

NIAGARA FALLS PLANNING BOARD

TONY PALMER-CHAIRMAN

SPECIAL MEETING MINUTES TUESDAY April 25, 2023

A special meeting of the City of Niagara Falls Planning Board was held on Tuesday, April 25, 2023 in the Council of the Whole @ 6:00PM at City Hall, 745 Main Street, Niagara Falls, NY.

CALL TO ORDER and ROLL CALL

Board Members Present:

Tony Palmer
John Spanbauer
Beverly Callen
Charles MacDougall
Ken Nossavage
Timothy Polka
Joyce Williams
Ryan Dallavia

Staff Present:

Kevin Forma, Director of Planning
Vickie Hall, Clerk

Board Members Excused:

Schurron Cowart

APPROVAL OF AGENDA

A motion to approve the agenda was made by Mr. Polka and seconded by Mr. MacDougall.

MOTION: Approved Unanimously

APPROVAL OF MINUTES

A motion was made to approve minutes from meeting held on April 12, 2023 by Mr. Dallavia and seconded by Mr. Spanbauer.

MOTION: Approved Unanimously

PUBLIC PARTICIPATION

None

ACTION ITEMS:

1. **PLANNING BOARD RECOMMENDATION** for the purpose of rezoning of 56 Acheson Drive, S.B.L. # 159.14-2-5, on behalf of the applicant U.S. Leaseco Inc., aka Rainbow Air Tourism Center, from the existing D1-C “Downtown” zoning to I1 “Business Park.”

Mr. Forma let the Board know the applicants were available for questions.

Mr. Palmer asked if there were any questions. No questions were asked.
Mr. Palmer called for a motion.

Mr. Dallavia made the motion and the motion was seconded by Mr. Nossavage.

Tony Palmer	Yes
John Spanbauer	Yes
Beverly Callen	Yes
Charles MacDougall	Yes
Ken Nossavage	Yes
Timothy Polka	Yes
Ryan Dallavia	Yes
Schurron Cowart	Excused
Joyce Williams	Yes

Motion: Approved Unanimously

2. **LEVEL 2 SITE PLAN APPROVAL** for the purpose of constructing a tourist center, including heliport at 56 Acheson Drive, S.B.L. # 159.14-2-5 by the applicant U.S. Leaseco Inc., aka Rainbow Air Tourism Center.

Mr. Palmer asked Ms. Patricia Frederick if she had questions or comments to make to the Board and asked Ms. Frederick to state her name for the record.

Ms. Frederick stated that while some people have selective hearing, she has been blessed and cursed with an attention to auditory detail. She stated that you wish she could choose to ignore certain annoying zones, such as loud chewing gum, picking up a

clicking on phone, Bitcoin mining roars the humping of data processing or someone yelling loudly but was unable to.

She asked how much more manufacturing noise her neighborhood at 19th and McKenna Avenue were expected to can handle. Ms. Frederick stated that she could barely hear the birds or rumbling of the river which are sounds she enjoyed. She stated that she could not imagine adding taking off and landing sites for helicopters to this area. Ms. Frederick stated that the proposed site of 56 Atchison is too close for comfort. She asked the board to consider the day to day, scheduled interruptions of the residents that live in surrounding neighborhood of the current proposal.

Ms. Frederick asked the board to please consider the day to day lives schedule an interruption of the standing of the residents who live in the surrounding neighborhood and current and future proposal.

Mr. Palmer thanked Ms. Frederick and gave permission to the applicants to speak on the comments made.

Mr. Aron Faegre stated that the big advantage of this site for the community at large is that the helicopters can take off towards the river, and then climb there. Whereas, the prior site downtown, basically was a circling climb that affected large amounts of the neighborhood. He explained to the neighbor that she would occasionally hear helicopters in a distance.

Mr. Palmer asked what the hours of operations were.

The applicants stated that they begin operations at 9:00 am and the business would close between 7:00 pm and 8:00 pm.

Mr. Palmer clarified that business hours were approximately 10 hours per day.

The applicant stated Labor Day and Memorial Day are consistent operations due to volume. The applicant stated that the newest helicopters are one of the quietest helicopters in the industry right now. The helicopters are three and a half or four decibels below the city limit.

Mr. Novassage inquired about decibels for takeoff and landing.

Applicants stated they were well below the city limits.

Mr. Spanbauer asked about the clientele. Would the company expect families and what programs would be in place?

The applicants explained that the downtown traffic was due to a lot tourist. The new center would be geared to families.

Mr. Polka inquired about a comparison with the Canadian helicopters.

The applicants explained that what we see with the Canadian helicopters, we will not see for this project. The helicopters would be smaller and less noisy.

Mr. Palmer called for additional questions, none were asked.

Mr. Palmer call for a motion.

Mr. Spanbauer made the motion to approve the Level 2 Site Level Plan. Mr. Dallavia seconded the motion.

Tony Palmer	Yes
John Spanbauer	Yes
Beverly Callen	Yes
Charles MacDougall	Yes
Ken Nossavage	Yes
Timothy Polka	Yes
Ryan Dallavia	Yes
Schurron Cowart	Excused
Joyce Williams	Yes

Motion: Approved Unanimously

3. **PLANNING BOARD RECOMMENDATION** for the purpose of adding a High Energy Overlay Zone on the I2 “Industrial” zoned parcel at 5380 Frontier Avenue, S.B.L. # 160.14-1-1.2, at the request of the applicant North East Data, LLC, DBA Block fusion USA, Inc.

Mr. Palmer asked for questions.

Ms. Adornetto asked for clarification on the process and if this process would send the recommendation to City Council for the overlay.

Mr. Palmer explained that this would just be the Planning Board's sending their recommendation to City Council for the overlay.

Mr. Palmer called for a motion.

Motion was made by Mr. Spanbauer and seconded by Beverly Callen.

Tony Palmer	Yes
John Spanbauer	Yes
Beverly Callen	Yes
Charles MacDougall	Yes
Ken Nossavage	Yes
Timothy Polka	Yes
Ryan Dallavia	Yes
Schurron Cowart	Excused
Joyce Williams	Yes

Motion: Approved Unanimously

ADJOURNMENT

Motion to adjourn was entertained by Mr. Palmer.