

TOWN OF LOCKPORT
PLANNING BOARD
September 20, 2016

PRESENT: Morris Wingard
Marie Bindeman
Thomas Grzebinski
Adam Tyson
Richard Forsey, Chairman
Tyler Ray, Appointed Alternate

ABSENT: Rodney Conrad
Robert Langdon

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

The September 20, 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 **5701 Upper Mountain Road – SBL #108.00-1-16** – Upper Mountain Road LLC, Owner. Proposing a wood recycling center in an Industrial Zoning District. Project is a permitted use. Required approvals needed. SEQR, Site Plan, Niagara County Planning Board. Applicant is Mel Hedges, Willow Creek Farms. Tim Arlington, Apex Consulting, presenting. Applicant proposing the re-use of existing structures. Mr. Hedges business was previously at the HTI complex that recently burned. Mr. Hedges has temporary permission from the Town to operate his business due to the emergency situation.

Mr. Arlington stated that Mr. Hedges uses the existing building to store the pallets that he grinds up outside the building and there are also tractor trailers parked outside, nothing else.

Chairman Forsey opened the Public Hearing.

Jonathan McManus, a neighbor, states he is not really opposed to it, but the dust and noise are a little bit of a pain and asked about the grinding that goes on. Mr. Hedges stated they plan to move the grinding back 40 to 50' to the east. Mr. McManus asked if the weather plays a role in the work as he noticed when it was raining, they weren't working as much, and wonders if they will be working in the winter. Mr. Hedges stated unless it is really bad out, they will be working. Mr. McManus stated he is just looking for information, but not really opposed to it.

Member Bindeman asked Mr. McManus if the work wakes him in the morning. Mr. McManus stated no, he leaves before they start work but it does wake his wife.

However, when Harrison's was operating, it was much louder.

Member Bindeman asked if the chipper could be moved back further. Mr. Hedges stated it could, but then it would be far from the storage building that the pallets are kept in.

Alternate Member Ray asked if the tractor trailers could be parked the other way, to help block the noise and Mr. Arlington stated, no, they wouldn't be able to maneuver them the other way.

Mr. McManus asked if the wood is treated. Mr. Hedges stated no, clean for bedding, etc.

Hearing no other comments, Chairman Forsey closed the Public Hearing.

Attorney Norris read the following SEQR Resolution:

Whereas, Willow Creek Farms through Apex Consulting, P.C. has submitted a complete application for the site plan approval for the relocation of their wood recycling facility to 5701 Upper Mountain Road, and

Whereas, the Lockport Planning Board, in accordance with the State Environmental Quality Review Act (SEQRA) has reviewed the project and the short EAF and determined that it is a Type 2 action under SEQR (617.5 (c) (7).

Now, Therefore Be It Resolved, that the Planning Board, in accordance with SEQR, has determined that the project is not subject to any further review under SEQR.

MOTION made by Member Grzebinski, seconded by Member Tyson, to approve the SEQR resolution. 6 Ayes, 0 Nays, Carried unanimously.

MOTION then made by Alternate Member Ray, seconded by Member Bindeman to approve the following Site Plan and Architectural Design:

Whereas, the Planning Board and its consultant have reviewed the Willow Creek Wood Recycling Center project against the Town's Site Plan requirements found in Article XVIII, and found the project in accordance with these requirements, and have also determined that the project is an allowed use in the Industrial zone, and based on this review have not noted any potential public health and safety issues, and

Whereas, the Planning Board has reviewed the project in accordance with Chapter 53 of the Code of the Town of Lockport (Architectural and Design Review) and has determined that since no new buildings or structures are being proposed that this law does not apply, and

Whereas, the Planning Board has held the required public hearing and the project received no adverse comments from the Niagara County Planning Board.

NOW THEREFORE BE IT RESOLVED, that the Town of Lockport Planning Board approves the Site Plan (dated 09-20-16), in accordance with Article XVIII of the Code of the Town of Lockport, for the Willow Creek Wood Recycling Center project at the proposed location with the following conditions:

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

6 Ayes, 0 Nays, Carried.

MOTION made by Member Wingard, seconded by Alternate Member Ray to adjourn.
6 Ayes, 0 Nays, Carried unanimously.