

PRESENT Doreen Albee, Nick Schaefer, Josh Janese, Shannon Fundis, Donna Cassick

EXCUSED Rick Haight, David Giusiana, Joe Sorce

CALL TO ORDER Doreen Albee called the meeting to order at 6:23pm

MINUTES A motion was made by Doreen Albee seconded by Josh Janese and passed unanimously to approve the April 16, 2024 minutes.

OLD **820 Center – Reid Petroleum/Crosby’s**

BUSINESS Doreen Albee stated that there has been no action on reducing the canopy sign and removing Crosby’s from the coffee portion of the freestanding sign. Shannon Fundis said that Building Officer/Zoning Officer Candella spoke with Chris McCaffrey of Ulrich signs, who stated he would attend this meeting, but I have not heard from him. Albee stated that the freestanding sign is in compliance with the code and the variances that have been granted for this sign, but the prior requests for the canopy and coffee sign are still an issue.

A motion was made by Nick Schaefer seconded by Josh Janese and passed unanimously to have the Code Enforcer send a letter stipulating that the canopy sign be reduced to the appropriate size, and to remove the Crosby name from the coffee sign on the free-standing sign.

A motion was made by Doreen Albee seconded by Nick Schaefer and passed unanimously to approve the free-standing sign put forth, measuring 75.43 SF, with the change out of Crosby’s Coffee, to only indicate coffee.

**Lewiston Public Art Project – Art Frames**

Doreen Albee stated that part of the delay of this project was due to the engineers needing to mark the site where the bike path would be located. The bike path was marked today, and the DPW will begin digging tomorrow. This will allow Dan Buttery to see the path so he can develop a site plan with where the frames will go in correlation to the bike path. There will be a meeting with the stakeholders, the VFW, Kiwanis, the Artisan Market, to ensure they have no concerns with it and there will be no negative impact on their events. There are regulations with bike paths for safety that need to be considered, and I would like to move on and have something done with this. No action was taken.

NEW **470 N. 2<sup>nd</sup> Street – Schedule Public Hearing for Proposed Subdivision**

BUSINESS A motion was made by Doreen Albee seconded by Josh Janese and passed unanimously to schedule a public hearing for the following subdivision proposal for 470 n. 2<sup>nd</sup> Street on Monday, June 10, 2024 at 6:30pm:

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE Village of Lewiston, County of Niagara, and State of New York, being part of Outer Lot No. 40 of the Village of Lewiston, as said Outer Lot appears upon the Map of the Village of Lewiston compiled in 1856 by David. E. E. mix and filed in the Niagara County Clerk’s Office on October 16, 1857, and more particularly bounded and described as follows:

BEGINNING at the easterly line of North Second Street with the northerly line of Outer Lot No. 40; running thence southerly along the easterly line of North Second Street a distance of 66.00 feet to a point; thence easterly parallel to the northerly line of Outer Lot No. 40 a distance of 99.00 feet to a point; thence northerly parallel to the westerly line of Outer Lot No. 40 a distance of 66.00 feet to a point in the northerly line of Outer Lot No. 40; thence westerly along the northerly line of Outer Lot 40 a distance of 99.00 feet to the point or place of beginning.

A discussion ensued on the concern that the existing structure on the lot will not meet the zoning schedule rear setback requirements of 20', with the structure only being 19.1' from the new proposed property line. Shannon Fundis said she spoke with the property owner and made her aware that there may need to be a change in the dimensions of the new proposed lot to ensure both lots are in compliance and so she will not need to apply for a variance.

**467 Center – Totally Buffalo Sign Application**

A motion was made by Nick Schaefer seconded by Josh Janese and passed unanimously to approve the 3'6" round sign, measuring 13 SF, as presented.

**411 Center – Ashley's Lingerie & Swimwear Sign Application**

A motion was made by Doreen Albee seconded by Nick Schaefer and passed unanimously to approve the projecting oval sign with a white background and black letters as presented.

A discussion ensued on the proposed wall/window sign. Doreen Albee said that window sign regulations state the name of business can be on the sign, with five generic words only. There are more than that on this sign, they are barely readable and the sign also includes a website. Nick Schaefer suggested the business owner consider removing the words, simplify the sign, and removing the website because it does not fit into the five generic word definition.

A motion was made by Doreen Albee seconded by Josh Janese and passed unanimously to table the request for the wall/window sign, pending more information from the business owner. There is currently a temporary sign in place, so this will not negatively impact the business.

**100 Center Street – Hotel Parking**

A discussion ensued on the parking issue for the hotel located at 100 Center Street. Doreen Albee stated that the hotel has reduced the amount of parking they are required to provide and are not in compliance with the code. Regarding the diagonal parking across from the hotel on the village right of way, the code states that street parking is not permitted December 1 through April 1 from 2am to 6am. The code also stipulates that diagonal parking is not permitted on North 1<sup>st</sup> Street. Shannon Fundis said a meeting was held at the hotel with the owner, the DPW, the Mayor, and Rick Haight, who was the original engineer for this project. They are working out a plan to create additional parking on hotel property, and for the hotel to pay for the village right of way used for parking across the street to be paved. Albee recommended the fire department provide input on the parking situation and ensuring proper fire vehicle access. Albee suggested the hotel could lease the Lewiston Landing parking lot from the village to enhance their parking needs. Josh Janese said that the hotel should be coming up with solutions on their own; they could purchase vacant property to provide additional parking spots.

**535 Oxbow – Special Use Permit**

Doreen Albee read a letter submitted with a special use permit application at 535 Oxbow Lane, to allow a beauty salon in the residential property. Albee said this property is zoned R1-A. A discussion ensued on the application and the village code regulations. Albee questioned the letter stating they are requesting limited business hours; however the proposed hours are 7am to 9pm. Albee said I did a survey of other salons in the commercial district, and they are open from 9am-5pm, or 10am to 5pm or 8pm. This is very unlimited hours of operation.

Josh Janese said the code explicitly states a beauty salon is not permitted in this district. The expansion on the property is evident. A special use permit is a privilege, not a right. I can understand if there was a hardship due to lack of space in the business district, but there are plenty of spaces available. Shannon Fundis said that permitting this could set a precedent for other businesses, who would also want to open a business in their home to avoid paying for commercial

rent. There is also an issue with work being done to the property without permits or proper inspections that will need to be addressed.

The Planning Commission unanimously agreed that they cannot support the approval of a special use permit for the request made by Lisa Carney-Brochey to operate a beauty salon at 535 Oxbow Lane.

ADJOURN     A motion was made by Nick Schaefer seconded by Josh Janese and passed unanimously to adjourn the meeting at 7:09pm.

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Shannon Fundis, Clerk