

OFFICIAL MINUTES
NIAGARA FALLS PLANNING BOARD
October 14, 2020

A regular meeting of the Niagara Falls Planning Board was held Wednesday, October 14, 2020, in City Council Chambers, City Hall, 745 Main Street, Niagara Falls, New York. Meeting was called to order at 6:01 PM.

PRESENT:

Tony Palmer
Shurron Cowart
Joyce Williams
Peter Heuer
Charles MacDougall
Timothy Polka
Michael Murphy

EXCUSED:

Robert Kazeangin

ALSO:

Thomas DeSantis
James Bragg
Michelle Shaughnessy

APPROVAL OF AGENDA

Motion to approve the agenda was made by Mr. Polka and seconded by Mr. MacDougall

Approved Unanimously

APPROVAL OF MINUTES

Motion to approve Board minutes, dated September 23, 2020, was made by Ms. Williams and Seconded by Mr. MacDougall. No comments or discussion.

Approved Unanimously

PUBLIC PARTICIPATION: NONE

ACTION ITEMS:

1. Recommendation to City Council: Disposal of Real Property 1854 Linwood Avenue (144.57-4-70 (R2-B))

Proposal by Christopher Mazur, Corporation Counsel, to sell property to adjacent property owner, Mohammad Amerri, that will be amalgamated with 1846 Linwood Avenue.

Ms. William's asked if Mr. Amerri needed to be at this meeting as did the last property purchaser had to be. Mr. Palmer stated that the last purchaser was requesting to purchase a parcel between two of their lots and the Board needed to make sure it was understood that all three parcels needed to be amalgamated .

Motion to Approve this Item was made by Ms. Williams and seconded by Ms. Cowart

POLLED VOTE:

Ms. Cowart	Yes	Ms. Williams	Yes
Mr. MacDougall	Yes	Mr. Heuer	Yes
Ms. Polka	Yes	Mr. Murphy	Yes
Mr. Palmer	Yes		

Approved Unanimously

2. Recommendation to City Council: Disposal of Real Property 670 Ashland Avenue (144.70-1-56 (R3-B))

Proposal by Thomas DeSantis, disposal of property to L. Alex Beletsky to purchase and rehab into a rental unit.

Mr. DeSantis explained that this parcel was left out

3. **Site Plan Review: 8131 W Rivershore Dr.(161.17-3-77 (R1-B))**

Proposal by Francis Murphy, to construct an attached 20 ft. X 25 ft. garage

Homeowner, Francis Murphy, explained that their home has no basement just a crawl space. This garage would be used for storage and also for protection of their vehicles. He stated that he will be hiring Candella Construction to construct this and obtain the proper permits needed.

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 October 8, 2020.
- 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 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 does require a Floodplain Development Permit that must be obtained prior to the issuance of any building permit.

Motion to Approve this Item was made by Mr. Polka and seconded by Mr. MacDougall.

POLLED VOTE:

Ms. Cowart	Yes	Ms. Williams	Yes
Mr. MacDougall	Yes	Mr. Kazeangin	Yes
Ms. Polka	Yes	Mr. Murphy	Yes
Mr. Palmer	Yes	Approved Unanimously	

4. **Set date for Public Hearing on Airport Protection Overlay District**
The Board decided to hold the meeting on November 12, 2020

Motion to Set the date for November 19, made by Mr. Polka and seconded by Ms. Cowart.

POLLED VOTE:

Ms. Cowart	Yes	Ms. Williams	Yes
Mr. MacDougall	Yes	Mr. Kazeangin	Yes
Ms. Polka	Yes	Mr. Murphy	Yes
Mr. Palmer	Yes	Approved Unanimously	

OLD BUSINESS: NONE

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NEW BUSINESS: NONE

COMMUNICATIONS: Mr. DeSantis explained to the Board that the Airport Protection Overlay District would make it so any new Developments by the Air Base would have to be approved by the Air Base just as it has to be approved by the County, Planning Board and Council. The Base will have a BRACK review in the future to review how the airbase can be improved or expanded and this Protection Overlay has to be in place because it is on the checklist of things to review.

PLANNING REPORT: NONE

ADJOURN

Motion to adjourn meeting was made by Mr. Polka and seconded by Mr. Murphy. The meeting was duly adjourned at 6:31 P.M.