

**TOWN OF LOCKPORT  
PLANNING BOARD  
WORK SESSION  
August 13, 2013**

**PRESENT**

√ R. Forsey, Chr.  
√ R. Conrad  
√ R. Langdon  
√ W. Thorman

√ T. Grzebinski, Alt.  
 S. Carlson  
 M. Kilroy  
√ M. Wingard

**ALSO PRESENT:**

√ M. Norris  
√ B. Belson

√ R. Klavoon  
 A. Reilly  
 C. Chapman

**ABSENT:**

S. Carlson \_\_\_\_\_

M. Kilroy \_\_\_\_\_

Approval of July 16,2013 Minutes: Tabled

2. 6865 S. Transit Rd.— SBL# 167.01-1-3— Mantelli Trailer Sales: Tabled

3. 5660 S. Transit Rd.--SBL#123.13-1-3./B— South Lockport Fire department, Owner, Hertz Corp.

Proposing car rental business. Tim Arlington, Apex Consulting presenting.

Public Hearing for Special Use permit was scheduled for today, August 13, 2013. Public Hearing  
opened. Being no comments, Public Hearing closed.

As discussed at previous meeting, brick veneer has been added to the east and south sides of  
building as required by Architectural Design standards.

SEQRA Resolution was submitted and reviewed and that the project will not adversely affect the  
environment and will not affect safety and welfare of the public and that a Negative Declaration is  
hereby issued by the Planning Board. See attached resolution.

Motion by R. Langdon, 2<sup>nd</sup> by R. Conrad , Approved

Special Use Permit Resolution was submitted and reviewed and would grant South Lockport Fire Department and Hertz Car Rental approval to operate a car rental business in this location.

See attached resolution. Motion by R. Conrad, 2<sup>nd</sup> by R. Langdon, Approved.

Site Plan and Architectural Resolution approval for this location at 5660 S. Transit Rd and that the Site Plan and Architectural design be approved as submitted. See attached Resolution. Motion: by R. Conrad, 2<sup>nd</sup> by M. Wingard Apporved Approved.

Certificate of Compliance has been issued for this project dated August 13, 2013

4. 5589 Stone Rd.—SBL#80.03-2-47—Philip Toenniessen, owner, proposing to sub-divide 5.2 acres into a 2.3 and 2.9 acre parcels. Parcels have passed a perk test for future development. There has been an offer on the 2.3 acre parcel. There is a drainage ditch on the property and Niagara County is presently working on the drainage in that area. A short form SEQRA has been submitted and Mike Norris ,Attorney for the Town of Lockport will recommended the Board issue a Negative Declaration.

RESOLUTION: The Applicants, Philip and Janis Toennissen at 5589 Stone Rd. In the Town of Lockport, County of Niagara, proposing to sub-divide 5.2 acre parcel into 2.3 and 2.9 acre parcels. That the proposed action will comply with existing zoning. The present land use is Agricultural/Residential. Action does not require any permit approval. There is currently no valid permit on this parcel and no permit modification is required, but will be subject for a building Permit when applied for. The action does not exceed any Type I threshold. The action will not require coordinated review from any other agency. The action will not have adverse effects on on any of the following: existing air quality, surface or ground water quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding The action will not have adverse effects on aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

The action will not have adverse effect on vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species.

The action will not adverse effect on communities existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources. The action will not have adverse effect on growth, subsequent development, or related activities. The action will not have adverse effects on long term, short term, cumulative, or other effects not identified in C1-C5. The action will not have adverse effects on other impacts including changes in use of either quantity or type of energy. The action will not have an adverse effect on environmental characteristics that caused the establishment of a Critical Environmental Area. There will not be controversy related to potential adverse environmental impacts. Recommendation that the Planning Board approve the Negative Declaration. Motion by M. Wingard,, 2<sup>nd</sup> by R. Langdon, Approved.

Second Resolution to approve the site plan as submitted, subject to a 20 foot drainage easement that the Town may have to acquire someday. Motion by M. Wingard, 2<sup>nd</sup> by R. Langdon, Approved.

Oak Lane—SBL# 139.00-2-48.2—Donald and Dawn Timm, owners, Proposing to build a 0.75 acre pond. Dawn Timm presenting. Pond will have a depth of 16 feet and will drain south and will drain into a spill way. Rob Klavoon from Wendel Engineer has reviewed the plans and has approved the design as submitted and recommends approval and submitted a memo dated August 1, 2013. Motion by R. Langdon, 2<sup>nd</sup> by M. Wingard Approved.

Being no further business, meeting adjourned at 4:35 Pm.

