

TOWN OF LOCKPORT  
ZONING BOARD OF APPEALS  
July 23, 2013

PRESENT: Kevin Roth  
Charles Dahlquist  
Kevin McCabe, Alternate  
Donald Jablonski  
Michael Bartus  
Tim Lederhaus, Chairman

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

The June 23, 2013 Zoning Board of Appeals meeting was called to order at 7:00 pm by Chairman Lederhaus, who then led the Pledge of Allegiance.

**MOTION** made by Member Jablonski, seconded by Member Roth to approve the May 28, 2013 minutes. 5 Ayes, 0 Nays, Carried.

Chairman Lederhaus noted the CCOD requirements were waived by the Planning Board for Mantelli Trailer Sales at 6865 S. Transit Road.

**CASE #1**                    **5807 S. Transit Road – SBL #94.02-1-43 – Douglas Smith & Linda Borchert.** – Requesting an area variance to construct a detached garage. Mr. Smith states they bought the house last August and the garage is dilapidated. Mr. Smith states they would like to have a garage to store their boat, car and lawn equipment in, and they are looking at a metal building company to come up with some sizes and styles. Mr. Smith stated they are looking at earth tone colors that will also match the brick on the house and storing his vehicles and other materials in a garage would keep his property better maintained for the betterment of the area. Further, this would be the most feasible means to achieve this goal.

Member Jablonski asked the size of the home. Mr. Smith stated an L-shaped ranch home with approximately 1900 square feet.

Chairman Lederhaus asked if they had spoken to the neighbors. Mr. Smith stated he had spoken to 4 of the 5 neighbors and they had no objections.

Chairman Lederhaus asked if this will affect the drainage. Mr. Smith stated there is a small creek that runs in back of it and he is looking to improve that also by raising a low area. Member Dahlquist asked if it is

the creek that runs under Stone Road and Mr. Smith stated yes, and there are some trees in the creek that he will also clean up.

Member Jablonski stated it looks like they are taking down the old garage and putting the new one further back and will have to remove some trees. Mr. Smith stated that is correct. Member Dahlquist asked if it will be moved to the southeast and Mr. Smith said yes, as he doesn't want to bother the creek.

Member Jablonski asked if the driveway goes back to the current garage. Mr. Smith said no, he will extend the current driveway and blacktop it.

Member Jablonski asked if there will be electric and water. Mr. Smith said not right away as it is very costly to take down the old building and put up the new one.

Member Jablonski asked how tall the building will be to the peak. Mr. Smith stated a 12' high building with a 10' high door, 18' to peak and a 40' x 70' garage.

Chairman Lederhaus asked if the pitch is 4-12 and Mr. Smith said yes.

Chairman Lederhaus opened the Public Hearing.

Paul Siejak of 6259 Hamm Road stated 18' is higher than most houses and asked if a variance would be needed for that. Senior Building Inspector Belson stated no, up to 25' is fine.

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

**MOTION** made by Member Jablonski, seconded by Member Bartus to grant an area variance to Douglas Smith & Linda Borchert at 5807 Leete Road to construct a detached garage with the aesthetics as presented based on the following:

1. The requested variance will not create an undesirable change in the character of the neighborhood;
2. The benefit cannot be achieved by any other feasible method;
3. The requested variance is substantial but not enough to be denied;
4. The proposed variance will not have an adverse effect on the neighborhood;
5. The difficulty is self-created, but will be an improvement to the area.

5 Ayes, 0 Nays, Carried.

**CASE #2      6865 S. Transit Road – SBL#167.01-1-3 – Kim & Mark Watson/Mantelli Trailer Sales** - Requesting an area variance to construct a new 18,000 square foot structure and an area variance to provide only 22.8% of lot as greenspace. Jim Klino presenting with Kim Watson. Mr. Klino stated the greenspace across the front will be in Phase I and they will put down pervious concrete with 12” of stone underneath and the 4 curb cuts will be removed and they will put in 2 new curb cuts. Phase II will be construction of an 18,000 square foot building, a pond with drainage to it and demolishing 2 of the building. Mr. Klino stated there will be a screen fence to block view of the trailers from the road. Member Jablonski asked how tall the fence will be. Mr. Klino stated 12’. Mr. Klino stated the propane filling station will be relocated with a fence around it.

Member Jablonski asked how far the filling station will be from the road. Mr. Klino stated 90’ and where the current filling station is, that is where one of the new buildings will be.

Chairman Lederhaus asked if the drainage will be underground. Mr. Klino stated into the concrete and gradually leach out. Chairman Lederhaus asked if they are worried about freezing and thawing in the winter. Mr. Klino stated no, it’s not a problem with the pervious concrete.

Member Dahlquist asked about the retention pond. Mr. Klino stated it’s not really a retention pond, it’s more for decoration to make a more camp like setting and they will probably be adding water to it.

Mr. Klino stated Phase III will be adding the trailer showing area.

Chairman Lederhaus asked if there will be trees and bushes along the front. Mr. Klino stated yes, there are 398 plantings that will be in several islands and also 14 Fat Albert Spruce trees that only grow to about 15’ which will be significantly more landscaping and greenery than the present.

Member Jablonski asked how far the plantings will be off Transit Road and Mr. Klino stated in from the ditch.

Mr. Klino stated an 18,000 square foot building is needed to have 4 bays for servicing of the large and lengthy trailers and a trailer prep area to clean the trailers when they are sold and a showroom in the front to be able to keep more inventory inside.

Member Jablonski asked when construction will start and Mr. Klino stated after all the evaluations are done. There is one that needs to be done that they won't be able to get to for about 3 weeks.

Mr. Klino stated the business has been there for about 60 years.

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

**MOTION** made by Member Jablonski, seconded by Member Roth to approve decision, attached hereto as Exhibit "A" and to grant the area variances for the building and greenspace to Kim and Mark Watson/Mantelli Trailer Sales. 5 Ayes, 0 Nays, Carried.

**MOTION** made by Member Bartus, seconded by Member Dahlquist to adjourn. 5 Ayes, 0 Nays, Carried.

The next Zoning Board of Appeals meeting will be August 27, 2013 at 7:00 pm.

**BY ORDER OF THE TOWN OF LOCKPORT**

**ZONING BOARD OF APPEALS**