

# Village of Youngstown

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INCORPORATED:  
APRIL 18, 1854

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## Planning Board minutes – September 4, 2024

Village attendees	Present	Absent	Village attendees	Present	Absent
Chairperson Dale Halverson	X		Code Enforcement Officer Pete Jeffery		X
Member Bruce Andrews		X	Engineer Bob Lannon	X	
Member Sue McNaughton		X	Attorney Tom Caserta	X	
Member Claudia Andres	X		DPW Superintendent Greg Quarantillo	X	
Member Jennifer Dick	X				
Clerk-Treasurer Amy Beaudreau	X				
Deputy Clerk Alex Certo	X				

Clerk-Treasure Beaudreau reminded all Members and Department Heads to use the microphone while speaking and to turn the microphone off when not speaking.

### CALL TO ORDER:

Clerk-Treasurer Beaudreau announced that there was a quorum and that the meeting could be begin.

Chairperson Halverson called the meeting to order at 6:00 p.m. with the Pledge of Allegiance.

Chairperson Halverson read:

*On August 8, 2024 Bruce Andrews stepped down as Chairperson of the Planning Board while remaining a member. On August 8, 2024, The Village Board of Trustees appointed Dale Halverson to the Planning Board Chairperson role.*

### APPLICATION AT HAND:

#### Site Plan and Public Hearing for 701 Nancy Price Drive:

Chairperson Halverson read:

*Ant Russ Properties, LLC – Anthony DeMigilo, Managing Partner for 701 Nancy Price Drive, Youngstown; Tax Map 59.06-3-6 to demolish the former cold storage building and to develop/build multi-unit condominiums.*

Chairperson Halverson asked for Mr. DeMigilo and his team to present the project.

Anthony DeMigilo - Managing Partner, Anthony Pandolfe - Civil Engineer, Jim Fitante - Architect and Dave Pawlick - General Contractor were present to represent the application.

Mr. Pawlik explained that the plans are to build three (3) buildings with a total of seventeen condominiums. Two buildings will contain six (6) units and one building will house five (5) units. The condos will be sold at market rate with a price point from between \$350,000-\$500,000 depending on the size. Drawings were displayed with the units and the site plan.

Mr. Pawlik stated they are looking for a positive recommendation tonight from the Planning Board so that they can move forward with the project.

Mr. Pawlik stated that the exterior of the units will include 4-feet of stone from the ground up with vinyl siding above the stone work, architectural shingles on the roof and plenty of landscaping. Every unit will have a concrete driveway and a garage. Each until will have a full basement.

Mr. Pawlik explained that originally the idea was to have 28 units, but it was decided to include more passive green space and therefore they would only build 17 units as indicated in the application.

Mr. Pawlik stated that the application went in front of the Niagara County Planning Board and a positive recommendation was made to the Village Board.

**PUBLIC HEARING/COMMENTS:**

Chairperson Halverson read:

*The following public hearing notice was mailed to all residents within 500 feet of the property boundary and published online on August 27, 2024 and published in the Niagara Gazette on August 28, 2024.*

*VILLAGE OF YOUNGSTOWN PLANNING BOARD OF  
NOTICE OF PUBLIC HEARING*

*NOTICE IS HEARBY GIVEN THAT, pursuant to Village Law and the Zoning Ordinances of the Village of Youngstown, a public hearing will be held by the Planning Board, at the Village Center, in the Board Room at 240 Lockport St., Youngstown, NY on Wednesday, September 4, 2024 at 6:00 p.m. for the purpose of hearing and considering the following application:*

*Site Plan Review for Ant Russ Properties, LLC – Anthony DeMiglio, Managing Partner at 701 Nancy Price Drive, Youngstown; Tax Map 59.06-3-6 to demolish the former cold storage building and to develop/build multi-unit condominiums.*

*Applicant or representative must be present. Complete application is available for viewing at the Village Clerk's office during normal business hours.*

*Amy L. Beaudreau  
Clerk-Treasurer*

Chairperson Halverson asked for a motion to open the public hearing. The motion was made by Member Andres and seconded by Member Dick. All in favor, none opposed, motion carried.

Chairperson Halverson asked for public comment or questions with the reminder to the audience to state their name and address for the record.

Resident John Stevens asked if there would be further information forthcoming on the project and Mr. Pawlik stated that he was happy to answer any questions Mr. Stevens may have as they have presented their plans.

