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LOCKPORT, NY 14094

**TOWN OF LOCKPORT
PLANNING BOARD
WORK SESSION
March 14, 2012**

PRESENT:

R. Forsey
S. Carlson
W. Thorman

T. Grezebinski, Alt
R. Langdon
M. Wingard

ALSO PRESENT:

D. Seaman
B. Belson

F. Frank
R. Klavoon

ABSENT:

R. Conrad

M. Kilroy

Meeting was called to order @ 4:00 PM

MOTION by S Carlson to approve the February 15, 2012 minutes, seconded by R. Langdon. 6 ayes – 0 Nays. Approved.

1. 6069 S. Transit Rd. – SBL# 138.3-1-1 – Cappellino Niagara Nissan, Owner – D. Buchanan, Bammel Arch., Presenting.

Marc Smith, Town Supervisor asked to address Board. Supervisor Smith asked that projects presented to the Board comply with the required Town Standards for architectural elements. He thanked everyone for their work on the Planning Board.

Additional landscaping had been added to the front of the property as requested by the Planning Board at the Feb. 15, 2012 meeting.

Approvals for SEQRA, Architectural review and Site Plan as follows:

- A. Short Form Environment Assessment Form has been submitted and Board has reviewed all the issue's pertaining to SEQR and the Environmental Assessment form indicating that the project will not have an adverse effect on the environment, the Board determines that it is the sole agency; that the project will not have a significant adverse affect on the environment, and directs that a negative declaration be executed. Motion by Member Langdon, seconded by Member Carlson. 6 ayes – 0 nays. Approved.

- B. Architectural design review undertaken by the Planning Board. The Planning Board makes the following findings;
The Planning Board adopts the findings set forth by Wendel Engineering “Exhibit A” as submitted to the Planning Board make a finding to accept façade of the building as submitted. Although the facade elements that the Town would normally like to see, it does tie in well with the existing design of the building. Further, this is a minor modification to the building; the overall design of the building is set by the existing structure. Accordingly, this board directs that a certificate of compliance be executed by the chairman. Motion by Member Thorman, seconded by Member Wingard. 6 ayes – 0 nays. Approved.
- C. Site Plan dated Feb. 15, 2012 having been submitted and been reviewed and having been referred to Niagara County Planning Board which recommended Site Plan approval on Feb. 27, 2012. It is the finding of this Board that the Site Plan conforms to zoning regulations except as to planting as required by the CCOD. Landscaping has been addressed and mitigated by the applicant by alternative landscaping and therefore this Board approves the Site Plan. Motion by Member Thorman, seconded by Member Langdon. 6 ayes – 0 nays. Approved.
2. **1030 Ernest Rd. – SBL# 124.01-1-63 – Charles Heinrich, Owner – Tim Arlington, Apex, Presenting.**
Proposing to construct a 0.75-acre pond on a 50+ acre parcel, using the fill for grading around new home. Engineering design has been approved by Wendel Engineering. **MOTION** this is a Type II under SEQRA Site Plan dated Jan. 19, 2012 is approved. **MOTION** by Member Wingard, seconded by Member Thorman. 6 ayes – 0 nays. Approved.
3. **5862 Snyder Dr. – SBL# 138.05-2-8.121 – Marotta Holdings, Owner. Dave Marotta, Presenting** – Proposal to subdivide lot to sell to Dr. Levine with new building. Detention pond will remain with original parcel. All receivers on property and rain laterals drain to pond and then east in an underground pipe 24” to east side of Snyder. Drainage easement between property owners and driveway easement with no responsibility to the Town. Easements need to be recorded as a condition of approval and filed copies to be given to Town building inspector. Motion to approve by Member Carlson seconded by Member Thorman conditional on recording of easements for drainage and access, and on providing copies of recorded easements to the building inspector. 6 ayes – 0 nays. Approved

4. **1010 Kinne Rd. – SBL# 153.00-1-9.12 – Morris Wingard, Owner.** Proposing to sell lot in agricultural district to Christopher Pollino. Special Use Permit for single-family residence and Public Hearing required. **MOTION** to call for a Public Hearing for April 18, 2012 at 7:00 PM at 6560 Dysinger Rd. Attorney Seaman excused himself from participation in advising the Board in connection with these actions because he represents an interested party. Member Wingard indicated he will excuse himself on this matter as he is an interested party. Approved by Member Langdon, seconded by S. Carlson. 5 ayes – 0 nays, Member Wingard dismissed. Approved.

