

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 MINUTES
(Approved at the July 5, 2022 Planning Board Meeting)

June 7, 2022
7:00 pm
Meeting held at the Town Hall

BOARD MEMBERS PRESENT:

Barbara Hathaway/Chairman
Dennis Collins
Mike Murawski
John Polka

BOARD MEMBERS EXCUSED:

Renee Granto

IN ATTENDANCE:

Corey Auerbach
John Bancroft
Christopher Brown
Douglas Colatta
Joseph Corio
Amy Dake
Janine D'Antuono
Mike Finan
Matt Fitzgerald
Raymond Gillis
David Giusiana
Charles Haseley

Gerald Hathaway
Dan Hosie
Kevin Kirk
John & Jean Kvumme
Bob Lannon
Robert McDermott
Kim Nason
John Orefice
Paulette Rinkir
Mike Risman
Sal Rizzo
Michael Rotella
Garrett Rutkowski

Tom Scalzo
A.J. Scalzo
John Scherrer
Richard Sirianni
Robert Taylor
Adam Terrell
Kyle Toth
Guido Virtuoso
Lee Wallace
Thomas Webber
(Note: Others present did not sign in)

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

I. PRESENTATIONS:

Presentation #1- Uniland Development/Kevin Kirk, R.A.

Project Location: 3401 Military Road

Town of Niagara

SEQR
Sketch Plan Review
Tax Map # 131.19-1-45

Kevin Kirk, Director of Planning and Design of Uniland Development Company, is requesting a sketch plan review for a development on 3401 Military Road. They are requesting a partial rezoning of 16.34 acres of land from R-3 to LI to allow for a single-story, 150,000gsf industrial building. The property is located on the East side of Military Road between Lockport Road and Woodside Place.

Tax Map Number: 131.19-1-45 SEQR

Kevin Kirk stated he is requesting a sketch plan review for a potential development at 3401 Military Road. The property is 29.5 acres of land. They are proposing to rezone 16.3 acres from R-3 to LI. The remaining

9.5 acres to the east will remain as R-3. The rezoning request is to develop an industrial building for a specific tenant they have in Fairview Fittings. The building is proposed for 150,000 square feet and Fairview Fitting would immediately take 75,000 square feet and the remaining 75,000 would allow for future expansion.

This facility would replace the headquarters location on Commerce Court in Wheatfield, NY. The Wheatfield location does not have the capability of expansion and they are struggling to hire more employees for their growing company because of that. The following are reasons the company is interested in the proposed site:

- Commitment to remain in Niagara County
- Strong labor pool
- Commute for existing employees
- Low cost renewable energy
- Proximity to major transportation routes and to the Canadian border

Mrs. Hathaway asked the following questions to Mr. Kirk:

- Will you be manufacturing and also distributing? Mr. Kirk said yes.
- How large would the trucks be? Mr. Kirk said full size trucks.
- Will the trucks be parked in the back trailer park? Mr. Kirk said the tenant may not need that much parking, but it is intended for future tenants that might need more trailer parking.
- Would the business be open 24 hours-7 days per week? Mr. Kirk said it would just be daytime standard hours.

Mrs. Hathaway said the entrance and exit is located on Military Road across from North Whitham Drive. Between Lockport Road and the entrance and exit there is a viaduct with railroad tracks going over and sometimes it is hard to see the traffic coming under the viaduct. She asked that Mr. Kirk keep that in mind.

Mr. Polka asked the following questions to Mr. Kirk:

- Is the planned construction going to be the 150,000 square feet even though the tenant is only going to occupy half of it? Mr. Kirk said that is the plan. He said they would keep it vacant and market it to an additional tenant, but it does give the current tenant the ability to expand.
- Are you leaving a reasonable vegetation buffer to the residences to the south? Mr. Kirk said that is correct. He said it is now at least 75 feet to the parking.
- What is the number of employees? Mr. Kirk said it would target 100 employees once the new facility is built. He said 70 of which would move over from the Wheatfield location.
- Do you have any estimation of truck traffic? Mr. Kirk said he would get back to the Planning Board with that information.

