

ASSESSOR
BUILDING INSPECTOR

TOWN OF LOCKPORT

6200 Robinson Road
Lockport, New York 14094



OFFICE OF LANDS,
BUILDING, AND CODE ENFORCEMENT

FIRE BUREAU
PLANNING BOARD
ZONING BOARD

(716)439-9526
439-9527
FAX 439-9532

PLANNING BOARD AGENDA

Work Session:

DATE: April 3, 2018
TIME: 4:00 PM
PLACE: 6560 Dysinger Rd.

Meeting Date:

DATE: April 17, 2018
TIME: 7:00 PM
PLACE: 6560 Dysinger Rd.

SCHEDULED AGENDA FOR MEETING TO DATE

1. Approval of March 20, 2018 minutes.
2. 7154 Chestnut Ridge Rd., SBL# 110.00-1-11, REL LLC owner.
Horvath Communications proposing Telecommunications Tower located
In a B-1 Business District. Required approvals; Site Plan, special Use Permit.
Project has submitted application to Zoning Board of Appeals for Use and
Area Variances.
3. 7373 Rochester Rd., SBL# 96.00-2-14.11, Varallo Vineyards owner.
Proposing a onetime musical event. Special Use Permit required.

NOTICE OF PUBLIC HEARINGS
TOWN OF LOCKPORT PLANNING BOARD

PLEASE TAKE NOTICE that Public Hearings will be held by the Town of Lockport Planning Board, Niagara County, New York, on the 17th day of April, 2018, commencing at 7:00 P.M., at the Town Hall, 6560 Dysinger Road, Lockport, New York, to hear and consider the following properties and property owners:

OWNER/APPLICANT: SPRING LAKE WINERY LLC/
VARALLO VINEYARDS LLC

PROPERTY LOCATION: 7373 Rochester Road (Tax Map No.
96.00-2-14.11) Lockport, Niagara County,
New York

TO CONSIDER APPLICATION FOR A SPECIAL USE PERMIT to conduct a one-time music festival on August 19, 2018 on said premises.

OWNER/APPLICANT: REL LLC / HORVATH COMMUNICATIONS

PROPERTY LOCATION: 7154 Chestnut Ridge Road (Tax Map No.
110.00-1-11) Lockport, Niagara County, New
York

TO CONSIDER APPLICATION FOR SITE PLAN REVIEW AND A SPECIAL USE PERMIT to construct a telecommunications tower on said premises.

All interested parties will be heard by the Town of Lockport Planning Board at said Public Hearings.

Dated: April 6, 2018

By Order of the
TOWN OF LOCKPORT PLANNING BOARD

AFFIDAVIT OF POSTING

STATE OF NEW YORK)

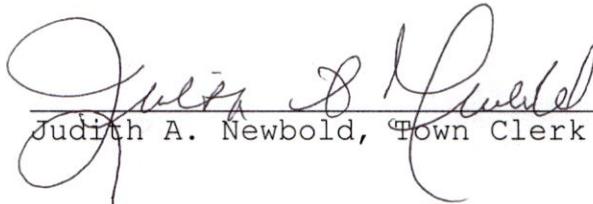
SS:

COUNTY OF NIAGARA)

JUDITH A. NEWBOLD, being duly sworn, deposes and says:

That she is the Town Clerk of the Town of Lockport and at all times hereinafter mentioned was duly acting as such.

That on the 9th day of April, 2018, deponent, in accordance with Town Law, personally posted a copy of the Town of Lockport Planning Board Notice of Public Hearings on the sign board at her office and on the website, a copy of which is attached hereto.



Judith A. Newbold, Town Clerk

Subscribed and sworn to before me this 9 day of April, 2018.

Karen Albone
Notary Public

Karen M. Albone
Notary Public, State of New York
No. 01AL6350470
Qualified in Niagara County
My Commission Expires November 7, 2020

(Spring Lake Winery/Horvath Communications)

**NIAGARA GAZETTE
LOCKPORT UNION SUN & JOURNAL**

473 THIRD STREET
NIAGARA FALLS, NY 14301
(716)282-2311

Fax(716)282-2210

Advertising Memo Bill

| | | | |
|-----------------------------------|-------------------------------|---|--------------------------------------|
| 1 Memo Bill Period 04/2018 | | 2 Advertiser/Client Name LOCKPORT TOWN (LEGALS) | |
| 23 Total Amount Due 48.18 | | *Unapplied Amount | 3 Terms of Payment |
| 21 Current Net Amount Due .00 | 22 30 Days .00 | 60 Days .00 | Over 90 Days .00 |
| 4 Page Number 1 | 5 Memo Bill Date 04/06/18 | 6 Billed Account Number 80359 LEGAL. | 7 Advertiser/Client Number 80359 |

| | | |
|---|--|---|
| 8 Billed Account Name and Address LOCKPORT TOWN (LEGALS) ATTN: JUDITH A. NEWBOLD 6560 DYSINGER ROAD LOCKPORT NY 14094-7970 | | Amount Paid: Comments: Ad #: 223861 |
|---|--|---|

Please Return Upper Portion With Payment

| 10 Date | 11 Newspaper Reference | 12 13 14 Description-Other Comments/Charges | 15 SAU Size 16 Billed Units | 17 Times Run 18 Rate | 19 Gross Amount | 20 Net Amount |
|----------|-------------------------|--|----------------------------------|---------------------------|------------------|----------------|
| 04/11/18 | 223861 | SPRING LAKE | 2X 50.00 | 1 | | |
| | LEGL | NOTICE OF PUBLIC HEARI | 100.00 | 0.42 | 48.18 | 48.18 |
| | | 04/11 | | | | |
| | NOBDR | LOCK | | .00 | | |
| | AFF | AFFIDAVIT 1ST COPY | | 10.00 | | |

RECEIVED
APR 13 2018
TOWN CLERK
LOCKPORT, NY 14094

Statement of Account - