

TOWN OF LOCKPORT
PLANNING BOARD
February 16, 2016

PRESENT: Richard Forsey, Chairman
Rodney Conrad
Marie Bindeman
Robert Langdon
Tyler Ray, Appointed Alternate

ALSO PRESENT: Brian Belson, Senior Building Inspector
Drew Reilly, Town Planner
Jane Trombley, Secretary

ABSENT: Thomas Grzebinski
Morris Wingard
Adam Tyson

The February 16, 2016 Town of Lockport Planning Board meeting was called to order at 7:00 pm by Chairman Forsey, who then led the Pledge of Allegiance. Chairman Forsey appointed alternate Ray a full voting member due to absences.

CASE #1 7154 Chestnut Ridge Road – SBL #110.00-1-11 – REL, LLC owner. Tabled

CASE #2 6655 Transit Road – SBL #152.03-1-4 – Transit Drive-In Theater owner.
Proposing expansion of a 5th screen and parking on 8.89 acres. Tabled

CASE #3 7373 Rochester Road – SBL #96.00-2-14.11 – Spring Lake Winery, owner.
Requesting Special Use Permit for a one time music event conducted in open spaces. Tamre Varallo, owner, with John Ottaviano, attorney, and Tom Tarry, promoter presenting.

Chairman Forsey opened the Public Hearing.

Mr. Ottaviano presented 3 more letters to Senior Building Inspector Belson in favor of the event and also had two more draft letters that he stated are going to be turned in from the Terry's Corners and Gasport Fire Companies. Mr. Ottaviano stated they are still in talks with the Co-operative Extension for parking and some other locations.

Promoter Tom Tarry distributed drawings of the layout to the Board and pointed out what is on the drawing. The stage is location #1 with the back to the tree line, #5 is the VIP seating that is 10 seats by 10 rows, #2 is for the Port-A-Potties

depending on the wind as they have other options. #3 designates the evacuation route that will be towards the train tracks, #4 is the crowd gathering site and #6 is for vendors which will probably include a beer trailer. There is also a small building where the headliner and his band will be. Mr. Tarry stated 14 security personnel have been hired that will do the ID's and wrist banding. Member Conrad asked if the wrist bands could be slipped from one person to another. Mr. Tarry stated no, they will be put on by the Security Personnel and will have to be cut off.

Mr. Tarry stated there will be a lot of room to move around as they are limiting ticket sales and they have notified Rural Metro Ambulance Service of the event.

Member Bindeman asked if Niagara County Co-op is still going to be used and Mr. Tarry stated they are looking at several locations and are confident they will find them, but they have not confirmed with the Niagara County Co-op as yet. Member Bindeman asked if there will be traffic control at the sites and Mr. Tarry stated yes.

Member Conrad asked if the stage will be checked for safety. Mr. Tarry stated there is a normal inspection. Member Conrad asked if there will be proof of liability and Mr. Tarry stated the stage people will have it. Ms. Varallo stated she has checked with her insurance company and they already have the needed coverage and all the caterers will have certificates of insurance.

Member Conrad asked when the headliner will be announced and Mr. Tarry stated the headliner has already announced it on his website; it is Lou Gramm of Foreigner.

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

Town Planner Reilly stated everyone had a copy of the resolutions and the findings in front of them and he briefly reviewed the findings including the temporary impact, letters from the neighbors, proposed site is suitable for event, noise issue is addressed and the area will return to its current state after a couple of days.

Town Planner Reilly reviewed the short form of SEQRA and Member Bindeman recommended 14 security personnel be noted in #7.

MOTION made by Member Conrad, seconded by Member Langdon to waive the reading of the SEQRA Resolution. 5 Ayes, 0 Nays, Carried.