Mr. Polka stated he shared Mrs. Hathaway's concern regarding the traffic entering Military Road with the viaduct. He said there is a need to have a professional opinion with regards to safety. Mr. Kirk said it is completely understood and would seek additional traffic study.

No further comments.

Mr. Polka recommended a motion recommending approval of the sketch plan noting a couple areas.

- **There will be no egress onto Woodside place from the proposed development**
- **The R-3 area shown on the proposal would remain R-3**
- **Maintain in the design the vegetation buffer to the residential properties to the south**
- **Provide information in regards to traffic entering and exiting off of Military Road especially in light of the viaduct and the changing grades for vehicles**
- **Verify the hours of operation.**

Mr. Murawski seconded the motion.

ROLL CALL:

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

NO- (0)

ABSTAIN (0)

MOTION CARRIES

Presentation #2- Wayside Nursery Inc. /Michael Rotella, Vice President

Project Location: 7431 Porter Road

SEQR

Preliminary Site Plan Review

Minor Subdivision/Combination of Lots

Tax Map #'s 145.12-3-32 & 34

Town of Niagara

Michael Rotella is requesting to add to their business (Wayside Nursery, Inc.) and expand at 7431 Porter Road. The property is located on the South side of Porter Road between Recovery Road and Packard Road.
Tax Map Numbers: 145.12-3-32 & 34

Mrs. Hathaway asked Mr. Rotella if he has seen the memo from the Building Inspector dated June 7, 2022. Mr. Rotella said he has not seen it. Mr. Haseley stated that it was generated from him late in the day at 3:30 pm. (Mrs. Hathaway gave Mr. Rotella a copy of the memo). Mrs. Hathaway said what the application says and what the memo says are two different things. She said there is a building on the lot and in the presentation it says no one would be utilizing the building. Mr. Rotella said in the plans it states we are using the building as an office and in the presentation there is a conflict to what was said. Mrs. Hathaway asked Mr. Rotella to have something written down so everyone could review. She stated that this presentation would be tabled until next month. The site plan is an 8 ½” by 11” copy and is hard to see. She asked if there could be a larger set of the drawings provided.

Mr. Murawski asked what the ultimate plans for the property are. Mr. Rotella said he hopes that the business will continue to grow and he plans to remove the house and put more of a retail building there. They are outgrowing their current facility and would like to eventually move all of Wayside to the new location.

No further comments.

Mr. Polka made a motion to table the requested preliminary site plan review and recommended the applicant talk to Mr. Haseley with regards to his list of concerns and discrepancies and to develop a set of plans to meet the requirements.

Mr. Murawski seconded the motion.

ROLL CALL:

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

NO- (0)

ABSTAIN (0)

MOTION CARRIES

Presentation #3- Niagara Mechanical Services/David Giusiana, Architect and Agent for owner Dwayne Duncan

Project Location: 3507 Hyde Park Blvd.

Town of Niagara

**SEQR
Preliminary Site Plan Review
Tax Map # 130.19-2-7**

The property owner of Niagara Industrial Mechanical Services, Dwayne Duncan, represented by David Giusiana, Agent, would like to construct a 50' x 90' single story post frame metal siding building addition to their existing facility for use as production space to house fabricating and finishing equipment and equipment storage. The property is between Witmer Road and Rhode Island Avenue.

Tax Map Number: 130.19-2-7

Mr. Giusiana said not too long ago the 50 by 50-foot addition was added to his building. He said since then new contracts have come along and he needs more space to do more industrial fabrication in the building. The site is fully developed already so there is no drainage or development concerns. The lighting would be limited to around the overhead doors and exit doors- all dark sky compliant.

Mr. Polka suggested moving the presentation to a final site plan review.

