

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

April 4, 2023
6:30 pm
Meeting held at the Town Hall
(Approved at the May 2, 2023 Planning Board Meeting)

BOARD MEMBERS PRESENT:

Barbara Hathaway/Chairman
Dennis Collins
Mike Murawski
John Polka
Eugene Pucci

BOARD MEMBERS EXCUSED:

IN ATTENDANCE:

Chuck Haseley
Gerald Hathaway
Jarret Johnston
Rick Sirianni

The meeting was called to order at 6:30 pm.

Presentation #1- Joe Smith, President of David Chevrolet Buick Inc.

Project Location: 10195 Niagara Falls Boulevard

Town of Niagara

SEQR
Signage Plan Review
Tax Map # 146.19-2-4.2

Joe Smith is requesting a Signage Plan Review for additional signage on the building at 10195 Niagara Falls Boulevard. He would like to place signage over 3 front patient entrances (one future tenant). In addition, Excelsior would like to place a sign with their name on it on the East facing side of the building visible to Williams Road. The property is located on the south side of Niagara Falls Boulevard between Williams Road and Caravelle Drive.

Tax Map Number: 146.19-2-4.2

Applicant was not present at the meeting. Planning Board decided to table the presentation until next month.
No further comments.

Mr. Polka made a motion recommending the presentation be tabled until the May 2, 2023 Planning Board meeting so that the applicant can attend.

Mr. Murawski seconded the motion.

ROLL CALL:

YES- (5) Mr. Collins, Mr. Murawski, Mr. Polka, Mr. Pucci, Mrs. Hathaway

NO- (0)

ABSTAIN (0)

MOTION CARRIES

Presentation #2- Advanced Design Group (Kristin Savard and other representatives) representing Matt Lester and Anthony Gizzle/Starbucks

Project Location: 2700 Military Road

Town of Niagara

SEQR

Sketch Plan Review

Tax Map # 145.11-1-37

Advanced Design Group is requesting a Sketch Plan Review for the construction of a Starbucks Coffee Shop at 2700 Military Road. The property is located on the West side of Military Road between Packard Road and Fashion Outlet Boulevard Road.

Tax Map Number: 145.11-1-37

Jarret Johnston was present to represent the applicant.

Mrs. Hathaway made a comment that the Request for Board Action form had an incorrect location stated on the form and was not signed. Mr. Haseley said the form the applicant filled out by themselves was incorrect, but a new one was sent to the applicant.

Mr. Johnston said there are two lots remaining next to where there is a car wash now and that is the lot they are building on.

Mrs. Hathaway asked if there is an outlet from the property to go onto Military Road. Mr. Johnston said yes.

Mr. Johnston said there will be an approximate 2400 square foot building on the property, single story, standard Starbucks layout and very similar to the one currently located on Niagara Falls Boulevard. The property will have a drive through, indoor seating, and a patio area for seating outdoors in the summer along with associated parking. The entrance will be the existing entrance off of Military Road that was to Kmart. There will be curbing installed along the property to help guide traffic to the lot.

Mrs. Hathaway asked where the patio will be. Mr. Johnston said he thinks there is a drawing now that shows it on the west side of the building facing Life Storage.

Mr. Pucci asked about access to Military Road and Mr. Johnston said there is no access to Military Road and they can't do another curb cut. They have to utilize the existing curb cut which is south.

Mr. Pucci said he noticed the dumpster area will be facing Military Road and asked if it will be blocked off. Mr. Johnston said it will be in a fenced in area. He said there might be some placement changes for that, but in general it will be maintained.

Mr. Polka said since the dumpster will be on Military Road he suggested something more than the traditional chain link fence with the blinders be done. He said the nearby car wash did some white PVC and Speedway did a nice block enclosure to match their buildings. Mr. Polka suggested something that matches the architecture of the building would be recommended.

Mrs. Hathaway asked about greenery and if there would be trees. She would like to see islands and greenery-not just blacktop. Mr. Johnston said there will be vegetation, nothing too crazy, but they will make it look nice.

Mr. Pucci agreed that it would be necessary to have something more eye appealing to camouflage the dumpster. Mr. Johnston agreed and said that is what Starbucks would want.

Mr. Murawski asked if the lights will be moved that are currently in the parking lot now. Mr. Johnston said they probably will be relocated as necessary and updated lighting will be installed.

Mrs. Hathaway asked about signage and if it will be the same as the other Starbuck locations. Mr. Johnston said that is Starbuck's requirements so it will be very similar to others in the area.

Mr. Polka said there was quite a lengthy correspondence with regards to the sewer water easements. Mr. Polka asked if that has been resolved. Mr. Johnston said he is working on that with the Town Engineer, Bob Lannon. Mr. Polka said because there is an existing easement along the right of way it needs to become a public easement since it's currently private. Mr. Johnston said they are working that all out.

