

**OFFICIAL MINUTES  
NIAGARA FALLS PLANNING BOARD  
September 11, 2019**

A regular meeting of the Niagara Falls Planning Board was held Wednesday, September 11, 2019, at 6:05 PM, in Council Chambers, City Hall, 745 Main Street, Niagara Falls, New York.

**PRESENT:**

Tony Palmer  
Charles MacDougall  
Joyce Williams  
Timothy Polka  
Robert Kazeangin  
William Dunn

**ABSENT:**

Peter Heuer  
Michael Murphy

**ALSO:**

Thomas DeSantis  
James Bragg  
Michelle Shaughnessy

**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 7/31/19 was made Mr. Kazeangin, and seconded by Mr. Polka. **Approved Unanimously**

**ACTION ITEMS:**

**1. Set Public Hearing date of October 9 2019, for Rezoning of Blue Cardinal properties along Main Street.**

Mr. DeSantis stated that although a complete application has not been fully submitted at this time, however the complete one should be in this week. The Board does have the partial original application at this point.

Motion to set Public Hearing Date of October 9 2019 was made by Mr. Polka, and seconded by Mr. MacDougall.

**POLLED VOTE**

Mr. MacDougall	Yes	Ms. Williams	Yes
Mr. Dunn	Yes	Mr. Palmer	Yes
Mr. Polka	Yes		
Mr. Kazeangin	Yes		

**Approved Unanimously**

**OLD BUSINESS –**

**1. Site Plan Review: 10158 Niagara Falls Blvd (C3)**

Proposal by Vann Advertising, Inc. to construct a 10' x 36' billboard as an accessory structure.

Mr. Vann stated that at last Board Meeting he misspoke and said that he could move the Billboard post 20 feet to the East. He was not aware there was an Easement at that location so this is no longer a possible condition. So he is asking for the previous Approval to remove that Condition.

Mr. DeSantis asked if the parking lot was still going to be restriped, and Mr. Vann stated that it would be as previously discussed.

Mr. Kazeangin asked Pat Ciccarelli, of Code Enforcement, if his department had any issues with this change. Mr. Ciccarelli stated no issues seen.

Motion to Approve Modified Site Plan dated July 3, 2019 was made by Ms. Williams and seconded by Mr. MacDougall.

**POLLED VOTE**

Mr. MacDougall	Yes	Ms. Williams	Yes
Mr. Dunn	Yes	Mr. Palmer	Yes
Mr. Polka	Yes		
Mr. Kazeangin	Yes		

**Approved Unanimously**

**1. Site Plan Review: 3941-3943 Buffalo Avenue (i2)**

Proposal by Matthew Kerwin, on behalf of Up State Tower Co., LLC and Buffalo-Lake Erie Wireless Systems Co. LLC to construct a telecommunications tower.

Mr. Bragg stated that no Representative for this project was present for this meeting so it will remain on the table at this point.

**NEW BUSINESS –**

**1. Blue Cardinal letter regarding zoning change amendment in the City’s Bridge District**

Dan Leonard, of Wendel, stated he would have the completed application, along with revised map, to the Planning Department and Board Member’s so the Rezoning of the Bridge District can move forward.

Mr. Polka asked how many properties in total does this effect and about how many of the building are salvageable. Mr. DeSantis stated 39 properties in total and some are salvable. All of the Jenss Buildings are in salvageable states, where the old Hart to Hart furniture building is not. The façade and steel frame will be the only salvage portions. There are some buildings that cannot even be entered due to safety issues as well.

Some of these buildings will qualify for Historic Preservation grants, which will take longer to rehab due to the approval process. They suspect approximately 3-5 years minimum on these properties. The City and Blue Cardinal are on an aggressive path to rebuild all of Niagara Falls not jus t the North End. There will be more to come on the Opportunity Zones as well.

**2. Hand out Explaining SEQR process from Alan Nusbaum**

Mr. DeSantis encouraged all Board Members to review this material to keep them selves familiar with the process.

**3. Presentation by Steinmetz Planning Group on Sign Ordinance**

Molly Gaudio, of Steinmetz Planning Group, notified that Board that Barton & Loguidice acquired them. So they will be seeing their logo on invoices and future paperwork.

She reviewed the sign code updates and explained that we are in the Adoption phase of this project. Next thing to do would be to set up a Public Hearing and then vote and forward to Council to hold their Public Hearing and vote.

Mr. Ciccarelli asked how code enforcement would be able to measure the lamination on a lighted sign. Ms. Gaudio stated that the sign companies know the state rule and they should be able to tell the board the measurement. Another way is for the City to purchase a device that can read and detect the level.

Mr. Kazeangin asked if sign currently exists, but non-compliant under the new ordinance, are they grandfathered in? Ms. Gaudio stated that yes they are grand fathered in, however if they come to get a permit to make change then Code Enforcement can force them to bring that sign into Compliance.

Mr. Ciccarelli asked that under the Awning sign section, External lighting (no internal lighting) permitted in all districts only. Mr. DeSantis agreed this would be a good change.

**COMMUNICATIONS-**

1. “Dollar Stores are targeting struggling Urban neighborhoods and small towns”
2. “Minneapolis City Council committee votes to ban new drive-through facilities”

3. "Intensely local investment rescued a Louisville neighborhood from the brink. Could it be a new way to think about economic development?"
4. Memorandum regarding SEQR for 402/430 Buffalo Avenue Proposed Apartment Complex with Drive Thru.

**PLANNING REPORT-**Mr. DeSantis stated that currently focusing on the DRI and Rezoning of the Blue Cardinal parcels.

**ADJOURN**

Motion to adjourn meeting was made by Ms. Williams and seconded by Mr. Polka. The meeting was duly adjourned at 7:32 P.M.