Mr. Polka asked Mr. Haseley if he had any concerns and he did not.

No further comments.

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

Mr. Murawski seconded the motion.

ROLL CALL:

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

NO- (0)

ABSTAIN (0)

MOTION CARRIES

Mr. Polka made a motion recommending that the presentation be elevated to a final site plan and approval.

Mr. Murawski seconded the motion.

ROLL CALL:

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

NO- (0)

ABSTAIN (0)

MOTION CARRIES

Presentation #4- Phillips Lytle LLP, Agent/JB2 Partners, L.L.C.

**Project Location: 8955 Lockport Road
8955 Lockport Road**

Town of Niagara

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 Air Force 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 that the presentation will be made by the company, then will be open for comments from the public present in the audience. She stated she would allow 3 minutes for each person with no repetition of what someone else had previously stated.

Kim Nason introduced herself as the attorney with Phillips Lytle and is representing the applicant. She introduced Matt Fitzgerald with Phillips Lytle, John Bancroft and Adam Terrell with JB2 Partners, Mike Finan with Langon Engineers and Amy Dake with SRF Traffic Engineers. She stated that they were before the Planning Board back in April 2022. She said they are requesting site plan approval, lot consolidation and certain area variances for the development of an e-commerce storage and distribution facility at 8955 Lockport Road. Ms. Nason gave a refresher on the details of the project that was presented at their previous presentation before the Planning Board.

John Bancroft thanked the Planning Board for reviewing all the documentation and information they provided. He stated that they heard from the different Boards and gathered concerns from the community. Being new to the community it was very important for them to listen very closely and to do their research and they felt they addressed the majority of the concerns.

Ms. Nason stated they have been before the Zoning Board of Appeals and before the Town Board at a work session and have collected comments at those meetings. Lead agency packages with the Town Board declaring its intent to act as lead agency were circulated to 28 interested and involved agencies. More than thirty days passed and no agency has objected to the Town Board acting as lead agency. Ms. Nason said they have engaged with many of the agencies to receive feedback on the project. They received formal comments from County DPW, the DEC, Town Police Department and NFTA. They have had engagement with SHPO, conversations with the Air Reserve Station and responded to their comments and received overall support for the project. Ms. Nason said they have received comments from the Building Department, the Town's consultant, GHD, and the Department of Transportation. Many of the comments have centered on the traffic discussion. They received formal comments from the DOT and responded to those comments. They received a response from the DOT today and they indicated there is some additional back and forth that will go on with respect to some of the synchro analysis, but they concluded, based on the information presented, the proposed mitigation is sufficient to handle the additional traffic volume from the project. They also have received comments from the public. The supplemental submission was provided and is detailed showing the analysis that was done, and the feedback that was received. There are several attachments to it which include all the agencies they engaged with, all the comments received and responses to GHD, the Boards, and members of the public. Digital copies of the comments were provided to those who reached out via email. There is an updated

traffic impact study, a revised site plan, and an offsite improvements plan. Based on all the feedback there was additional analysis completed. SRF collected more data and proposed additional mitigation.

Amy Dake, Senior Traffic Engineer with SRF Associates stated that based on comments received they went back and collected some additional data on some intersections that were raised as a concern that were not included in the original traffic study. Those included Tuscarora North at Lockport Road, the Air Reserves main driveway, and Woodland Heights at Packard Road. They did an analysis during peak hours. The Air Reserve was also concerned with their drill weekends. They looked at their main drill weekend in April 2022 and collected data all weekend from 3 of their driveways which is included in the updated study. They updated all of the analysis and looked at gaps at Woodland Heights to see if traffic could get in and out of that roadway and where they might need any additional mitigation. Some of the feedback was that the truck routes were a concern and adding too much truck traffic to Packard Road.

Mike Finan from Langon Engineers stated they looked into alternatives on where they can reroute trucks. He pointed out on the plans the following route options.

