

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



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**TOWN OF NIAGARA
ZONING BOARD OF APPEALS
PUBLIC HEARING MEETING MINUTES
REGULAR MEETING MINUTES
February 14, 2023**

Present: Robert McDermott, Jody Wienke, Richard Halleen, Guido Virtuoso,
JoAnna Wallace - Secretary, Thomas Cuddahee - Chairman

The meeting opened at 6:30 P.M. with the Pledge of Allegiance.

PUBLIC HEARING

PEMM NIAGARA LLC – QUICKLEES

Area Variance
6021 Porter Road
Tax Map No. 145.14-3-2.11

Applicant seeks relief of Town of Niagara Zoning Ordinance for Chapter 204 signage, § 204-5D (3), signage plan request. Applicant has a total of 17 area variances to be approved in their signage request.

Public hearing opens at 6:32 PM
Louis Terragnoli was for the project
No one was against the project
Public hearing closed at 6:34 PM

REGULAR MEETING

PEMM NIAGARA LLC – QUICKLEES

Area Variance
6021 Porter Road
Tax Map No. 145.14-3-2.11

Applicant seeks relief of Town of Niagara Zoning Ordinance for Chapter 204 signage, § 204-5D (3), signage plan request. Applicant has a total of 17 area variances to be approved in their signage request.

Mr. Terragnoli presented the board with binders and each tab has the explanation of every sign and variance that is being asked for. First tab has a summary letter that the board is able to review and ask any questions if need be. Second tab has the site plan that the board is able to review and ask any questions if need be. Tabs three through nine talks about the specific signage for this project. Tab 10 is pictures of a travel center in Avon, New York and the signage that we are requesting is similar to the pictures.

Mr. Terragnoli states that since the last Zoning Board meeting, in January, this project has been in front of the county Planning board, January 23rd, and the Town Planning board, last Tuesday evening, and both boards are recommending approval of the signage package with the exception of the highway sign. Mr. Terragnoli states it's fair to say there's not an objection but they would like more information, specifically the Air Base.

Mr. Terragnoli asks the board to go to tab number three. **Tab number three** talks about the signage that is for the travel center building. There is a Quicklee's sign above the main door, a smaller sign on the front of the building but at the secondary door and then a sign on the rear of the building. Town code allows us to have one sign so we are asking for two additional signs.

Tab number four will show you the fuel canopies. We are proposing a Quicklee's fuel sign that would be advertising our private brand for the fuel. Code allows us to have one sign, so we are asking for a second sign however, our signs are also a little bigger than what code allows. Specifically, our canopy signs are 18.7 square feet so it's about 9.7 square feet than the 9 square feet allowed. Also, the code allows a vertical dimension of 12 inches which in our view would be very hard to see, so ours our 36 inches.

Tab number five shows signage for the truck and the bus wash which is at the rear of the site. Code allows us to have a sign that identifies the building as a truck and a bus wash and it would be on the north side of the building. We would like to further identify the building and put an enter and exit sign so as the trucks or buses would line up and come through, they would see that one side is the entrance and one is the exit. We are asking for an additional two signs (the entrance and exit signs).

Tab number six is the free-standing sign. We do have two free-standing signs, but this one is the smaller of the two, and this one is in the front of the site. Code allows us to have a sign but our total square footage of the sign is 120 square feet where code allows us to have 100 square feet. Sign is allowed but we are asking for a 20-foot variance.

Tab number seven is part of the travel center at the rear of the diesel canopies there is a CAT scale for truck driver to weigh their cargo. It will be identified by a sign which we will need a variance for. Code says a sign needs to be a least 8 feet above the ground, we are asking for a little side sign that will be just under 7 feet and that height is for our truck driver views.

Tab number eight is representation of our highway sign. It would be 190 feet back from Porter Road and the sign proposed would be 115 feet high and 926 square feet of panels, double sided. Code allows for 100 square feet so there is one of the variances and code allows for 25 feet off the ground so we are looking for about 90 feet above that. Mr. Terragnoli states they are working with the Air Base and other stakeholders into the highway sign and once we have their input and information we will be coming back with that info.

Tab number nine is the smaller free-standing signs for the property which is about three in a half feet off the ground. This would identify a truck entrance. We would like our truck and bus traffic to use this entrance only. The second sign is directional signage which points to the drive thru and points to the diesel canopies in the back. The third sign was recommended by the Planning Board. They asked us to put an enter sign for the travel center at Packard Road. Mr. Terragnoli states that they do not own that property for that, Benderson does, but we have been in contact and they have given verbal approval for a sign to be put there.

Mrs. Wienke asks that if this is all standard for all the Quicklee's that are being built. Mr. Terragnoli states for a travel center, yes.

Mr. Cuddahee asked Mr. Terragnoli to point out all of the entrances and exits to the board. Mr. Terragnoli showed the board a large map and pointed out where they would be.

Mr. Virtuoso asks if all of the signs are going to lit. Mr. Terragnoli states yes, all the signs are lit.

Mrs. Wienke asks if truckers come in at all hours of the day. Mr. Terragnoli states yes, mostly you will see them come in between 8 and 9 o'clock at night and they are out at around 4 in the morning. But will you be seeing them come in at all different parts of the day, yes.

Mr. McDermott asks if the highway sign is your standard height. Mr. Terragnoli states yes, so that while truckers are on the thru way, they can see the sign and get off at the correct exit. Mrs. Wienke states isn't the sign passed the exit. Mr. Terragnoli states they would see the sign before the exit and would be able to make the proper exit and not have to turn around and continue to a further exit and backtrack from that exit.

Mr. Cuddahee states he took a little road trip and noticed that there are six billboard signs from Canada to Packard Road going that direction. Coming from the south going north, Mr. Cuddahee states he's not sure if the sign will be sign because of the big mountain. Mr. Terragnoli states he took that way here and that is why they are asking for such a height variance so it can be seen from all directions.

Mr. Cuddahee states that the Zoning Board will also be waiting to hear back from the Air Base and Airport before making a decision on the highway sign.

There were no further questions from the board.

Mr. Halleen made a motion to give a negative declaration to the SEQR for the variance requested, seconded by Mr. Virtuoso.

ROLL CALL

Ayes: Mr. Virtuoso, Mr. Halleen, Mr. McDermott, Mr. Cuddahee, Mrs. Wienke

Noes: None

Abstained: None

Mrs. Wienke made a motion to table the 115-foot highway sign until the next Zoning Board Meeting on March 14, 2023, seconded by Mr. McDermott.

ROLL CALL

Ayes: Mr. Virtuoso, Mr. Halleen, Mr. McDermott, Mr. Cuddahee, Mrs. Wienke

Noes: None

Abstained: None

Mr. Halleen made a motion to accept all 18 sign variances as submitted, seconded by Mrs. Wienke.

ROLL CALL

Ayes: Mr. Virtuoso, Mr. Halleen, Mr. McDermott, Mr. Cuddahee, Mrs. Wienke

Noes: None

Abstained: None

PRESENTATIONS

NONE

MINUTES

Mr. Halleen made a motion to accept the January 10, 2023 minutes as submitted, seconded by Mr. Virtuoso.

ROLL CALL

Ayes: Mr. Virtuoso, Mr. Halleen, Mr. McDermott, Mr. Cuddahee, Mrs. Wienke

Noes: None

Abstained: None

As there was no further business, the meeting ended at 6:51 PM.