CITY PLANNING COMMISSION
Regular Session
North Tonawanda, New York 14120
Monday, February 3, 2014
6:03P.M.

REGULAR SESSION CALLED TO ORDER BY CHAIRMAN KENYON

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: **Chairman Kenyon**
Commissioners Conti, Mineo, Jaccarino, Burgio, Brown, Heilemann

Absent: **Building Inspector Cosimo Capozzi**

Also Present: **Assistant City Attorney Katherine Alexander**

APPROVAL OF THE MINUTES OF THE MEETING JANUARY 6, 2014

MOVED by Commissioner Mineo SECONDED by Commissioner Jaccarino
That the minutes of the meeting held January 6, 2014 be approved as circulated and filed in the Office of the City Clerk-Treasurer.
CARRIED.

NEW BUSINESS

1. **Katherine C. Phufas**
   343 Christiana Street
   North Tonawanda, NY 14120

January 20, 2014

City of North Tonawanda Planning Board
261 Payne Avenue
North Tonawanda, NY 14120

Re: Mid-City Plaza

Dear Sirs:

I am the attorney representing IT-Mid-City Plaza LLC, the new owner of real property commonly known as the Mid-City Plaza which closed on December 30, 2013. In connection thereto, the owner herein makes application for the subdivision of that portion of the property known as the "Midas" parcel, also known as 943 Payne Avenue, from the remainder of the plaza along Payne Avenue, which is commonly known as 953 Payne Avenue and 1007 Payne Avenue. This subdivision is required to enable the owner to lease the 'Midas" parcel further to a longterm ground lease.

Although the subdivision proposed will result in a parcel that includes no street frontage along Payne Avenue, the owner will include an easement or ingress and egress over the plaza property in the separating deed should the subdivision be approved. An application has been made with the North Tonawanda Zoning Board for a variance in connection with the lack of street frontage.

Enclosed for your review is a survey of the proposed "Midas" parcel, a survey of the Mid-City Plaza (Payne Avenue part) and the deed which will be recorded should the subdivision be approved which includes an easement for ingress and egress over the plaza property. I also include the application fee in the amount of $100.00.

Finally, in connection with the financing of the plaza acquisition, the owner is under a strict deadline to obtain the release of the "Midas" parcel from the mortgage. I herein kindly request that should this Board approve the subdivision, it does so subject to the approval of the Zoning Board which meets after this Board in February. This will enable the owner to meet the deadline in March to subdivide the property and upon a release of property from the mortgage.

I will be pleased to provide this Board with any additional information it may require in connection with this application. Thank you for your consideration.

Very truly yours,
Katherine C. Phufas

MOVED by Commissioner Jaccarino SECONDED by Commissioner Brown
That the Planning Commission finds that there will be no significant environmental impact and as such declares a Negative Declaration on the SEQR.
Ayes:Commissioners Conti, Mineo, Jaccarino, Burgio, Brown, Heilemann, Kenyon (7)
Absent:None (0)
CARRIED.

MOVED by Commissioner Conti SECONDED by Commissioner Brown
That the Planning Commission hereby approves the aforementioned request to separate the property at 943 Payne Avenue from 953 Payne Avenue as per Job #14J4-0008 dated 01/16/14 contingent upon approval of a variance by the North Tonawanda Zoning Board of Appeals regarding the lack of frontage.
Ayes: Commissioners Conti, Mineo, Jaccarino, Burgio, Brown, Heilemann, Kenyon(7)
Absent:None (0)
CARRIED.

ADJOURNMENT

MOVED by Commissioner Mineo SECONDED by Commissioner Conti
That this regular session of the City Planning Commission be and hereby is adjourned.
CARRIED.

Time of Adjournment: 6:25P.M.

Next Meeting: Monday, March 3, 2014, 6:00P.M.

Respectfully submitted,

Scott P. Kiedrowski

Scott P. Kiedrowski
City Clerk-Treasurer