

**OFFICIAL MINUTES  
NIAGARA FALLS PLANNING BOARD  
October 9, 2019**

A regular meeting of the Niagara Falls Planning Board was held Wednesday, October 9, 2019, at 6:02 PM, in City Council Chambers, City Hall, 745 Main Street, Niagara Falls, New York.

**PRESENT:**

Tony Palmer  
Michael Murphy  
Joyce Williams  
Timothy Polka  
Robert Kazeangin  
Peter Heuer  
Charles MacDougall  
William Dunn

**ALSO:**

Thomas DeSantis  
James Bragg  
Michelle Shaughnessy

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Motion to Approve the Minutes for the meeting dated 9/25/19 was made Mr. Kazeangin, and seconded by Mr. Polka. **Approved Unanimously**

▪ **PUBLIC PARTICIPATION**

Jockline Pryor stated she was at last meeting and did not like how the Board Approved a Site Plan after the home owner already did the improvements. What is to stop everyone in the City from doing the same.

Mr. Palmer stated that the reason a Site Plan was needed was simply because in Water overlay District, normally one would not be needed for deck repair. The Site Plan met the Site Plan Requirements so it was Approved by the Planning Board. The homeowner should then of paid double permit fee for her mistake.

Ms. Pryor stated that she could not stay for this evening meeting, but is awaiting a response to her question from Council and will be in Attendance at next Planning Board meeting.

**Informational Meeting on Rezoning of Blue Cardinal properties along Main Street.  
Opened at 6:03**

Mr. DeSantis stated the Rezoning would open the doors for future projects to come into the City in these zones. The purpose of tonight's meeting is to inform residents of the purposed changes and what it may mean to them. Allows the residents to visually see the changes and ask any questions or address any concerns they may have.

Dan Leonard from Wendel did a presentation on the purposed Rezoning. The purposed Rezoning is for major Public investments along with NF State Park Expansion, NY DRI Award will help with this, and will bring in new Investors into the City. It will provide enhanced waterfront accessibility and integration of cultural and tourist activities, within the State Park/City/Niagara River Greenway area: to be protective of heritage assets including view-sheds, by controlling building height, massing, and by encouraging unique architecture and design flexibility. Development is intended to be a high quality, low intensity, sustainable development, with the intent of establishing a scalable transition of

built forms, which mediates between state parkland and adjacent downtown commercial districts. Development should enhance the overall aesthetic of the area: contribute positively to celebrating the river's natural heritage, and enhance the natural and cultural resources therein. Parking, where provided, shall be concealed or structured.

The purpose Rezoning is not set to tear down Historical buildings, it is to preserve those that are structurally sound.

Alan Nusbaum ,Environmental Planner/GIS Coordinator, explained the Envirmental SEQR process to the room.

Eilon Nelson of 241 72<sup>nd</sup> Street ( owns property at 1115,1117,1122,1123 Michigan Avenue): Asked how come our map shows his properties as Residential but he knows they are Commercial according to his deed. Mr. DeSantis stated that his properties are not affected by this purposed Zoning change, so he will address his question after the meeting has closed. No further comments from Mr. Nelson.

Arch Bishop McDougald, of Church of the Pure of Heart on 9<sup>th</sup> Street, asked if his Church and 5 additional parcels were within the Rezoning area. Mr. DeSantis stated they were not. No further comments from Arch Bishop McDougald.

Russ Petrozzi, of 1227 Main Street: Asked if his parcel would be affected, Mr. Leonard stated no out of the Rezoning District. Mr. Petrozzi asked if Hanci at 1302 Main Street would be affected. Mr. Leonard stated yes their Zoning would to C2. No further Comments from Mr. Petrozzi.

Mark Baetzhold, from Heart Love & Soul: Asked how the Zoning changes would affect the local Residents. Mr. DeSantis stated it is hard to predict. He does feel it would be a positive change for the locals as new business's means more job openings. Along with more residential living spaces for rent. Mr. Baetzhold stated that if the City ever needs a place to Host a Community meeting they would love to help with that. No further comments from Mr. Baetzhold.

Donald Coty Jr. of 2010 Main Street: He feels that you cant polish a turd. This area of the City is loaded with mold and you can smell it in the buildings. He is a Cancer survivor from the mold in some of these buildings. Mr. DeSantis stated that not all of the Blue Cardinal buildings can be salvaged. They are in the process of evaluating them . The ones that can be saved will be cleaned up /restored, and those that are structurally sound will be demolished and replaced. Mr. DeSantis stated that we cant look at the past, we need to start looking at the future and what the possibilities fro the Coty can be as the potential is there already with location alone. Mr. Coty stated he understands and hopes that the mold buildings are cleaned up/restored or demolished. He asked if the height limit of some of the buildings will raised. Mr. DeSantis stated yes they would be in certain areas to accommodate more residential/commercial uses/density. Mr. Leonard stated that a height assessment would be conducted to make sure no Gorge views are blocked in these areas. No further comments from Mr. Coty Jr..

Bekah Carey owns property 1040 Fairfield Avenue: She asked if the Board could please email her a copy of what each Zoning code meant so she better understood the purposed change. Mr. DeSantis stated that the Planning Department would do so. She asked how renters are being made aware of these Zoning Change meetings as letters are being sent to the landlords only at this time. Mr. DeSantis stated that along with mailing letters to Property owners and those within 500 ft. radius of affected area, these meetings are advertised in the Niagara Gazette several times prior to each meeting. Ms. Carey stated that she is excited on this purposed change and what it could mean for the City. She would happily join a committee in the future for this area if ever needed. No further comments from Ms. Carey.

John Prytask of 1914 Lockport Road: Mr. Prytask what is the time frame of these Zoning Changes and how will they affect the neighborhoods outside of the Zone. Mr. DeSantis stated that is hard to predict

when a Recommendation to City Council will be sent. Several more Informational Meetings will most likely happen first along with possible Public Hearing. The SEQR status needs to be determined first to see what process will be need to legally be followed. Mr. DeSantis stated that it is hard to predict what affect it will have on the surrounding neighborhoods. He in inclined to guess the closer the neighborhood is to these zones the higher property values will rise do to the new development. No further comments from Mr. Prytask.

Ed Palaszynski of 612 Chestnut Ave.: Mr. Palaszynski asked if there are restricts so no truck yard or crematory can be developed in these zones. Mr. DeSantis stated that these purposed Zoning changes do not allow for either of them. No further comments from Mr. Palaszynski.

Alex Nabatov, of NRP LLC: Asked if areas behind the building on Main Street, will businesses be going there? Mr. DeSantis stated there could be businesses or residential with the purposed Zoning changes. No further comments from Mr. Nabatov.

Mr. Polka of the Planning Board asked if these Zoning changes will affect residential taxes. Mr. DeSantis stated that it would not, that Zoning does not affect tax brackets. No further comments from Mr. Polka.

Mr. DeSantis closed the meeting with stating mostly the Zoning changes are to increase Density in these areas. They will allow for more potential projects/business's to look into moving into the City. Which will open up more jobs for the community and more living space for the residents of Niagara Falls. There are no set projects at this time for these areas, but with these changes will open up the City of Niagara Falls to a wider range of audience who may be looking for space to expand their business's.

With no further comments/questions from the room, Meeting was **Closed at 7:17.**

- **OLD BUSINESS:** NONE
- **NEW BUSINESS:** NONE
- **COMMUNICATIONS:** NONE
- **PLANNING REPORT:** NONE

### **ADJOURN**

Motion to adjourn meeting was made by Mr. Murphy and seconded by Mr. MacDougall. The meeting was duly adjourned at 7:22 P.M.