- 1) Option #1) From 190 to the site along Packard Road
- 2) Option #2) Lockport Road out to Military Road, down Military to the 190
- 3) Option #3) Build a brand new driveway access along the backside on the south side of the site down toward Youngs Street out to Porter then to Packard and then to the 190

The following were the results from the evaluation of the above options.

- 1) Option #3) It is all DEC wetlands and Army Corp wetlands. He said to construct a roadway through there would have significant impacts on the environment not only for the wetland, but also the flood plain. He said they don't think it would even be feasible to get a permit for that from the DEC. There is also a lot of sharp road turns and a lot of roadwork would have to occur even if they could use this route. A public member also kindly offered a piece of property that they might be able to access through, but all the other issues still remain.
- 2) Option #1) The Packard Road route is the preferred route and the most direct with the shortest route. They recognized the public concern with this route so they looked at the #2 route.
- 3) Option #2) They found with this route it is feasible if they made some improvements at the intersection of Military and Lockport Road. When trucks make a left turn they would be cutting across the center line and/or stop bar. What they are proposing to do is to move the stop bar back so when the truck makes the left hand turn the vehicles heading north are uninterrupted and not impacted by that movement.

Mr. Finan said they think trucks will head straight down Packard and there is no amount of signs that would stop that. He said making a left onto Military Road is challenging with trucks and the traffic light and they don't think it would be a good movement. He said they will allow them to go straight on Packard Road towards the site and on the exit they would have them exit on Driveway #1 which will be directed towards that roadway and the natural movement would be to head straight and then out. Their suggestion would be for inbound to go out Packard Road and outbound would be Lockport Road to Military Road.

Amy Dake spoke about the mitigation they originally had. She said they are proposing to:

- 1) Signalize the intersection at Packard and Lockport Road
- 2) Widen both roads and the approach from Lockport Road that would go straight in to Amazon's driveway. They will have left and right turn lanes in both directions on Lockport Road and Packard Road in addition to the through lane. The Lockport Road approach will have a left and right turn lane. Driveway #3 on the plans is another signalized driveway. The proposal would be to widen Lockport Road. They will have a left turn lane for traffic entering the driveway. The driveway would have 2 exiting lanes and would be signalized.

- 3) Driveway #2 is located on the middle of the site. They had originally proposed that as a full access driveway. When State DOT looked at it they had some concerns with the residential and farm driveways across the street and potential conflicts with left turn movements so what they are now proposing a driveway that would be restrictive to right in and right out only.
- 4) Ms. Dake said they looked at Tuscarora Road to the north and south and to the north it does not see a lot of traffic and would not be used on a regular basis, but they will continue to widen Lockport Road.
- 5) Counts and an analysis were done on Tuscarora Road to the north and they found that a left turn lane is warranted.
- 6) Walmore Road north and south were part of the original traffic study. When the NY State DOT, acting on behalf of the County, took a look at the intersections they commented on the Walmore Road south intersection and the fact that they are adding right turn traffic at that location for the employees. They wanted to see a right turn lane at that location. They are now proposing an eastbound right turn lane for traffic to head south on Walmore Road.
- 7) Analysis found that a left turn lane on Woodland Heights is warranted.
- 8) Modifications at Military Road and Lockport Road are to be made because the truck movement clips the left turn lane. They are recommending the stop bar be moved back.
- 9) The traffic volumes at the Air Reserve driveway currently warrant a right and left turn lane. The Air Reserve noted they have concerns regarding the intersection as well. Ms. Dake said they would work with them to get a right and left lane installed. Mr. Murawski asked if there would be any chance of a light signal at that intersection. Ms. Dake said they looked at that and their traffic volume exiting do not meet the warrants for a signal.