Mr. Stevens asked if the project would be privately funded and Mr. Pawlik confirmed that the project will be 100% privately funded both with private investments and private financing. Mr. Pawlik stated he has worked on over 1100 multi-family projects and has had a lot of success with this type of housing. He stated that once financing is locked down the team intends to demolish the former cold storage building and to build the foundations with hopes of this happening prior to this winter. He stated that in the spring of 2025 each building will be constructed and this project will take a total of one year to complete. The construction will not be done in multi-year phases.

Mr. Pawlik further explained that in the past he was a partner in the development of apartments for this property but after the market study it was decided that the success rate was risky and they chose not to further pursue the project. He stated that this team decided on for-sale market rate condos which will increase the property tax revenue for the Village. The condos will offer more high-end housing opportunities to residents as each unit will include appliances, granite countertops and will be energy efficient.

Business owner Don Finkle asked about the rezoning of the property. Clerk-Treasurer Beaudreau explained that currently the property is zoned C- Commercial and was requested to be rezoned to R8-A - General Residences. She continued that the Niagara County Planning Board made a positive recommendation on the rezoning. The Village Board will discuss and make a determination on the rezoning at the monthly meeting on September 12, 2024. Mr. Stevens asked if the Zoning Board was involved in the rezoning and Clerk-Treasurer Beaudreau stated that they were not as per code book.

Resident Susan Bray stated she had many questions about the project. She asked what would happen with the service road that currently runs on the Lucas' property and the parcel that the applicant will build on. Engineer Pandolfe stated that the property owners will still have access on their property, but it will be removed on the applicant's property.

Ms. Bray asked what happens if there is a fire and the end unit needs to evacuate by vehicle – indicating that the road dead ends. Engineer Pandolfe stated that there is road access as well as the public park parking lot across the street in case of an emergency.

Ms. Bray asked where guest parking would be located. Mr. Pawlik stated that as per code, there are two parking spaces for each unit. One in the driveway and one in the garage. Ms. Bray stated that guest parking needed to be addressed and Mr. Pawlik stated that their site plan meets code for parking requirements.

Ms. Bray submitted a letter to the Members and Village staff and read the letter for the record.

*September 4, 2024*

*RE: Village of Youngstown, New York  
Public Hearing September 4, 2024  
Cold Storage Building-701 Nancy Price Dr.*

*Dear Planning Board:*

*It came to our attention through regular mail on August 30th there was going to be a public hearing September 4, 2024 to review the Draft of the Site Plan for 701 Nancy Price Drive which is the Cold Storage Building. This is in the Village of Youngstown which encompasses one square mile. We also understand it would be demolished and at the time of this writing 17 multi-unit condominiums built. To also emphasize the Zoning would be changed to R-8A which is General Residential from Commercial Zoning.*

*It is unfortunate that limited knowledge of this change was put forth on a building that has existed since 1911. The Village Sign outside the Village Office never posted this meeting and usually does. Yes, it is abandoned and does not provide currently tax revenue.*

*In reviewing the August 6th minutes from the Village we came across several concerns. Possibly these were addressed in the Updated Environmental Impact study and we are still waiting for a copy.*

*CONCERNS: The building that is under Draft Review is surrounded by beautiful residential homes, a fire hall, dumpsters, National Grid electrical transformer and a park. A gas line would run through the property and under driveways on Second Street. There are both safety signs along the perimeter to notify people of a blind person and children at play. Ten mature trees outline the property providing shade and wild life habitat. I suspect these would be taken down. A watershed area sits behind 820 River Road in the Village. This water initiates behind the Mollie Lucas Property. We noted a valve break in the Main Street. DPW has had to deal with back flow information from a resident. We all are aware of the Sewer Issues in Lewiston New York.*

*The Village has limited amenities. Big Companies are leaving-Case in point-Rite Aide [sic] this Spring. Residential complaints despite an HOA we are sure will snarl the environment which*

*could lead to LEGAL problems. You would be looking at increased noise, traffic, light pollution, strangers in area, maybe crime and utility problems. What happens when it snow 1.5 feet and driveways are across the road way.*

*David Pawlik from CCS Construction [Ms. Bray was informed the correct name is CSS Construction and asked for it to be changed for the record] sited the potential Real Estate Sale would be between \$450,000-\$500,000. In today's market if you looked at comparable condos in Lewiston, NY they go for around \$300,000.*