MOTION made by Member Conrad, seconded by Member Ray to approve the following resolution:

SEQRA Resolution:

Whereas, Spring Lake Winery LLC has submitted a complete application for a Special Use Permit for a one day concert event at their facility on Rochester Road, and

Whereas, the Lockport Planning Board, in accordance with the State Environmental Quality Review Act (SEQRA) has reviewed the information submitted on this event and has determined that the proposed event, an unlisted action, 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 short EAF.

Now, Therefore, Be It Resolved, that the Lockport Planning Board hereby determines that the proposed Spring Lake Winery Event 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.

5 Ayes, 0 Nays, Carried.

MOTION made by Member Conrad, seconded by Member Ray to waive the reading of the Special Use Permit Resolution and grant the special use permit.

Special Use Permit Resolution:

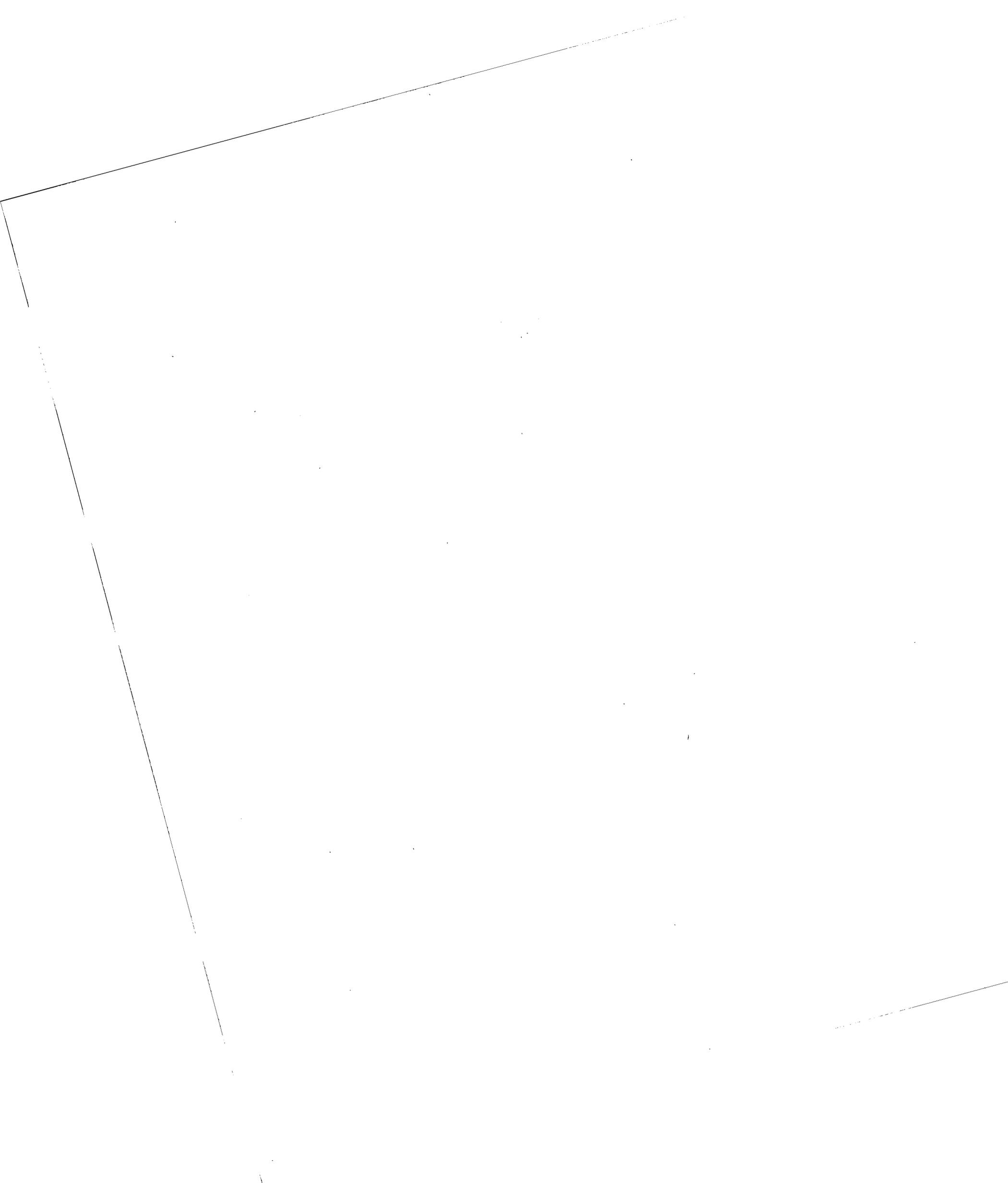
Whereas, Spring Lake Winery LLC has submitted a complete application for a Special Use Permit for a one day event at their property on Rochester Road which is located in the Town's AG district, and