Mr. Polka asked Ms. Dake the following:

- 1) How would Amazon plan to control the trucks using Lockport Road at the exit and not using the shorter path down Packard Road? Ms. Dake said the plan would be to use onsite signage directing the trucks to use that route as an exit. She said while they are onsite they can be told which way to go even though it cannot be controlled 100 percent.
- 2) Will there be any Canadian truck traffic coming in or is it all US traffic coming in and out? Ms. Dake said there is no plan currently for Canadian traffic, but it can happen in the future.
- 3) Mr. Polka mentioned about the Air Reserve Base reconstructing their entrance and that they will be using Tuscarora Road as their primary entrance which will be at the same time of Amazon's construction. Mr. Finan said they did talk to the Air Base about it and there is a short amount of time that they might overlap a bit, but they will make sure they work together to ensure that the Air Base will have full access on Tuscarora Road as well as Amazon.

Mr. Polka mentioned that because Amazon is adding more traffic to Lockport Road he suggests that the intersection at East Britton and Lockport Road be looked at. He said it is a bad intersection now because traffic exiting East Britton does not enter Lockport Road perpendicular to Lockport Road and it needs to be cleaned up with some barriers to square up that intersection. Ms. Dake said they will take a look at it.

No further comments from the Planning Board members at this time.

Mrs. Hathaway stated that anyone from the audience that would like to speak can do so at this time with a limit of 3 minutes. Mr. Auerbach suggested that questions be answered after everyone has finished addressing their comments and concerns. Mrs. Hathaway agreed.

John Orefice (7513 Packard Road)

Mr. Orefice asked if they will be getting a lot of truck traffic 24/7. He said it is bad enough getting out of the driveway with all the traffic that there is now.

Joseph Corio (7525 Packard Road)

Mr. Corio asked why the other Amazon's in Western New York have 6 lane highways going to them and how can they think of having these trucks down Packard Road. He said if there are 500 trucks now and if the business is increased by 15 percent each year wouldn't that increase traffic? He said someone he knew worked at one of Amazon's facilities in North Carolina and he said he had to park at the airport and be bussed in. He said getting out of the parking lot took 20-25 minutes every day. Mr. Corio said he understands the site, but the infrastructure to get trucks in and out is not ready.

Gary Rutkowski (3215 Haseley Drive)

Mr. Rutkowski said he has lived at his address since 1976 and he has seen a lot of trucks. He said truck traffic is dirty traffic and unhealthy. It creates a bad environment, road dust, and fumes. With 500 trucks running in and out of this town it will not be a healthy situation for the residents.

Tom Scalzo (lives near Lockport and Packard)

Mr. Scalzo asked if Amazon makes the traffic go right on Walmore Road wouldn't it be easier to just get on the thruway. He asked if they really think they are going to do that. He said the trucks are going to get out, make a left and head right to the thruway. He said you can put up all the directions you want, but it won't work. The roads are too small and the town is too small and all that it will do is kill the neighborhood. He said he doesn't want it.

A. J. Scalzo (Packard Road)

Mr. Scalzo said there is more to this than traffic. The answer to the traffic is no answer at all because they still will go onto Packard Road coming and going. It is a straight line and a truck driver will not follow signs. The traffic will be 24/7 and nobody will want to live next to that. He said they are being forced into this and there is not even a Town meeting that will address all these problems. He said no one answers. He said this was all planned years ago and that the Town went to Amazon and told them to come here without asking people of this town how they felt. The economic impact of these jobs are entry level jobs and will never be anything more than that. The people do not stay working at these companies. This produces pollution, traffic, and no revenue from this. He feels no one answers their questions and no one cares.

Leo _____ (last name not audible for correct spelling) (5127 Tuscarora Road)

He would like to express his support for the project. He said the neighbors have some concerns but overall there are a lot more positives than negatives with this project. He said overall it will bring our town more opportunities for smaller businesses. He stated that exiting from Tuscarora Road onto Lockport Road could be quite difficult at times and he would like to see a study done to warrant a signal at that intersection.