Mrs. Hathaway said she noticed two handicap parking spaces and asked if that is all that is needed. Mr. Johnston said he believed that is what the code required.

Mrs. Hathaway asked the hours of operation. Mr. Johnston said 6:00 am to 7:00 pm.

Mr. Polka said the Building Department made notes and there was some discrepancy on the number of parking spaces (22 versus 28). Mr. Johnston said he did not know and has to count them, but he believes what they have on the plans is accurate. Mr. Polka said there was also a requirement of a potential zoning variance because the parking was going to be within 15 feet of the right of way. Mr. Polka asked Mr. Haseley what is considered the front of the building. Mr. Haseley said to the best of his knowledge the front of the building would be on Military Road.

Mr. Polka referred to a document dated March 20, 2023 from the Building Inspector. Mr. Haseley said he sent it to the applicant, but Mr. Johnston said he did not get a copy of the issues. Mr. Haseley made him a copy and gave to him at the meeting.

Mr. Haseley said according to code you can't be with 15 feet of the front and the applicant is showing 5 feet. Mr. Johnston said that will be part of their site plan application. Mr. Polka said it will be a zoning variance in front of the Zoning Board. Mr. Johnston said he is aware of that.

Mr. Polka said in the plans he does not see the patio, but mentioned about having bollards to protect the people sitting on the patio. Mr. Johnston agreed.

No further comments.

Mr. Polka made a motion to recommend a negative declaration on the SEQR.

Mr. Murawski seconded the motion.

ROLL CALL:

YES- (5) Mr. Collins, Mr. Murawski, Mr. Polka, Mr. Pucci, Mrs. Hathaway
NO- (0)
ABSTAIN (0)

MOTION CARRIES

Mr. Polka made a motion to recommend the Sketch Plan subject to some of the issues discussed be addressed such as:

- **The dumpster location being in the front of the building would need some architectural flare and suggested matching it to the building so it is not just a chain link fence with blinders on it.**

- Elevations need to be shown.
- Landscape information needs to be provided with regards to some trees and other landscaping.
- Site lighting plan needs to be provided.
- The requirements of the Building Department’s memo from March 20, 2023 with regards to deficiencies needs to be addressed and any of the Town engineer requirements who had similar comments with regards to sewer and water easements.
- Department head requirements need to be met.

(Mrs. Hathaway asked Mr. Haseley if NYS DOT has to approve. Mr. Haseley said he will definitely send it to the DOT. He stated that the DOT was quite interested in the project when the property was subdivided and when Kmart went in. Mr. Haseley said it is his impression that they want to see anything that is added to the entrances as far as traffic. Mr. Haseley said he wants to verify the DOT is still happy with the plan. He said it is up to the applicant to provide the information).

Mr. Polka made a motion to amend the previous motion to add the DOT permit application and response.

Mr. Murawski seconded the motion.

ROLL CALL:

YES- (5) Mr. Collins, Mr. Murawski, Mr. Polka, Mr. Pucci, Mrs. Hathaway
NO- (0)
ABSTAIN (0)

MOTION CARRIES

Mr. Murawski made a recommendation to approve the minutes from the March 7, 2023 meeting.

Mr. Pucci seconded the motion

ROLL CALL:

YES- (4) Mr. Collins, Mr. Murawski, Mr. Pucci, Mrs. Hathaway
NO- (0)
ABSTAIN (1) Mr. Polka

MOTION CARRIES

Mr. Polka asked if there was any update regarding the sign issue with Quicklees with regards to information from the NFTA or the Air Force Base. Mr. Haseley said it was the Air Force Base that said they will honor anything that the NFTA says. Mr. Haseley said nothing has been provided and that they are giving them an additional 30 days from the day of the meeting to hear a response. Mr. Polka asked if there is a permit process that is necessary. Mr. Haseley said he will have to write a permit. Mr. Polka said he would recommend that the permit not be issued until there is something definitive in writing from the Air Force Base or NFTA with regards to lighting requirements for the sign and for the power if the power goes out. Mr. Haseley said he will put more feelers out so everyone is comfortable.

Mr. Murawski made a motion to adjourn the meeting at 7:05 pm.

Mr. Pucci seconded the motion.

ROLL CALL:

YES- (5) Mr. Collins, Mr. Murawski, Mr. Polka, Mr. Pucci, Mrs. Hathaway
NO- (0)
ABSTAIN ()

MOTION CARRIES

NEXT MEETING: Tuesday, May 2, 2023

Respectfully submitted,

Kimberly Meisenburg
Planning Board Secretary