TOWN OF LOCKPORT
PLANNING BOARD MINUTES
January 19, 2011

PRESENT: Robert Balcerzak
Morris Wingard, Acting Chairman
Robert Langdon
Walter Thorman
Rodney Conrad
Scott Carlson, Appointed Alternate

ABSENT: Richard Forsey, Chairman
Mark Kilroy

ALSO PRESENT: Brian Belson, Senior Building Inspector
Fred Frank, Town Engineer
Daniel Seaman, Town Attorney
Jane Trombley, Secretary

The January 19, 2011 Planning Board meeting was called to order at 7:00 pm by Acting Chairman Wingard, who then led the Pledge of Allegiance.

Alternate Carlson was appointed a full voting member for the evening due to absences.

MOTION made by Member Langdon, seconded by Member Conrad to approve December 8, 2010 Planning Board Work Session minutes. 6 Ayes, 0 Nays, Carried.

CASE #1 **6157 S. Transit Road – Basil Toyota, Owner – SBL #138.00-1-26.1** – Site Plan Review, Niagara County Planning Board Review.

Town of Lockport
Resolution

MOTION made by Member Conrad and seconded by Member Langdon.

A short form Environmental Assessment Form having been prepared for the Basil Toyota Project, and this Board having reviewed said EAF; it is determined that the Project is an unlisted project pursuant to SEQRA; that the Town Planning Board is the Lead Agency; that the coordinated review is not required

and that based upon all the information set forth in the EAF, the Project will not have a significant adverse affect on the environment, and the execution of determination of non-significance is hereby directed.

6 Ayes, 0 Nays, Carried.

Motion made by Member Langdon, seconded by Member Thorman.

Architectural and Design review having taken place for the Basil Toyota project, this Board makes the following findings pursuant to Town Code Section 53-8:

A	Building Materials, variation of relief, architectural styles, colors, compatibility of amenities including awnings, signs, lighting, and landscaping in relation to architectural design.	*The proposed building will be constructed of 4mm thick bonded aluminum with ¾ exposed reveals. Glass panels will occupy much of the lower portion of the building, to allow for view into the showroom. The building façade offers relief in terms of both vertical and horizontal projections. There are no awnings or decorative lighting proposed, and there is no landscaping proposed around the building.*
B	The surrounding area and the building located in the surrounding area, potential and existing development of the area, and compatibility of architectural design.	*The new building is designed to be complementary with the existing service building. Development in the area generally consists of block buildings that house offices for vehicle sales or other businesses.*
C	Overall aesthetic enhancement of the Town and its various districts.	*The proposed building will result in an overall aesthetic enhancement as it will replace an existing building that has begun to deteriorate with a newer building. The proposed building will also block the view of the existing service building from the street*
D	Corporate signature styles or prototype buildings shall not be of paramount importance and shall not override other considerations given weight by the Planning Board.	*This building uses design features typically seen with vehicle sales, however, several features are unique to this building.*
E	Architectural design for multiple buildings shall not be integrated for general period, style, coloration and thematic compatibility.	*The proposed building is not designed around a particular period or theme.*

F	Architectural design shall not be limited to any period, but due consideration shall be given to local, commercial, industrial and governmental architectural style during the historic development of Niagara County from the 1820's through the 1920's.	*The proposed building design incorporates features of Niagara County's historic development.*
G	Corporate logos, patterns, designs identifying details, color and shapes shall be reviewed for architectural and design compatibility and aesthetics and may be required to be deleted or modified when in conflict with acceptable design standards, except when incorporated into allowed signage, pursuant to Chapter 200, Article XXIV.	*Corporate logos are used on the front of the building. The building is not designed around a particular corporate design.*
H	When necessary, the Planning Board may require justification of design element by written documentation, including narratives, by the applicant's architects or design engineers.	*Additional justification is not required for any design element.*
I	The Planning Board may require independent architectural evaluation by an architect or such other planners or experts as it determines at the applicant's expense, provided no such evaluation shall cost in excess of one-half of one percent of average per square foot building costs for structure of similar type, as determined by the Building Department of the Town of Lockport, based upon the square footage of the proposed structure.	*Independent architectural evaluation is not required for any design element.*
J	New or altered buildings shall not be so at variance with either the exterior architectural appeal and functional plan of the structure already constructed or in the course of construction in the immediate neighborhood or the surrounding area as to cause a substantial likelihood of depreciation in property values.	*The proposed building will become the dominant feature of the site and will block the view of the service building from the street. The proposed building will be more appealing than the existing service building. This building is compatible with existing buildings in the neighborhood.*
K	New or altered buildings shall not be so detrimental to the desirability, property values, or development of the surrounding areas as to cause harmful	*The proposed building does not exhibit characteristics that create a detrimental situation or negatively impact the surrounding property values in the immediate area.*

	effects by reason of excessive similarity, excessive dissimilarity, or appropriateness in relation to established character or other structure in the immediate area or neighboring areas.	
L	Review of alterations to existing buildings shall take into consideration limitation and practical difficulties caused by the existing features and materials of the building.	*An existing building will be demolished and replaced with the proposed building.*

Accordingly, this Board approves building design as presented and directs that a Certificate of Compliance be executed by the Chairman of the Planning Board.
6 Ayes, 0 Nays, Carried.

MOTION made by Member Carlson, seconded by Member Balcerzak to waive the 30' required setback required by the CCOD under S200-94(I)(1) due to the extreme difficulty that would be created and allow a 15'setback and allow parking that currently comes to the right of way as a precedent was set with auto dealership and other dealerships are established at 15'. Also to waive the 75' required building setback S200-94(F)(4) as this is an addition to an existing building and will cause extreme difficulty, and to find extreme difficulty and to waive landscaping requirements S200-94(M) which have not been met based on a finding of mitigation by the other landscaping in the site plan and to approve the site plan before the Board.
6 Ayes, 0 Nays, Carried.

CASE #2 **7143 Akron Road – K. Schaffer, Owner – SBL #124.03-2-46.2 –** Proposal to Subdivide Lot. Returning after December 8, 2010 Public Hearing. Settled at Work Session

CASE #3 **5673 S. Transit Road – Empire Improvement, Owner – SBL #123.13-2-27.1 –** Site Plan Amendment, Niagara County Planning Board Review. Settled at Work Session.

CASE #4 **1060 Robinson Road – Benedict/Kelton Ent. – SBL #138.00-1-62.2 –** Proposal to build a Tim Horton's requiring traffic study & Special Use. Public Hearing set for February 16, 2011 – 7:00 pm.

CASE #5 **7084 Chestnut Ridge Road – Scapelliti, Owner – SBL #110.01-1-33 –** Scapelliti's Super Store proposal to build new convenience store. Public Hearing set for February 16, 2011 – 7:00 pm.

MOTION made by Member Langdon, seconded by Member Conrad to adjourn. 6 Ayes, 0 Nays, Carried.