Janine D'Antuono (9635 Lockport Road)

Ms. Dantuono expressed concern over the traffic that is on Packard, Tuscarora, Military and Lockport Roads. She has lived here for 40 years and lived those roads and the roads are dangerous especially Lockport Road and Military Road. By Tim Hortons there have been numerous accidents. At Lockport Road where Amazon is proposing to put a traffic light there have been so many accidents there. Ms. Dantuono is afraid to pull out of her driveway because of the traffic. She said she took a study of her own from her driveway from 3:00 pm to 3:15 pm and she counted 210 vehicles. She is concerned about the traffic with the Air Base and their 1200 employees and the extra addition of the Amazon employees. Ms. Dantuono gave an article to Mrs. Hathaway that she found in the newspaper about Amazon and their employees and she asked the Planning Board to look at it.

John Scherer (Business Manager of the International Brotherhood of Electrical Workers- Local 237 in Niagara Falls)

Mr. Scherer said he represents 250 active members and 150 retired members and has come to speak in support of the project. He said it will provide meaningful employment for the electricians in his Local who reside here.

Raymond Gillis (8137 Crestview Drive)

Mr. Gillis is puzzled about this process and with what happened when this project was proposed on Grand Island. The residents there were concerned about traffic and property values decreasing. They wanted nothing to do with this project yet the Town of Niagara feels that this is a project suited for this community. He said this project will impact a number of people here and property values and if someone wants to sell their home the odds are slim that they can sell at a price they would be comfortable with. He also stated that we already have signs on Packard Road relative to no brake zones. He said signs do not work and does not change behavior. He also said there will be gridlock with the traffic.

Thomas Webber (Packard Road)

Mr. Webber asked about the 50 foot FAA rule that the airport and the Town of Niagara cannot have a building over 50 feet by the FAA laws. He said even if there were traffic lights at all the intersections it still will not change the volume. Mr. Webber presented the Planning Board with pictures of people who walk along the shoulder of the roads, a near accident that involved a pedestrian and a school bus, debris that fell out of trucks which all present safety concerns. He said that traffic needs to be studied out 2 miles and not just the local traffic.

Robert Taylor (8150 Packard Road)

Mr. Taylor asked how the roads will be maintained after adding all the traffic and the road deteriorates. He asked how there could be repairs when there is only one lane in each direction and driveways of residential families. He asked how they will get in and out of their driveways. He also mentioned about the trucks going through their gears with all of the traffic lights on the route and all the pollution the trucks will cause. One accident will back up the traffic on Packard Road and people will not be able to get out of their driveways. Semi-trucks will be idling in front of homes.

Kyle Toth (Business Manager)

Mr. Toth commented that when Syracuse and Rochester went all union they were able to increase their membership by over 100 members in both places. He said the majority of Amazons in NYS go union.

Douglas Colatta (3417 Lakewood Drive)

Mr. Colatta said he was an employee of the Air Force Base for 30 years and he is concerned about the intersection at the main gate. He is wondering why that was omitted from the mitigation plan. He hopes that it is not expected that the Federal Government or the County foot the bill because that intersection will have to be widened and have a traffic light. Mr. Murawski made mention that this was in the mitigation plan.

Sal Rizzo (6928 Sunnydale Drive)

Mr. Rizzo asked if anyone took into consideration the traffic up on the 190 exit when it is all backed up much like the Factory Outlet Mall exit at Niagara Falls Boulevard. He said there will be a truck approximately every 3 minutes and with one traffic jam no one will be able to get through the intersection. He mentioned that the Department of Transportation wasn't concerned about a ramp on Lockport Road and felt that is the only feasible exit. He said without that this project is a no go.

Jean Kvumme (8820 Lockport Road)

Ms. Kvumme was concerned about the lighting at night and it projecting on her property.

Chris Brown (Saunders Settlement Road)

Mr. Brown asked if there was a way to incorporate Saunders Settlement Road for another truck route in order to get some of the traffic off of Packard Road.

