

TOWN OF LOCKPORT
PLANNING BOARD
August 18, 2015

PRESENT: Tyler Ray, Appointed Alternate
Morris Wingard, Acting Chairman
Rodney Conrad
Marie Bindeman
Robert Langdon
Thomas Grzebinski

ALSO PRESENT: Brian Belson, Senior Building Inspector
Andrew Reilly, Town Planner
Jane Trombley, Secretary
Michael Norris, Town Attorney

ABSENT: Richard Forsey, Chairman
Adam Tyson

The August 18, 2015 Town of Lockport Planning Board meeting was called to order at 7:00 pm by Acting Chairman Wingard, who then led the Pledge of Allegiance.

Acting Chairman Wingard appointed Alternate Ray a full voting member due to absences.

CASE #1 6251 Transit Road – SBL#138.00-1-19 – Somer Sherman, owner. Tim Arlington, Apex Consulting presenting. Proposing to build a 6000 square foot storage building. Mr. Arlington stated this is essentially the same plan as was presented 2 weeks ago at the work session. Mr. Sherman bought the property in 2011, it was formerly the Hadsell building. Mr. Sherman also has property on Route 104 and he is looking to combine the operation all at one site. Mr. Arlington stated they have maintained the display area, relabeled the parking area and Mr. Sherman has an option to buy some additional adjacent property. The drainage is to the east with a 25 year storm sewer and also drainage to the north.

Mr. Arlington stated the building has to be tall due to the height of the crane, will have one door and the building will be different shades of gray as that is the most popular seller. The setback waivers they are requesting is 10' on the south side and 25' on the north side, they meet a good percentage of the glass requirement, as they put in as much as they could and they also have the green space, but not the front percentage that is required. Mr. Arlington also stated they would like a continuance of the previously granted 145' front setback.

Acting Chairman Wingard opened the Public Hearing.

Member Grzebinski stated he had talked to the neighbors that are most impacted and 3 to the north of the site told him they didn't want it, even though they are not here in person tonight. Member Bindeman asked if they will be closest to where the cutting will be done. Member Grzebinski stated one there and two on the corner.

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

Member Conrad requested to waive the reading of the resolutions as the Board has them and has already read them. Attorney Norris stated the SEQRA needed to be considered on the record. Attorney Norris read the submitted questions and answers of Part I submitted by Mr. Arlington and the Board took a "hard look" at the Part II questions and recommended responses.

Attorney Norris read the SEQRA Resolution:

WHEREAS, a Short Form Environmental Assessment Form has been prepared for the proposed action which consists of construction of a 6,000 square foot building upon real property located at 6251 South Transit Road, Lockport, NY (Tax Map No. 138.00-1-19), and

WHEREAS, the Short Form Environmental Assessment Form does not identify any moderate to large impact to the environment associated with the project,

NOW, THEREFORE, BE IT RESOLVED, that it is determined that the action is an unlisted action pursuant to SEQRA, and that the proposed action will not result in any significant adverse impacts on the environment, and it is directed that this Determination pursuant to SEQRA be prepared and filed.

MOTION made by Member Langdon, seconded by Member Conrad to approve the SEQRA resolution. 5 Ayes, 1 Nay (Member Grzebinski), Carried.

MOTION made by Member Conrad, seconded by Alternate Member Ray to approve the Architectural and Design Resolution. 5 Ayes, 1 Nay (Member Grzebinski), Carried.

MOTION made by Member Conrad, seconded by Member Ray to approve the Commercial Corridor Overlay Resolutions with waivers for the 75% required landscaping being in the front, the 25' side setback and the parking side yard of 25'. 5 Ayes, 1 Nay (Member Grzebinski), Carried.

MOTION made by Member Conrad, seconded by Member Langdon to approve the Site Plan Resolution conditional on the Town Board approval of the north – south easement release on said premises. 5 Ayes, 1 Nay (Member Grzebinski), Carried.

CASE # 2 **6191 Crosby Road – SBL#139.00-1-22.11 – Paul Mayers, owner.** Approved at August 4, 2015 work session.

CASE # 3 **6621 Dysinger Road – SBL#138.00-2-13.2 – Lacey Equipment, Sales and Service – George Lacey, owner. Tim Arlington, Apex Consulting presenting.**
– Proposing heavy equipment sales and service. Mr. Arlington stated this plan was only put together about 2 weeks ago, they had planned on another building in the future, but would like to do it now. Mr. Lacey would like the building for his repair business, he has no additional customers, just an opportunity to expand. He is currently on Riddle Road. Mr. Arlington stated all the utilities, grading, etc. had been previously addressed. Member Grzebinski asked where the entrance will be. Mr. Lacey stated on the north side of the building and he wants to develop the whole 7 acres. Mr. Arlington stated this has been a 3 year project.

Mr. Lacey stated the new structure will be an 80 x 80' addition, 22' to the eaves, with three 16 x 16' doors in the back so no one will see them coming or going.

Attorney Norris stated he will not be offering legal advice on this project as he has a conflict.

A discrepancy was noted on the square footage on the drawing, and Mr. Arlington stated the drawing will be amended. The proposed building will be 9' block wrap and steel and the building will be ash gray and charcoal gray for the roof and trim.

Town Planner Reilly asked if there will be a display area out front. Mr. Lacey said not at this time, so that will be removed from the drawing also.

Town Planner Reilly stated the Special Use Permit is still valid. The SEQRA decision was no impact, drainage will go to the pond.

Mr. Lacey stated he will be back again for the sign approval and any change to the site.

Town Planner Reilly stated a thorough review had been done of the project.

MOTION made by Member Bindeman, seconded by Member Ray to approve the revised site plan with conditions. 6 Ayes, 0 Nays, Carried.

CASE #4 1010 Davison Road – Ulrich Business Park – Tim Mulvey, owner. Tim Arlington presenting – Mr. Arlington stated that Mr. Mulvey has purchased the property and wants to develop the remaining 13.5 Acres that are left in a PUD. Applicant is requesting dimensional deviations of the Zoning Code of the Town of Lockport in a Planned Use Development (PUD) Use District pursuant to Town Code 200-83. The Town Code requires a minimum lot size designated for any eligible use be as required for the District in which the use is allowed. Mr. Arlington states that the proposed use is for professional offices. Said use is permitted in a Local Business (B1) Use District and permitted within a PUD. The Town Code requires a lot width of 125' in a B1 District. Applicant is requesting a dimensional deviation of the lot width requirement for four lots (three with 100' and one with 102.24'). Mr. Arlington stated that though they are requesting smaller lot widths, they still are maintaining the required square footage of 25,000 square foot or more. Mr. Arlington believes the reason for this request is a couple of the tenants would like to own their own parcels. They would like to have 4 buildings with 2 shared driveways, instead of each building having its own driveway.

Much discussion ensued by the Board on the pros and cons of making a recommendation on the Mulvey request to the Town Board.

MOTION made by Member Bindeman, seconded by Member Langdon, to state there is no objection at this time to 100' instead of the required 125'. 6 Ayes, 0 Nays, Carried.

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