

TOWN OF LOCKPORT
PLANNING BOARD
December 17, 2013

PRESENT: Morris Wingard
Robert Langdon
Rodney Conrad
Scott Carlson

ALSO PRESENT: Brian Belson, Senior Building Inspector
Michael Norris, Attorney
Jane Trombley, Secretary

ABSENT: Thomas Grzebinski, Alternate
Richard Forsey, Chairman
Mark Kilroy
Wally Thorman

The December 17, 2013 Planning Board meeting was called to order at 7:00 pm by Member Wingard, who then led the Pledge of Allegiance.

MOTION made by Member Langdon, seconded by Member Conrad to appoint Member Wingard Acting Chairman due to the absence of Chairman Forsey. 4 Ayes, 0 Nays, Carried.

CASE #1 **7373 Rochester Road – SBL #96.00-2-14.1** – Varallo Vineyards, owner.
Seeking preliminary and final plat approval in order to split 2.75 acre parcel from 73.85 acre parcel. Attorney John Ottaviano, presenting. Mr. Ottaviano stated Tamre Varallo and her son, Americo, who the home is for, are present to answer any questions.

Chairman Wingard opened the Public Hearing. Hearing no comments, Chairman Wingard closed the Public Hearing.

Town Attorney Norris stated that in consultation with Town Planner Reilly, they have prepared a resolution with conditions for this project, which he read. Town Attorney Norris asked Mr. Ottaviano if he had any objections to any of the proposed conditions and Mr. Ottaviano stated that he did not.

Member Conrad asked if there will need to be a Zoning Board Public Hearing for the area variance and Attorney Norris stated yes. Senior Building Inspector Belson stated they have not filed the application yet for the ZBA meeting and informed them the application was due by January 5, 2014 for the January 28, 2014 meeting.

MOTION made by Member Conrad, seconded by Member Langdon to adopt the resolution as read by Attorney Norris. Said Resolution was received and is attached as Exhibit A.
4 Ayes, 0 Nays, Carried.

MOTION made by Member Conrad, seconded by Member Carlson to adjourn. 4 Ayes, 0 Nays, Carried.

WHEREAS, the Town of Lockport has received an application from Varallo Vineyards to split off a 2.75 acre parcel for the construction of a single family home, from their 73.85 acre parcel, and

WHEREAS, the Planning Board has reviewed the application materials, completed part 2 of the SEQR short form EAF, and the Planning board has issued a SEQR Negative Declaration, and

WHEREAS, the Lockport Planning Board has held the required public hearing and the application has met all the requirements of the Code of the Town of Lockport and Sections 276 and 277 of Town Law, except where noted by the Planning Board.

NOW, THEREFORE, BE IT RESOLVED that, the Lockport Planning Board issues Preliminary Plat approval for this application, and

BE IT FURTHER RESOLVED that, the Lockport Planning Board issues Final Plat approval for this application with the following conditions:

1. Any proposed septic system is approved by the Niagara County Health Department.
2. Required approvals are received for the water service, and subject to Final Town Engineer Approval, including the installation of an appropriate water meter for this lot.
3. The future construction of a home and associated facilities on this site will minimize the disturbance of the site (will be less than 1 acre). Any disturbance over 1 acre would require meeting State SWPP requirements (erosion and sediment control).
4. Obtaining an area variance pursuant to Town Law 280-a(3) from the Zoning Board of Appeals
5. Filing an Easement Agreement with the County Clerk's office between Varallo Vineyards, LLC and the owner of these premises (similar to Easement 2011-03666) binding each of their heirs, successors and assigns and including specific language that this private road will be open and maintained for ingress and egress of emergency vehicles.
6. The driveway width going from private road to proposed residence be 15 feet or greater.
7. Subject to the removal of this parcel from the existing Town of Lockport IDA PILOT for the Winery.