

**OFFICIAL MINUTES  
NIAGARA FALLS PLANNING BOARD  
March 7, 2018**

A regular meeting of the Niagara Falls Planning Board was held Wednesday, March 7, 2018, at 6:00 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 (late arrived at 6:02)  
Peter Heuer \*  
Joyce Williams

**ALSO:**

James Bragg  
Michelle Shaughnessy  
Thomas DeSantis

**EXCUSED:**

Michael Murphy

**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 2/7/18 was made by Mr. Polka, and seconded by Mr. MacDougall. **Unanimously Approved.**

**PUBLIC HEARING:** Opened at 6:05PM, by the Chair for public comment on the proposed recommendation / action.

- **Recommendation to Council: Abandonment of the portion of alley behind the premises 3316,3320,3324 Hyde park Boulevard and 2217 Rhone Island Avenue.**

Chris Davis- of 2217 Rhode Island Avenue: Stated that the (subject) alley has been impassable for more then 15 years; and that he has been using this property (alley) as part of his personal yard as he was under the impression the (subject) alley had been abandoned years ago.

Mr. Smith asked if Mr. Davis realized that the existing fence, which currently is on this alleyway was an illegal fence? Mr. Davis stated that he had obtained a fence-permit albeit without a survey. If the fence needs to be removed and then reinstalled he would be willing to do that just to get this all legalized.

Patricia Johnson-Lewis of 3316 Hyde Park Boulevard: Ms. Johnson-Lewis stated that she was under the impression that this alley was abandoned years ago and when she found out that she was not correct, she just wants to make this legal. Mr. Polka asked who has been doing snow removal? Ms. John-Lewis stated that she and her husband have been maintaining this portion of the alley (behind their residence.

John Hubbard of 2218 Rhode Island Avenue: Mr. Hubbard also stated, that as far as he knew the alley has not been passable (with a vehicle) for over 23 years. He was also under the impression this portion of the alley had been abandoned many years ago.

Mr. Smith asked Mr. DeSantis if each party would then have to amalgamate each of their properties if/when this is passed by Council. Mr. DeSantis stated that yes they would. No parties contested or objected to this point.

Mr. Palmer thanked the audience for their participation tonight and that their comments and concerns would be taken into consideration before the Planning Board would vote on this question. The vote on the recommendation to City Council would take place at the next Planning Board Meeting scheduled for March 21, 2018. The result of that vote would be forwarded to City Council for final determination and action thereafter.

Hearing was officially closed at 6:25PM

### **ACTION ITEMS**

#### **1) Recommendation to Council: Encroachment 1519 Pine Avenue**

Mr. Christopher Rutledge-Paul of Custom Covers & Canvas, as agent for owner, stated that this project is to erect a permanent framed awning on the façade. The awning would have an 18” projection (overhang into the r-o-w/over the sidewalk) from building face. This particular awning would be made of umbrella fabric, which would allow for year round environmental exposure. In addition, the awning will be pitched fairly steep so snow will not be able to rest on top of it.

There was no questions/comments from the Planning Board.

Motion recommending City Council approve an encroachment for an awning, at 1519 Pine Avenue, was made by Mr. Smith, and seconded by Mr. Polka.

### **POLLED VOTE**

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

### **NEW BUSINESS:**

Mr. DeSantis lead the Board in welcoming its newest board member, Mr. Heuer to the Board. We all look forward to working with Mr. Heuer in the coming months and years. Mr. DeSantis added that should he want any assistance as he goes through the support materials provided by staff, to contact the office.

### **OLD BUSINESS:**

Mr. Smith brought it to the Board’s attention that the Planning Boards By-Laws were not addressed at our earlier meetings and will need to be updated. In particular, the meeting dates, which will need to reflect the Board’s new meeting schedule. Mr. DeSantis stated that the By-laws would be on the agenda for next Planning Board Meeting.

### **COMMUNICATIONS:**

None (Mr. Heuer had enough to read already.)

### **PLANNING REPORT:**

Mr. Palmer reminded the Board of the upcoming Harriet Tubman “Meet and Greet” will be at the Train Station, this Saturday from 2-6pm and that all that have an opportunity to come out that afternoon can expect to see a sneak peak at the work being done in the Customhouse installing exhibits and preparing for the grand opening of the NF Underground Railroad Heritage Center. Mr. DeSantis added that the “Grand Opening” is scheduled for the first weekend in May. May 4 - 6, 2018.

### **ADJOURN:**

Motion to adjourn meeting was made by Mr. Polka and seconded by Mr. Smith. The meeting was duly adjourned at 6:25 P.M.