TOWN OF NIAGARA

COUNTY OF NIAGARA, STATE OF NEW YORK

NIAGARA FALLS, N.Y.



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**TOWN OF NIAGARA PLANNING BOARD MEETING MINUTES**

**May 7, 2024**

**6:30 pm**

**Meeting held at the Town Hall**

**BOARD MEMBERS PRESENT: BOARD MEMBERS EXCUSED:**

Robert McDermott/Chairman

Barbara Hathaway

Darlene Sullivan

John Polka

Eugene Pucci

Josephine Brevetti-Runkle (Alternate)

**IN ATTENDANCE:**

Richard Sirianni

Gerald Hathaway

Corey Auerbach

Kenneth Brown

Joe Smith

The meeting was called to order at 6:30 pm.

1. **PRESENTATIONS:**

**Presentation #1- Joseph Smith of David Smith Sr. Enterprises represented by Timothy Arlington, P.E. of Apex Consulting**

**Project Location: 10235 Porter Rd. Preliminary Site Plan Review**

**Tax Map# 146.19-2-2**

**(Vehicle Detail Shop)**

**Town of Niagara**

1. Joseph Smith of David Smith Sr. Enterprises is requesting a Preliminary Site Plan Review for the property on 10235 Porter Rd., which includes a small 380 +/- SF addition for 2 additional vehicle detail shop bays to the existing building. He is also seeking a revised special use permit for the repair garage: permit originally granted November 14, 2017 due to the alteration proposed. **Tax Map Number: 146.19-2-2 and SEQR**

Joe Smith explains that the structure is currently two bays, an office and a bathroom. They are looking to renovate the Westside and the center façade; with a small area in the center for a workstation with four bays total. He's going to make it match the existing dealership with the silver coating to make it consistent with the exterior look of David Chevrolet.

Mr. Smith states that much of the utilities are preexisting: the existing drainage, the grease separator, and the electric utilities are there as well. Mr. Pucci asks if the tanks have been removed, and Mr. Smith confirms that they were. Mr. Pucci asked for how many cars would be stored outside, and if once they are detailed if they would be brought back across the street to the existing dealership. Mr. Smith States that he will not sell cars there but he does not like the cut through use of the parking lot there. He may therefore park cars in such a manor to eliminate the possibility of using the property driveways and parking lot as a cut through. Mr. Smith introduces Kenneth Brown who is the engineer from APEX Consulting for additional information on the structure.

Mr. McDermott confirms that water and sewer comments were received by both Kenneth Brown as well as Joe Smith. He also requests a 3D render of what the building will look like from the outside.  Mr. Smith confirms that he will bring a rendering to the next meeting. He also mentions that the ACM panels will be used on the facade.

Mr. McDermott asks about the zoning variances but is told that they are on the zoning board agenda for June. Mr. McDermott asks about the garbage dumpster. Mr. Smith says that there is currently a small dumpster container to the right of the building. Mr. McDermott asks if it's currently enclosed. Mr. Smith agrees to put a chain link fence around it. Mr. Smith further explains that when he sublet the building after COVID began the tenant got a dumpster; prior to that, the dealership had been running the garbage across the street. He explains that they kept the dumpster once they took the detail shop over last month.

Mr. McDermott asks about the plan for lighting on the building. Mr. Smith explained that they will have parking lot lights and possibly some accent lights but nothing that shines towards the street. They are aware that any security lights would need to be dark sky because they are located next to the airport. Mr. Smith also explains that most of the cars being detailed approximately 80% are internal (from the dealership) and that not much business will come in off the street.

Mrs. Hathaway asks if Mr. Smith will be going in front of the city of Niagara Falls because his dealership is located within 500 ft. of the property line. Mr. Smith confirms. Mrs. Hathaway asks if he is also going in front of the town of Wheatfield.  Mr. Smith explains that the reason he needs to go to the city of Niagara Falls is because the water and sewer comes from them. But nothing goes through Wheatfield.

Mrs. Hathaway asks about the age of the building because the building does not look like it's in very good repair. Mr. Smith confirms that the purpose of this renovation is to update to a more modern and cleanly look. He states he is going to clean up the roof and probably put a new HVAC unit up there. He also states that they are going to take off the vinyl siding and make it look nicer, since it is the gateway to the town of Niagara.

Mr. Polka asks if he has been in front of the zoning board yet. Mr. Smith confirms that he will be on the agenda for the following month for the ZBA. Mr. Polka also clarifies that they don't have to have a dumpster that they could keep the trash inside. Mr. Smith notes that prior to this renovation there was no need for a dumpster as they didn't generate that much garbage before, but that they will probably have use for one now. Mr. McDermott also states that one of the conditions for approval is that no materials are to be stored outside. Mr. Smith states that if they do keep the dumpster they will definitely incorporate an enclosure. Mr. Polka also asks for a parking lot layout for the next visit to the planning board, so that they can see how the striping will look.

Mr. McDermott asks if they are also going to keep both entrances as they currently are. Mr. Smith confirms that they will and agrees that it's probably a good idea to park cars in the back in order to block one entrance off to prevent cut troughs. Mr. Polka also makes Mr. Smith aware of the need for special use permits. Mr. Polka asks about the Landscaping. Mr. Polka then suggests that perhaps a landscaper in the town might adopt that Island and work with Mr. Smith to fix it up. Mr. Smith agrees that he would be happy to turn the fountain on, remove the bush that is a visibility issue at the doctor's office and make the whole thing look nicer. Mr. Polka also asks for sign locations on future elevation plans. Mr. Smith says that they will be recycling the existing sign after they reskin the building. Mr. Polka asks about the small “kicked out" portion of the office. Mr. Brown confirms that indeed that portion will be removed as it is structurally the portion of the building that he does not like.

With no further questions Mr. McDermott closes the presentation portion and opens the meeting portion of the town of Niagara planning board.

**II. MEETING:**

**Presentation #1- Joseph Smith of David Smith Sr. Enterprises represented by Timothy Arlington, P.E. of Apex Consulting**

**Project Location: 10235 Porter Rd. Preliminary Site Plan Review**

**Tax Map# 146.19-2-2**

**(Vehicle Detail Shop)**

**Town of Niagara**

Mr. Polka makes a motion recommending approval of the preliminary site plan subject to the following conditions:

* Provide an elevation including location signs and design of the outside of the building.
* The decision concerning the dumpster and whether there will be an enclosure or not.
* Address all Water and Sewer Department comments.
* A parking lot layout site plan.
* Address the Landscaping issues.
* Attain variances from the town of Niagara zoning board.

Mrs. Hathaway seconds the motion and motion carried.

Ayes 5, Mr. Polka, Mr. Pucci, Mrs. Sullivan, Mrs. Hathaway, Mr. McDermott

Noes 0,

Absent 0,

Result: Approved

**III. MINUTES:** Approve Planning Board minutes from the April 2, 2024 Planning Board meeting. The next Planning Board meeting is scheduled for June 4, 2024 at 6:30 pm.

Mrs. Sullivan motions to approve the Planning Board minutes from the April 2, 2024 Planning Board Meeting. Mrs. Hathaway seconds and motion carried.

Ayes 4, Mr. Pucci, Mrs. Sullivan, Mrs. Hathaway, Mr. McDermott

Noes 0,

Abstain 1, Mr. Polka

Absent 0,

Result: Approved

Mr. McDermott made a motion to adjourn the meeting at 6:52 pm

Respectfully submitted,

Jackie Duff