

**OFFICIAL MINUTES  
NIAGARA FALLS PLANNING BOARD  
May 22, 2019**

A regular meeting of the Niagara Falls Planning Board was held Wednesday, May 22, 2019, at 6:03 PM, in Council Chambers, City Hall, 745 Main Street, Niagara Falls, New York.

**PRESENT:**

Tony Palmer  
Charles MacDougall  
Michael Murphy  
Joyce Williams  
Timothy Polka  
Robert Kazeangin  
Peter Heuer

**ABSENT:**

William Dunn

**ALSO:**

James Bragg  
Michelle Shaughnessy  
Thomas DeSantis

**APPROVAL OF AGENDA**

A motion to approve the Agenda was made by Mr. Polka, and seconded by Mr. MacDougall — **Unanimously Approved.**

**APPROVAL OF MINUTES**

Motion to Approve the Minutes for the meeting dated 5/8/19 was made Mr. Polka, and seconded by Mr. Murphy.

**POLLED VOTE**

Mr. MacDougall	Yes	Ms. Williams	Yes
Mr. Heuer	Yes	Mr. Murphy	Yes
Mr. Kazeangin	Abstain	Mr. Palmer	Yes
Mr. Polka	Yes	<b>Approved</b>	

**ACTION ITEMS:**

**1) Recommendation to City Council: Rezoning of 8003, 8005, 8007, 8011 and 8101 Buffalo Avenue from R3-A Multi-Family Residential to C1-A. Neighborhood Commercial**

There was no discussion on this Agenda Item amongst the Board.

Motion to Recommend to Council was made by Ms. Williams, and seconded by Mr. Polka.

**POLLED VOTE**

Mr. MacDougall	Yes	Ms. Williams	Yes
Mr. Heuer	Yes	Mr. Murphy	Yes
Mr. Kazeangin	Abstain	Mr. Palmer	Yes
Mr. Polka	Yes	<b>Approved Unanimously</b>	

**2) Site Plan Review: 24 Buffalo Avenue (158.12-1-12(D1-C)): Construct a two story exterior balcony**

Mrs. Williams asked if we hadn't already approved this project in the past. Mr. Bragg stated that the Board had approved a different balcony at this same location but different measurements. Mr. Bragg stated that the Site Plans submitted are not accurate and has been suggested to them to hire an Engineer/Architect to get correct information submitted to the board to be reviewed.

Mr. DeSantis stated that he was going to suggest a Conceptional Approval but after reviewing the Site Plan defects he thinks would be better for clearer more accurate Site Plans to be resubmitted. He suggests that the Item not be Denied but Tabled at this point as he does feel the Concept of the Spot Coffee Shop is a positive one.

Mr. Polka agreed that he thinks should be tabled as he ahs several issues with the Site plan that has been submitted such as Columns in the Cities ROW.

Mr. Palmer agrees as well that this item should be tabled until new Site Plan can be submitted.

Motion to Table Item was made by Ms. Williams and seconded by Mr. Polka.

**POLLED VOTE**

Mr. MacDougall	Yes	Ms. Williams	Yes
Mr. Heuer	Yes	Mr. Murphy	Yes
Mr. Kazeangin	Yes	Mr. Palmer	Yes
Mr. Polka	Yes	<b>Item Tabled</b>	

**NEW BUSINESS -NONE**

**OLD BUSINESS** – Mr. Palmer asked Mr. DeSantis what was happening with the 1501 College Avenue Site. Mr. DeSantis stated they are currently moving items from the Packard Road site to this Site since the paper had to be removed. Mr. Palmer asked if they were out of Compliance. Mr. DeSantis stated that they have until January of 2020 to get into Site Plan Compliance before he can try to enforce the conditions/compliance.

Mr. Palmer asked what is happening with the Beech Avenue Park. Mr. DeSantis stated that they are hopeful to get a permanent fence around the project this year, but at this point that is all that is being done. Since we asked the State for Dollar match and didn't receive it (the Proposed Plan was for eight million renovation and now funds available are only at three million

Mr. Murphy asked if the City ahs any recourse for illegal actions such as the shipping container being used as freezer across from the Post Office on Main Street. Mr. DeSantis stated that as far as he is aware, that container has been issued a removal notice but he is not aware of what time frame was given to the owner to get this done by. Also stated that if someone doesn't pull proper permit and are caught, he believes the permit cost is then doubled.

**COMMUNICATIONS- NONE**

**PLANNING REPORT- NONE**

**ADJOURN**

Motion to adjourn meeting was made by Ms. Williams and seconded by Mr. Polka. The meeting was duly adjourned at 6:39 P.M.