

TOWN OF LOCKPORT
PLANNING BOARD MINUTES
June 22, 2011

PRESENT: Robert Balcerzak
Morris Wingard
Walter Thorman
Mark Kilroy
Rodney Conrad
Robert Langdon
Richard Forsey, Chairman
Scott Carlson, Alternate

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

The June 22, 2011 Planning Board meeting was called to order by Chairman Forsey, who then led the Pledge of Allegiance.

MOTION made by Member Conrad, seconded by Member Kilroy to approve the May 11, 2011; May 18, 2011 and June 15, 2011 minutes. 7 Ayes, 0 Nays, Carried.

CASE #1 **5716 S. Transit Road – SBL #123.3-1-18./A – Benderson Development, Owner.** Proposing Site Plan amendment to add loading dock to back of building – 381 sq. ft. Decision at work session.

CASE #2 **4883 IDA Park Drive – SBL #108.00-1-34.111 – Introl Development, Owner.** Proposing new office and manufacturing facility in the IDA park. Postponed until July meeting at request of applicant.

CASE #3 **6251 S. Transit Road – SBL #138.00-1-19 – Alix Development/ International Stone.** Proposing to relocate business to this site. Tim Arlington of Apex Consulting presenting with Somer Sherman, Owner.

Chairman Forsey opened the Public Hearing. Hearing no Public Comment, Chairman Forsey closed the Public Hearing.

Mr. Arlington stated the plan has not changed from last week's Planning Board work session and he has brought some photos to show the colors. Mr. Arlington stated that the two store front glass doors will be green where the brown trim is, the landscaping is cleaned up, the parking lot will be fixed, the roof will be green and as the siding is in good condition it

will not be changed. Mr. Arlington stated the sign face will be changed to the International Stone logo.

Member Thorman asked if the big side door will remain and Mr. Arlington stated yes, and the front door will remain as an exit door.

Alternate Member Carlson questioned the durability of the paint and Mr. Sherman stated it will be like a factory finish with a 20 year life.

Member Thorman asked about the construction and Mr. Sherman stated it is a cinder block with a steel frame, and the back is pre-engineered metal.

Senior Building Inspector Belson stated he has received the comments from the Niagara County Planning Board and they recommend approval.

MOTION made by Member Wingard, seconded by Member Thorman as follows:

BE IT RESOLVED THAT, the Planning Board of the Town of Lockport makes the following findings and decision on the application of International Stone Gallery/Somers Sherman (the "Applicant") for a Special Use Permit as set forth in the application pending before the Board:

- A. Will comply with all provisions and requirements of this and other local laws and regulations, and will be in harmony with the purposes of the land use district in which it is located and with the general intent and purposes of this Local Law.

Findings:

The proposed project consists of several pre-existing nonconformities that will require the applicant to request variances for. The project will be in harmony with the purposes of the land use district in which it is located and with the general intent and purposes of the Zoning Law.

This property and all adjacent properties are zoned General Business (B-2), which requires a special use permit for outdoor display.

- B. Will not be detrimental to adjacent uses.

Findings:

The proposed project will not be detrimental to adjacent uses as the site is surrounded by commercial uses.

- C. Will not cause undue traffic congestion, unduly impair pedestrian safety, or overload existing roads considering their current width, surfacing, and condition and will have appropriate parking and be accessible to fire, police, and other emergency vehicles.

Findings:

The proposed project will not cause undue traffic congestion, unduly impair pedestrian safety, or overload existing roads. The site is large enough to consist of appropriate parking and will be accessible to fire, police, and other emergency vehicles.

- D. Will not overload any public water, drainage, sewer system, or any other municipal facility, or degrade any natural resource or ecosystem.

Findings:

The proposed project will not overload any public water, drainage, or sewer system, or any other municipal facility, or degrade any natural resource or ecosystem.

- E. Will be suitable for the property on which it is proposed, considering the property's size, location, topography, vegetation, soils, natural habitat, and hydrology, and if appropriate, its ability to be buffered or screened from neighboring properties and public roads, and its existing and proposed use.

Findings:

The proposed project will be suitable for the property on which it is proposed and is a good reuse of the site.

- F. Will not result in excessive noise, dust, odors, solid waste, or glare, or create any other nuisances, and will satisfy the general land use performance standards of this Law.

Findings:

The project will not result in excessive noise, dust, odors, solid waste, or glare and will satisfy the general land use performance standards of the Zoning Law. The outdoor display area will not create any nuisances

- G. Will not adversely affect the aesthetics of the premises and adjacent properties and the neighborhoods.

Findings:

The project will not adversely affect the aesthetics of the site or adjacent properties and neighborhoods. The site is currently vacant and will be reused as a stone retailer for countertops. Minor improvements are proposed to the building and some landscaping will be added to the front of the site to improve the aesthetics of the site.

- H. Will not cause the site to be unduly congested, dangerous, unattractive to visitors, or unfriendly to pedestrians.

Findings:

The project will not result in any adverse impacts.

Summary of Findings:

The Town of Lockport finds that the applicant has submitted substantial evidence to support the issuance of a special use permit for International Stone Gallery. After thorough review of the documentation provided by the applicant, the Planning Board feels they have sufficient information to make an informed determination regarding the issuance of the special use permit.

It is the Findings of this Board that International Stone Gallery does not pose any significant adverse impact to the general public health, safety, and welfare. As such, the Board has determined that the special use permit shall be granted. 7 Ayes, 0 Nays, Carried.

MOTION made by Member Langdon, seconded by Member Conrad to approve the site plan dated 5-23-11 with the modifications set forth in the e-mail dated 6-21-11 from Mr. Arlington. 7 Ayes, 0 Nays, Carried.

MOTION made by Member Thorman, seconded by Member Langdon to waive the architectural review as the project is to use an existing building without significant changes. 7 Ayes, 0 Nays, Carried.

MOTION made by Member Langdon, seconded by Member Thorman to adjourn. 7 Ayes, 0 Nays, Carried.