RESOLUTION

SEQRA

South Lockport Fire Company/Hertz Corp.  
5660 So. Transit Road

**WHEREAS**, South Lockport Fire Company/Hertz Corporation through Apex Consulting Survey & Engineering Services, P.C., has submitted complete applications for a Special Use Permit and Site Plan Approval for the operation of a car rental service at 5660 South Transit Road, and

**WHEREAS**, the Lockport Planning Board, in accordance with the State Environmental Quality Review Act (SEQRA) has determined that the proposed South Lockport Fire Company/Hertz Corporation project will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic considerations, based on information provided by the applicant, and completion of Parts 1, 2, and 3 of the EAF.

**NOW THEREFORE, BE IT RESOLVED:**

That the Town of Lockport Planning Board hereby determines that the proposed South Lockport Fire Company/Hertz Corporation project is not anticipated to result in any significant adverse environmental impact and that a Negative Declaration is hereby issued and the Planning Board chairman is authorized to sign the EAF.

**RESOLUTION  
SITE PLAN APPROVAL  
SOUTH LOCKPORT FIRE COMPANY/HERTZ CORP.**

**WHEREAS**, the Planning Board and its consultant have reviewed the South Lockport Fire Company/Hertz Corporation Project against the Town's Site Plan requirements found in Article XVIII, and found the project in accordance with these requirements, and based on this review have not noted any potential public health and safety issues, and

**WHEREAS**, the Planning Board has reviewed the architectural design of the project in accordance with Chapter 53 of the Code of the Town of Lockport, and received input from the Town's Consultant, and

**NOW THEREFORE BE IT RESOLVED**, that the Planning Board approves the architectural design project in accordance with Chapter 53 of the Town Code, and

**BE IT FURTHER RESOLVED**, that the Town of Lockport Planning Board approves the Site Plan, in accordance with Article XVIII of the Code of the Town of Lockport, for the South Lockport Fire Company/ Hertz Corporation to lease/operate a car rental service located at 5660 South Transit Road with the following conditions:

1. The Final Site Plan must be approved by the Town Engineer.

**SPECIAL USE PERMIT  
RESOLUTION**

**SOUTH LOCKPORT FIRE COMPANY/HERTZ CORPORATION**

**WHEREAS**, South Lockport Fire Company/Hertz Corp. through Apex Consulting Survey & Engineering Services, P.C., has submitted complete applications for a Special Use Permit and Site Plan approval for the renovation of a building located at 5660 South Transit Road for the purposes of leasing/operating a car rental service business, and

**WHEREAS**, based on the Planning Board, the Code Enforcement Officer, and its consultant's review, the Town has determined that the project meets the requirements of Article XIX of the Lockport Town Code, Special Use Permit, and

**WHEREAS**, the Town Planning Board conducted a public hearing on the Special Use Permit on August 13, 2013 and received no adverse comments, and

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Board adopts the attached Findings, and issues a Special Use Permit for the South Lockport Fire Department/Hertz Corporation to lease/operate a car rental business at 5660 South Transit Road.

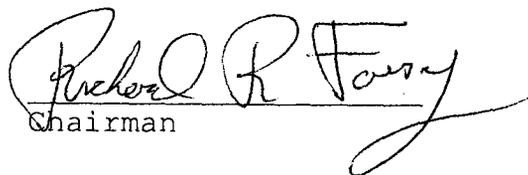
**HERTZ RENTAL CAR  
5664 S. TRANSIT ROAD  
TOWN OF LOCKPORT  
SPECIAL USE PERMIT REQUIRED FINDINGS  
APEX JOB NO. 13-79  
JUNE 2013**

- A. The Hertz Rental Car Business will comply with all local laws and its use is consistent with the general purpose of other B2 Zoned properties.
- B. The Hertz Rental Car Business will not be detrimental to the adjacent properties.
- C. The Hertz Rental Car Business will not increase the level of traffic on S. Transit road and sufficient parking for vehicles is available. Adequate access is available for emergency vehicles.
- D. The Hertz Rental Car Business will not significantly increase the demand for public utility usage.
- E. The Hertz Rental Car Business, with intended number of vehicles available to lease (rent), will be suitable for the size of the lot. Adequate screening and buffering of the site is included with the plan.
- F. The Hertz Rental Car Business will not create excessive noise, dust, odors or solid waste.
- G. The Hertz Rental Car Business is consistent in use and aesthetics to the surrounding neighborhood and previous approved uses for this parcel.
- H. The Hertz Car Business will not create a congested, dangerous, or unattractive site to their customers, visitors or pedestrians.

TOWN OF LOCKPORT

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that the proposed site plan on the property owned by South Lockport Fire Company, 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: Aug 13 2013