Whereas, based on the Planning Board, the Code Enforcement Officer, and the Town's consultant's review, the Town has determined that this one day event 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 February 16, 2016 and received no adverse comments.

Now, Therefore Be It Resolved, that the Planning Board issues the attached SUP Findings, and issues a Special Use Permit for a one day event at 7373 Rochester Road, with the following conditions:

1. The event will be limited to a maximum of 1500 people (proof of ticket sales to be provided to the Town 48 hours prior to the event).
2. There shall be no parking along Rochester Road or along the entrance driveway leading into the facility.
3. There shall be no event attendee parking at the site. All attendee parking shall take place at the Niagara County Co-operative Extension fairgrounds or other suitable location and patrons will be bused to the site. Applicant shall provide signed agreement for parking accommodations, a bus contract, and detailed transportation plan to the Town at least 30 days prior to the event.
4. Notification to all local emergency service providers including the Niagara County sheriff Department, State Police and Gasport Fire Company shall be made by the Applicant, with an accompanying communications plan including the Security Company's contact information and any documentation of such notification and written responses from any agency shall be provided to the Town.
5. Health Department shall grant all approvals for any food vendors and the Applicant shall provide such approvals to the Town at least 30 days prior to the event.
6. A detailed plan of the sale of any alcoholic beverages and provide a copy of any required permits to the Town from the New York State Liquor Authority.
7. A Security plan for controlling the sale of alcohol to minors and the use of illegal drugs, for how the main entrance will be monitored and controlled, and for how water areas will be monitored shall be provided to the Town and Police agencies at least 30 days prior to the event, with 14 Security Guards.
8. A plan showing the number and layout of sanitary facilities (Port-A-John's and hand washing stations) shall be submitted to the Town at least 30 days prior to the event and subject to the approval of the Code Enforcement Officer.
9. A sketch of the overall site shall be provided to the Town at least 30 days prior to the event which included any structure, tents, stage location, designated crowd areas, fencing, sectioned areas, concession stands, food truck locations, employee parking area, other vendor parking, water areas, sanitary facilities, and complete ingress/egress of main roadway and other lane access for emergency vehicles.



10. An evacuation plan in the event of an emergency or weather situation shall be provided to the Town, police agencies and the fire company at least 30 days prior to the event.
 11. A description of how any garbage, trash and rubbish will be disposed of following the event.
 12. No music shall be allowed after 9:30 pm Local noise ordinances will be enforced after 11:00 pm.
 13. The Applicant shall provide the Town with evidence that appropriate Liability and Property damage insurance of at least one million dollars per occurrence is in place for such a large event.
 14. The Town Code Enforcement Officer or his designee shall be allowed to inspect the site at anytime within 36 hours in advance of the event start time and at anytime during or immediately following the event. Sanitation facilities, no parking signage, adequate water supply and electrical equipment, may be checked and shall be subject to applicable state and local codes.
- 5 Ayes, 0 Nays, Carried.

MOTION made by Member Langdon, seconded by Member Bindeman to adjourn. 5 Ayes, 0 Nays, Carried.