Mrs. Hathaway closed the public comment portion of the meeting and opened it up for the presenters to address the following concerns that were raised by the above members of the community.

Lighting Concern: Mr. Finan said all lighting will be dark sky compliant and downward lit. All the photometrics and light levels have been analyzed for zero light spillage. They have zero light levels at the property boundary. Additionally, they are providing 12 to 14 foot berms with landscaping on top of them at the frontage of the property.

How much truck traffic would be added to Packard Road? Ms. Dake said initially the traffic study contemplated adding 494 entering and exiting trucks which is still the case, but the plan now is to have the entering trucks use Packard Road and the exiting trucks use Lockport Road. Amazon tries to keep the truck traffic low at peak hours. They are anticipating 5 to 15 trucks per hour and occasionally 35 trucks in an hour.

Holiday traffic: Ms. Dake said there can be some increases during holiday time, but it would be a few weeks at most.

Signal at Tuscarora Road: Ms. Dake said they did look at that. The majority of the southbound traffic coming down Tuscarora Road is right turn traffic to head towards the 190 and Military Road. When you look at the need for a traffic signal there are signal warrants that have to be met to install a traffic signal and right turns are typically discounted. Tuscarora Road does not likely meet the warrants for a traffic signal. The traffic signal they are proposing at Driveway #3 is close enough to Tuscarora Road that it will provide gaps in the existing through traffic on Lockport Road.

Accidents on Lockport and Packard Road: Ms. Dake said the traffic study took a comprehensive look at crash data at every intersection and a past 5-year period was studied. At Lockport and Packard Roads they are incorporating additional turn lanes and plan to install a traffic signal that will largely mitigate the crash problem.

Gridlock between intersections: Ms. Dake said they are working on this with the DOT on how to time the traffic lights so they can avoid gridlock between the intersections.

How to repair the road when it deteriorates: The county has programs for road maintenance. The county has asked to have core samples taken along Packard Road and that is something Langon will be working on to see if the road base is adequate to handle the additional traffic that is proposed.

Air Reserve improvements: There are potential grant applications for funding for some of the improvements, but the applicant will pay for the improvements if they cannot get funding.

Back-ups on the 190 ramps: Ms. Dake said they looked at that and the DOT does not take that lightly. It is very important not to have back-ups on the expressway. The ramp is long enough to handle the proposed traffic and the current traffic that is using it now.

Routing trucks to Saunders Settlement Road and Tuscarora Road: Ms. Dake said that is to the north and is in the wrong direction for trying to send traffic to the 190.

Pollution: Ms. Dake said trucks are being developed more and more and there are pollution controls. There are laws that limit the amount of pollution that trucks can create. There are no idling laws for trucks parked on the site. Ms. Nason commented that they are working with NFTA to place a bus stop right on site and to increase ridership there. Amazon has significant ESG goals with the types of trucks involved in their development. There are also charging stations incorporated throughout the parking area for vehicles and semi-trucks.

Quality of jobs: Mr. Bancroft stated it is anticipated that approximately 1000 full time jobs. There is a breakdown of 10% of those jobs would be management level positions, and the balance being general warehouse positions. The average pay is \$18.00 per hour with full benefits including health care, 401 K, company-wide education programs that are supported by Amazon.

FAA limitations on height: Mr. Bancroft said they identified the four corners of the building and sent the request out to the FAA for their review and approval and received the approval back from them. They are within the standards of what the FAA allows.

Accidents and managing traffic: Mr. Bancroft said he thinks those are just typical traffic mitigation issues related to any type of area roadway that would be controlled by the police department and working with the local public security systems.

Raymond Gillis (8137 Crestview Drive) asked permission to ask a question to the Planning Board. He said considering the magnitude of this project and how this has the potential to impact a lot of people both negative and positive. He asked if a special session of Zoning members, Planning Board members, and Council Board members could come together and address the concerns that the Town as a whole may have. People are concerned that things are happening behind closed doors and that they are not getting the full picture of what actually is transpiring. He said it is not to suggest anyone's integrity in the room is being questioned, but a special session would alleviate some of the questions and concerns.

