

**OFFICIAL MINUTES
NIAGARA FALLS PLANNING BOARD
September 25, 2019**

A regular meeting of the Niagara Falls Planning Board was held Wednesday, September 25, 2019, at 6:02 PM, in C.O.W, City Hall, 745 Main Street, Niagara Falls, New York.

PRESENT:

Tony Palmer
Michael Murphy
Joyce Williams
Timothy Polka
Robert Kazeangin

ABSENT:

William Dunn

EXCUSED:

Charles MacDougall
Peter Heuer

ALSO:

Thomas DeSantis
James Bragg
Michelle Shaughnessy

APPROVAL OF AGENDA

A motion to approve the Agenda was made by Ms. Williams, and seconded by Mr. Polka.
Unanimously Approved.

APPROVAL OF MINUTES

Motion to Approve the Minutes for the meeting dated 9/11/19 was made Mr. Kazeangin, and seconded by Mr. Polka. **Approved Unanimously**

ACTION ITEMS:

1. **Site Plan Review: 7211 Buffalo Avenue ((R3-A) 160.20-2-11)**

Proposal by Sheila Gavazzi to replace existing shed with 10x14 maintenance free shed approximately 50 feet back from original shed location.

Ms. Gavazzi stated that she has spoken to her adjacent neighbors to let them know she is adding this shed for storage of her overflow of art supplies. Mr. Bragg stated that the Planning Department also sent those neighbors notice if tonight's meeting in case they had any comments and or concerns.

Upon review, staff certifies that the above action complies with the City's Codified Zoning Ordinances, in intent and purpose, specifically Chapter 1324, but only with the following conditions being satisfied in conjunction with the proposed use(s) or expansion:

- 1) **Environmental Assessment (SEQR):** The Planning Board hereby accepts and adopts the findings of the SEQRA review, finalized and dated September 19, 2019.
- 2) **Compliance:** Comply with all applicable State and local building, safety, and health codes. Deviation from or non-compliance with any conditions of this Site Plan approval, shall render this approval null and void
- 3) **Expiry Date:** Applicant shall act to implement and substantially complete the proposed action, as approved, within 18 months from the date of approval. Failure to substantially complete the proposed action shall render this Site Plan Approval null and void unless an extension is granted.
- 4) **Landscaping:** In lieu of the required tree planting and given the developed nature of the site, the existing landscaping is sufficient to fulfill zoning requirements.

5) **Set-backs:** The construction must maintain all required front and side-yard setbacks for the district, and shall not expand the building footprint beyond that indicated on the site plan on file with the Planning Office.

6) **Flood Zone:** The proposed development is located within the Flood Plain and as such will require a Floodplain Development Permit

Motion to Approve Site Plan was made by Mr. Murphy, and seconded by Mr. Polka.

POLLED VOTE

Mr. Murphy	Yes	Ms. Williams	Yes
Mr. Polka	Yes	Mr. Palmer	Yes
Mr. Kazeangin	Yes		

Approved Unanimously

2. **Site Plan Review: 7211 Buffalo Avenue ((R3-A) 160.20-2-11)** Proposal by Sheila Gavazzi to build a 10 x 20 free standing pressure treated deck behind main cottage for additional living space.

Ms. Gavazzi stated this is a free standing, double joisted pressure treated deck that is replacing a area in the back of the house that just had old fill.

Mr. Kazeangin asked if the work was already completed. Ms. Gavazzi stated yes it is, she was ignorant to the fact a permit was needed for this.

Upon review, staff certifies that the above action complies with the City's Codified Zoning Ordinances, in intent and purpose, specifically Chapter 1324, but only with the following conditions being satisfied in conjunction with the proposed use(s) or expansion:

- 1) ***Environmental Assessment (SEQR):*** The Planning Board hereby accepts and adopts the findings of the SEQRA review, finalized and dated September 19, 2019.
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- 5) ***Set-backs:*** The construction must maintain all required front and side-yard setbacks for the district, and shall not expand the building footprint beyond that indicated on the site plan on file with the Planning Office.
- 6) ***Flood Zone:*** The proposed development is located within the Flood Plain and as such will require a Floodplain Development Permit

Motion to Approve Site Plan was made by Mr. Murphy, and seconded by Mr. Polka.

POLLED VOTE

Mr. Murphy	Yes	Ms. Williams	Yes
Mr. Polka	Yes	Mr. Palmer	Yes
Mr. Kazeangin	Yes		

Approved Unanimously

3. Set Public Hearing date for Sign Ordinance revision for October 23rd,2019

Motion to Set Public Hearing for October 23rd, 2019 was made by Mr. Polka, and seconded by Mr. Kazeangin.

POLLED VOTE

Mr. Murphy	Yes
Mr. Polka	Yes
Mr. Kazeangin	Yes
Approved Unanimously	

Ms. Williams	Yes
Mr. Palmer	Yes

OLD BUSINESS-

Site Plan Review: 3941-3943 Buffalo Avenue (i2)

Proposal by Matthew Kerwin, on behalf of Up State Tower Co., LLC and Buffalo-Lake Erie Wireless Systems Co. LLC to construct a telecommunications tower.

Mr. Bragg stated that no new information has come into the Department on this project. Owner doesn't want to amalgamate the properties. Their Conditional Approval only has 16 months left before it runs out.

NEW BUSINESS – Dan Leonard, from Wendel was present as Sub Contracted by Blue Cardinal for the Main Street properties.

Mr. Leonard stated that they are looking to make this area a urban walkable area of mixed used buildings to draw Business's in. This will need Rezoning of the parcels. This will help In Fill the area by introducing residential, commercial and retail.

Historic buildings will be protected and redeveloped, such as the Jeens building.

Mr. Kazeagin asked Mr. Leonard if the Historic building all been identified? Mr. Leonard stated that he is not positive of that. Mr. DeSantis stated another Subcontractor of Blue Cardinal has and is working on that.

Mr. Kazeangin asked if this Plan becomes part of the Cities Plan? Mr. DeSantis stated that yes it would.

Mr. Polka asked how far out is the Go Train from coming here. Mr. DeSantis said that is a hard one to guess on as government funded and ran. However, in the mean time, we could send a small train to Canadian Go Train to transport people. Then further down the road that can also be expanded from Buffalo to Niagara to Canada.

COMMUNICATIONS-

Letter from Masiello, Martucci, Calbrese and Associates regarding Compatible Use Plan

PLANNING REPORT-

Mr. DeSantis said they had a decent turn out for the Developers Forum with attendance being about 54. They had some good discussions for the possible future developments.

Mr. Kazeangin wanted the Board to know that he went to his wife's high school reunion last week. It was held at the Hyatt and the staff was amazing with being educated on the City. Hotel was clean and the roof top has a amazing view. The Issue he seen was the Parking Ramp is in deplorable state. Covered in graffiti and just filthy. Visitors have to see this and may judge the entire city by just that one experience. Mr. DeSantis stated that it was repainted a year or two ago. There is not enough security in the ramp to stop vandals.

Mr. Kazeangin said he is also upset that vandals are spray painting right over the artist's work on the wall at the Train Station. Very upsetting that these artists put so much time and energy to make their art and then it is just ruined.

ADJOURN

Motion to adjourn meeting was made by Ms. Williams and seconded by Mr. Kazeangin. The meeting was duly adjourned at 7:01 P.M.