*It was also stated in the Village minutes of August 6th 2024 Mr. DeMiglio the managing partner in this arrangement owns a company to remove environmental hazards. We do find this a conflict of interest.*

*We believe the Youngstown Village Board needs to take a step back and thoroughly review this application. Your reputations are at stake. Yes, this building has been a burr in your side but 17 condo units are far too hazardous in many of the potential issues that may occur. You need forgo your September 12th decision until there is more community input. We live here, we work here we moved here for the beauty, culture and companionship this vital area has to offer. We reject the motion to change the Zoning for 701 Nancy Price Drive currently.*

*Regards,*

*(signed) Susan Bray*

*(signed) Robert Bray*

*Village of Youngstown Residents*

Resident AJ Hannah stated that there is a blind person living on Campbell Street and asked if there would be increased traffic on that street as safety is his prime concern. Mr. Pawlik stated he would reach out to Mr. Hannah to discuss the traffic plan and is confident that they will address any safety concerns. He also stated that there will be a construction fence on the site for safety reasons also.

Mr. Hannah also asked if parking on laws will be allowed. Mr. DeMigilo stated that there is a public parking lot across the street if needed and Mr. Pawlik stated that the HOA will have guidelines on parking, but he suspects that the HOA will not allow parking on the lawns.

Resident Maggie McGurk asked if there is no guest parking that guests will not be allowed? Mr. Pawlik stated that if there is an event at someone's house there isn't always room for parking, but street parking is an option. They are not going to add additional asphalt to the passive greenspace for additional parking.

Mr. Hannah asked if the more trees would be planted once the construction was complete and Mr. Pawlik stated that green space was important in the overall look as they did not want to overpopulate the area with buildings. Therefore, there is a landscaping plan in place for this reason.

Chairperson Halverson asked if there were any further comments or questions from the audience. With none, a motion to close the public hearing was made by Member Dick and seconded by Member Andres. All in favor, none opposed. Motion carried.

## **DETERMINATION ON SITE PLAN:**

Chairperson Halverson read:

*This application was submitted in full to the Niagara County Planning Board as the property needs to be rezoned to RA-8 General Residences from Commercial zoning. The Site Plan was also reviewed with a favorable recommendation from the Niagara County Planning Board for both items.*

*At the Village Board meeting on September 12, 2024, the Village Board will review the SEQR to examine the environmental impacts of the project. In addition, the Village Board will make a final determination on the rezoning of the property.*

*The Village of Youngstown Planning Board can approve, approve with conditions or deny the application at hand. This decision is a recommendation to the Village Board of Trustees who will make the final determination on the Site Plan at the Village Board meeting on September 12, 2024. The Village Board will not hold a public hearing on this application as the Planning Board satisfied this requirement.*

Chairperson Halverson asked the Members if there were any questions. Member Dick wanted to verify that there was parking for two vehicles for each unit and Mr. Pawlik confirmed. Engineer Pandolfe added that depending on the size of the vehicle, there may be parking for two vehicles in the driveway.

Member Dick wanted verify that there will not be more than 17 units built and Mr. Pawlik confirmed that a maximum of 17 units will be built (as per the application).

Member Dick asked if this development will cause any additional sewer issues as an additional 17 homes will be attached to the system already in place. Engineer Pandolfe stated that they are proposing two extensions with the construction and that sewer connections require monitor reporting to New York State. He explained that they are working with the State and the DPW on flow tests and will have all required testing and reporting to NYS and the Niagara County Health Department prior to starting construction. Approval must come from both the State and Niagara County before development.

Member Andres had no further questions.

A motion to recommend to the Village Board that the Site Plan be approved as presented was made by Member Dick and seconded by Member Andres.

With no further discussion, roll was called.

Chairperson Halverson: Yes

Member Andres: Yes

Member Dick: Yes

Member McNaughton: Absent

Member Andrews: Absent

Motion carried.

#### **FUTURE MEETINGS:**

Chairperson Halverson reminded the Planning Board Members that they must complete 4 hours of training before the end of the year.

#### **ADJOURN MEETING:**

A motion to adjourn the meeting at 6:36 p.m. was made by Member Andres and seconded by Member Dick. All in favor, none opposed. Motion carried.

Respectfully submitted,



Amy L. Beaudreau

Village Clerk-Treasurer