There being no further business,
meeting was adjourned at 4:30 PM

ARCHITECTURAL DESIGN STANDARDS – CRITERIA A-L	
Name of Project: <u>Cappellino Niagara Nissan</u>	
PLANNING CONSULTANT'S DESCRIPTION OF COMPLIANCE	
The Planning Consultant has reviewed the site plan for the project identified above and offers the following opinion of how the proposed development meets the intent and criteria of Chapter 53 of the Town Code, Town of Lockport Architectural and Design Review Code.	
Architectural and Design Criteria	Planning Consultant's Description of how the Development meets the Architectural and Design Criteria
Building designs shall offer variation in building materials, architectural styles, roof lines, façade projections/ relief, and colors.	<i>The exterior of the building will be a combination of aluminum panels and louvers, glass, and insulated metal panels. The exterior renovation will provide some variations in architectural style and will square the front of the building off rather than having the existing roof pitch exposed. The new service area will consist of a garage door facing Transit Road.</i>
Building designs shall offer architectural accents that compliment the design, such as windows, awnings, building/ sconce lighting, etc.	<i>The exterior renovation will add more architectural elements than exist currently.</i>
Building designs shall incorporate signage and landscaping that enhance the overall appearance of the site and the building.	<i>The proposed plans do not incorporate any landscaping to bring the site closer to conforming with the General Business (B-2) and Commercial Corridor Overlay District standards for vehicle display setback and landscaping along Transit Road.</i>
The building design shall offer an overall aesthetic enhancement to the Town.	<i>It is the Town Planning Consultant's opinion that the exterior building renovations will enhance the appearance of the building, however, the overall appearance of the vehicle display area will not be enhanced.</i>
Corporate signature styles or prototype buildings shall not be of paramount importance.	<i>This building is a corporate design being implemented on all Nissan dealerships across the country and offers nothing unique to the Town of Lockport.</i>
Site plans consisting of multiple buildings shall be designed so that the buildings form a well planned sense of place on the site and consist of compatible architectural styles.	<i>The new service area will be attached to the existing building and be set back from front façade so that it doesn't appear to be part of the front of the building.</i>

<p>Architectural design shall give due consideration to local, commercial, industrial, and governmental architectural styles that existed during the historic development of Niagara County from the 1820's through the 1920's.</p>	<p><i>This building design does not give consideration to historic Niagara County development.</i></p>
<p>Corporate logos, patterns, designs identifying details, colors, and/or shapes shall not be in conflict with the design criteria, except when incorporated into allowed signage, pursuant to Chapter 200, Article XXIV.</p>	<p><i>The building design is a corporate design being implemented on all Nissan dealerships and offers nothing that is unique to the Town of Lockport.</i></p>
<p>New or altered buildings shall not cause harmful effects such as impacts to public health and safety, decrease desirability of the neighborhood, or depreciation of property values, or reduce the opportunity for development in the surrounding area.</p>	<p><i>This building renovation and addition will not cause harmful effects to public health and safety.</i></p>
<p>Review of alterations to existing buildings shall take into consideration limitation and practical difficulties caused by the existing features and materials of the building.</p>	<p><i>The addition of the service area to the building will not impact the overall use of the site.</i></p>

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR DAN BUCHANAN	2. PROJECT NAME LOCKPORT NIAGARA NISSAN
3. PROJECT LOCATION: Municipality TOWN OF LOCKPORT County NIAGARA	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 6069 TRANSIT ROAD, LOCKPORT, NY 14094	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: 1400 S.F. ADDITION TO THE EXISTING GARAGE AND SHOW ROOM TO SERVE AS A LOCATION FOR NEW GAR PICK-UP.	
7. AMOUNT OF LAND AFFECTED: Initially <u>0.03</u> acres Ultimately <u>0.03</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: TOWN OF LOCKPORT SITE PLAN APPROVAL	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: DAN BUCHANAN Date: 01/27/2012 Signature: 	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? Yes No If yes, coordinate the review process and use the FULL EAF.

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
NO

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
NO

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
NO

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
NO

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
NO

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
NO

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

J. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination

Town of Lockport Planning Board
 Name of Lead Agency

2/8/2012
 Date

Richard Foushey
 Print or Type Name of Responsible Officer in Lead Agency

Chairman
 Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

 Signature of Preparer (If different from responsible officer)

Reset

Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR Charles Heinrich	2. PROJECT NAME Proposed Residence and Pond
3. PROJECT LOCATION: Municipality <u>Town of Lockport</u> County <u>Niagara</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>Ernst Road (approx. 1150' west) and approximately 900' south of Northview Drive.</u>	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>Construct a 6,000 sf residence, 1800 sf pole barn and a pond (0.75 Ac.) on a 50+/- Ac. parcel.</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>1.98 +/-</u> acres Ultimately <u>1.98 +/-</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: <u>Town of Lockport Planning Board - Site Plan Approval</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Apex Construction Services, Inc. Timothy W. Arlington, PE</u> Date: <u>2/08/2012</u> Signature: <u>Timothy W. Arlington</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

TOWN OF LOCKPORT

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that the proposed site plan on the property owned by 60695 TRANSIT RD LLC (COPPELLINO), Lockport, New York, as set forth in the application before the Planning Board has been approved as to architectural design by the Town of Lockport Planning Board.


Chairman

DATED: 3/14/2012

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
 Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

 Name of Lead Agency _____ Date

 Print or Type Name of Responsible Officer in Lead Agency _____ Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency _____ Signature of Preparer (If different from responsible officer)

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