

**OFFICIAL MINUTES
NIAGARA FALLS PLANNING BOARD
AUGUST 9, 2017**

A meeting of the Niagara Falls Planning Board was held Wednesday, August 9th, 2017 at 5:56 PM in Council Chambers, City Hall, 745 Main Street, Niagara Falls, New York.

PRESENT: Willie Dunn
Robert Kazeangin
Michael Murphy
Earl Smeal
Joyce Williams
Tim Polka

Richard Smith
Charles MacDougall
Tony Palmer

ALSO: Thomas DeSantis
James Bragg
Michelle Shaughnessy

APPROVAL OF SPECIAL MEETING AGENDA

A motion was made to approve the agenda with adding communication of letter regarding sale of 9930 Colvin Blvd. by Mr. Smith and seconded by Mr. Polka. **Unanimously Approved.**

PUBLIC PARTICIPATION

None

ACTION ITEMS:

1) Site Plan Review: 300 Third Street (SBL# 159.09-1-3(D1-4))

Proposal by Emilio Raimondo, representing American Niagara Hospitality, to construct Water Park Facilities and support amenities, adjacent to existing Sheraton Hotel.

Mr. Raimondo stated that his client is proposing great things for the U.S. side like the Canadian side has. This Waterpark itself will be constructed with fitted glass as the picture shows in the Proposal. He stated that the conditions have been reviewed and are accepted.

Mr. DeSantis stated that the proposed sale and transfer of sale of existing property is a pre requisition to this Site Plan being able to be started. Mr. Raimondo then stated they might need to use the Right-of-Way at this address once project gets under way. Mr. DeSantis stated that would require Mr. Raimondo to submit another Proposal to the Planning Board for that to be reviewed, he understood.

Mr. Polka stated this was a great project. He asked what the status of the Hotel addition was. Mr. Raimondo stated they are looking into several brands, however nothing has been locked in, as construction is still a long ways out.

Mr. Kazeangin said the rendering was beautiful.

Upon review, staff cannot certify that the above action complies with the City's Codified Zoning Ordinances in intent and purpose. It is staff's recommendation that this application be **APPROVED**. *However,*

Should the Planning Board decide to grant the applicant's request and approve this project as presented then the Staff would have made the following conditions a requirement of such approval consideration.

- 1) **Environmental Assessment (SEQR):** The Planning Board hereby accepts and adopts the findings of the SEQRA review, finalized and dated July 25, 2017.
- 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) **Signage:** Signage shall comply with Chapter 1121 of the Codified Ordinances.
- 5) **Lighting:** All exterior site lighting, including wall packs, shall be angled downward only and away from adjacent properties. All fixtures and luminaries shall be of a full cut design and shall be of a type that does not exceed a 90° cutoff angle. Any light standard shall not exceed 25' in height. Lighting details shall be provided as part of construction drawings.
- 6) **Lot/Boundary lines:** The proposed waterpark site located at 219 R. Niagara Street (SBL# 159.09-1-1.2) shall be legally amalgamated with the hotel site located at 300 Third Street (SBL# 159.09-1-3) into a single lot/SBL number, pursuant to regulations, prior to filing for a building permit.

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

POLLED VOTE

Mr. Dunn	Yes
Mr. Kazeangin	Yes
Mr. McDougall	Yes
Mr. Murphy	Yes
Mr. Smith	Yes
Mr. Smeal	Yes
Ms. Williams	Yes
Mr. Palmer	Yes
Approved	Unanimously

NEW BUSINESS

None

COMMUNICATIONS

- ✓ Letter to Seth Piccirillo regarding sale of 9930 Colvin Blvd: Mr. DeSantis explained he had a conversation with CYAA in regards to them purchasing the property. Mr. DeSantis felt that this was not in the best interest of the city but offered for them to lease the property instead. This letter was just putting that conversation in writing.

PLANNING REPORT

None

ADJOURN

Motion to adjourn meeting was made by Mr. Polka and seconded by Mr. Smith and meeting Duly adjourned at 6:07 P.M.