Mr. Murawski said he does not appreciate and will not accept the innuendos that people are making concerning whether the Planning Board, the Town Council, the Supervisor or the Zoning Board is saying that this is a done deal and this is all under the table. He said this is wrong. The big picture of the project should be taken into consideration and the benefits it will provide for the Town.

Mrs. Hathaway made a comment that there is nothing going on behind closed doors. Every meeting that the Town has the Town Board and the Zoning Board of Appeals are open to the public. The Planning Board has been reading a lot of material so that they can be educated and know what is going on so we can do what is best for everyone in the Town of Niagara.

Janine DeAngelo (9635 Lockport Road) Ms. DeAngelo stated that she read there is an 80% injury rate of the employees at the Amazon warehouses. She said someone that works for Amazon said they are treated like they are in the military. The employees are pushed so hard and there are a lot of injuries.

Mr. Auerbach explained to the public what is before the Planning Board this evening and that they are a recommendation for the site plan, the consolidation of lots to create one parcel out of the four parcels that are there. The Town's Code sets forth a set of standards for the Planning Board to evaluate in making their recommendation. The injuries to employees would not be an appropriate consideration for the Planning Board in making a recommendation to the Town Board. They are restricted to what is in the Town Code as far as what they can consider in their recommendation. The Town Board makes the decision approving the site plan and the consolidation. The book the applicant has provided with all the responses is available to anyone online. The book includes the updated traffic study, the revised site plans, the responses to the comments that the Town has received, the responses to the public comments, the responses to all the agencies that have provided comments and other information.

Mr. Polka stated he is a licensed professional engineer in the State of NY and has been practicing engineering for 40 years. He stated he has thoroughly gone through all of the documentation and stated it is very professionally completed. He stated it is the best he has seen in his 40-year career. The work that will be done will make the intersection much safer than they are now and he spoke of the opportunity for jobs and educational opportunities. Mr. Polka stated this is a good project for the Town of Niagara and Niagara County.

Mrs. Hathaway stated that this is the best presentation that they have seen. It is thorough and answered all questions and she thanked the presenters.

Mr. Polka made a motion recommending that the Town Board consider a negative declaration on the SEQR.

Mr. Murawski seconded the motion.

ROLL CALL:

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

NO- (0)

ABSTAIN (0)

MOTION CARRIES

Mr. Polka made a motion recommending approval to the Zoning Board of the requested zoning variances that pertain to building height, signage variances, and access variances.

Mr. Murawski seconded the motion.

ROLL CALL:

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

NO- (0)

ABSTAIN (0)

MOTION CARRIES

Mr. Polka made a final motion for a recommendation to the Town Board for approval of the final site plan subject to all of the documentation that has been submitted and that for the agencies that have not responded to the responses from the applicant that those responses be received.

Mr. Murawski seconded the motion.

ROLL CALL:

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

NO- (0)

ABSTAIN (0)

MOTION CARRIES

Mr. Polka would like to adjust the final motion for a recommendation to the Town Board for approval of the final site plan to include the following document: "Resolution of the Town of Niagara Planning Board Concerning the Final Site Plan and Lot Consolidation Application for Project Fifi."

Mr. Murawski seconded the motion.

ROLL CALL:

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

NO- (0)

ABSTAIN (0)

MOTION CARRIES

Mr. Polka made a motion recommending approval of the May 10, 2022 Planning Board minutes.

Mr. Murawski seconded the motion.

ROLL CALL:

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

NO- (0)

ABSTAIN (1) Mr. Collins

MOTION CARRIES

NEXT MEETING: Tuesday, July 5, 2022

Meeting adjourned at 9:06 pm

Respectfully submitted,

Kimberly Meisenburg
Planning Board Secretary