

**OFFICIAL MINUTES
NIAGARA FALLS PLANNING BOARD
December 13th, 2017**

A regular meeting of the Niagara Falls Planning Board was held Wednesday, December 13, 2017, at 6:04 PM, in Council Chambers, City Hall, 745 Main Street, Niagara Falls, New York.

PRESENT:

Robert Kazeangin
Richard Smith
Tony Palmer
Timothy Polka
Charles MacDougall
Willie Dunn

EXCUSED: Joyce Williams

Michael Murphy

ABSENT: Earl Smeal

ALSO:

James Bragg
Michelle Shaughnessy

APPROVAL OF AGENDA

A motion to approve the Agenda was made by Mr. Polka, and seconded by Mr. Smith.

Unanimously Approved.

APPROVAL OF MINUTES

Motion to Approve the Minutes for the meeting dated 11/15/17 with correction of Mr. Dunn marked as voted when he was absent for that meeting was made by Mr. Smith, and seconded by Mr. Kazeangin. **Unanimously Approved.**

PUBLIC HEARING: Restore New York Grant Application

Chairman Palmer opened the Meeting at 6:07 PM.

There was no Public present for any comments or questions. Only Public response the Planning Department received was a letter from Diane Tattersall showing her support in the City in approving the Grant Submission Request. Mr. Palmer read this to the Board and the Members were also given copies of the letter.

Chairman Palmer Closed Meeting at 6:09 PM.

ACTION ITEMS

1) Site Plan Review: 1580 Military Road (Sam's Club) (C3)

Proposal by Robert Brenner, (on behalf of Bell Atlantic Systems of Allentown, Inc., d/b/a Verizon Wireless) propose the installation of a unmanned microcell communications facility located on the existing building.

Mr. Brenner stated that they went in front of the Zoning Board and received Approval in November. The microcell tower would be mounted to the side of the Sam's Club building and also will have ground level equipment in the back of the building. No Board Members had any questions 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 December 5, 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) **Bond:** Bond must be supplied prior to building permit issuance in an amount not less than \$5,000 or as may be otherwise determined by Corporation Counsel's Office.

Motion to Recommend to City Council was made by Mr. Smith, and seconded by Mr. Polka.

POLLED VOTE

Mr. Kazeangin	Yes
Mr. Dunn	Yes
Mr. Smith	Yes
Mr. MacDougall	Yes
Mr. Palmer	Yes
Mr. Polka	Yes
Approved	Unanimously Approved

2) Site Plan Review: 2755 27th Street (I2)

Proposal by Richard Malfa to construct 2,500 sq.ft. unconditioned single story concrete block storage for construction business

Mr. Malfa stated that the building could be used for storage for his construction business. The Board reviewed the plans and had no questions or comments.

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:

- 5) **Environmental Assessment (SEQR):** The Planning Board hereby accepts and adopts the findings of the SEQRA review, finalized and dated 12/06/2017
- 6) **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
- 7) **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.
- 8) **Signage:** Signage shall comply with Chapter 1121 of the Codified Ordinances.
- 9) **Storage:** Outside storage of materials shall be screened from view. Any hazardous materials shall be contained within an enclosed structure only.
- 10) **Landscaping:** Requirement is for five (5) trees, (1 per 50' frontage plus 1 per 10 parking spaces or part thereof). Given the industrial history and disturbed nature of the site, the requirements of Zoning Chapter 1322 – Landscaping shall be waived.
- 11) **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.

Motion to Recommend to City Council was made by Mr. Polka, and seconded by Mr. Smith.

POLLED VOTE

Mr. Kazeangin	Yes
Mr. Dunn	Yes
Mr. Smith	Yes
Mr. MacDougall	Yes
Mr. Palmer	Yes
Mr. Polka	Yes
Approved	Unanimously Approved

NEW BUSINESS

None

OLD BUSINESS

None

COMMUNICATIONS

Zoning Practice Test Handout

PLANNING REPORT

Mr. Bragg explained to the Board what properties would be affected with the Restore NY Grant.

ADJOURN

Motion to adjourn meeting was made by Mr. Polka and seconded by Mr. Dunn. The meeting was duly adjourned at 6:13 P.M.