaces. They would have to relocate 2 handicap spaces across the drive aisle. There will be a decorative railing wrapped around the patio to keep the tables and chairs in place and as a protective barrier for vehicle traffic. They also would like to relocate the 6 drive through lanes for Instacart pick up to the parking lot so there is less vehicle conflict by the building. When this is installed they will have to relocate 4 handicap parking spaces and would also like to add 2 more handicap spaces to the parking lot. Ms. Goergen stated that even with all the improvements there will still be 686 parking spaces which is well above what has been previously approved.

Mrs. Hathaway asked about the NYS DOT permit and if they have it now. Ms. Goergen said they are working on it and have a few comments that they are addressing. They can't fully get the permit until they have a contractor on board.

Mrs. Hathaway asked Ms. Goergen if they received a copy of the letter from the Superintendent of Water and Sewer. Ms. Goergen said she did.

Mrs. Hathaway commended Ms. Goergen on the decorative bollards.

Mr. Haseley said he was contacted late this afternoon by the Town of Niagara engineers regarding this project and they found no problem regarding it. They did discuss with Mr. Haseley the drainage and storm water for the parking lot, but this was not an engineering issue. Mr. Haseley will forward the email to the applicant and Planning Board.

No further comments.

Mrs. Hathaway recommended a motion for a negative declaration on the SEQR.

So moved as per Mr. Herman.

Mr. Murawski seconded the motion.

ROLL CALL:

YES- (3) Mr. Herman, Mr. Murawski, Mrs. Hathaway

NO- ()

ABSTAIN ()

MOTION CARRIES

Mrs. Hathaway recommended a motion that the request for a preliminary site plan approval be moved up to a request for final site plan approval.

So moved as per Mr. Herman.

Mr. Murawski seconded the motion.

ROLL CALL:

YES- (3) Mr. Herman, Mr. Murawski, Mrs. Hathaway
NO- ()
ABSTAIN ()

MOTION CARRIES

Mrs. Hathaway recommended a motion that the request for a final site plan approval.

So moved as per Mr. Herman.

Mr. Murawski seconded the motion.

ROLL CALL:

YES- (3) Mr. Herman, Mr. Murawski, Mrs. Hathaway
NO- ()
ABSTAIN ()

MOTION CARRIES

Presentation #5- Phillips Lytle LLP, Agent/JB2 Partners, L.L.C.

Project Location: 8955 Lockport Road
8955 Lockport Road

Town of Niagara

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|-------------------------------------|-------------------|
| SEQR | |
| Preliminary Site Plan Review | |
| Tax Map #- | 132.18-1-2 |
| | 146.05-1-9 |
| | 146.06-1-1 |
| | 146.06-1-2 |

Phillips Lytle LLP, Agent for JB2 Partners, L.L.C. is proposing development of the Facility for the construction and operation of an e-commerce storage and distribution facility on a vacant area of land near the Niagara Falls Airforce Reserve Station and Niagara Falls International Airport.

Tax Map Numbers: 132.18-1-2, 146.05-1-9, 146.06-1-1, 146.06-1-2 and SEQR

Mrs. Hathaway stated Presentation #5 has been pulled by Phillips Lytle LLP/JB2 Partners, L.L.C. and it will be on the Planning Board agenda for the April 5, 2022 meeting.

Mrs. Hathaway recommended a motion recommending approval of the Planning Board minutes from the January 4, 2022 meeting.

So moved as per Mr. Murawski.

Mr. Herman seconded the motion.

ROLL CALL:

YES- (3) Mr. Herman, Mr. Murawski, Mrs. Hathaway
NO- ()
ABSTAIN- ()

MOTION CARRIES

Mrs. Hathaway stated she would not recommend a motion for the February 1, 2022 minutes since the Planning Board met, but did not have a meeting due to lack of a quorum. No business took place.

Mr. Herman seconded the motion.

**ROLL CALL:
YES- (3) Mr. Herman, Mr. Murawski, Mrs. Hathaway
NO- (
ABSTAIN- (**

MOTION CARRIES

Mrs. Hathaway recommended a motion to adjourn the meeting at 7:41 pm.

So moved as per Mr. Herman

Mr. Murawski seconded the motion.

**ROLL CALL:
YES- (3) Mr. Herman, Mr. Murawski, Mrs. Hathaway
NO- (
ABSTAIN- (**

NEXT MEETING: April 5, 2022

Respectfully submitted,

Kimberly Meisenburg
Planning Board Secretary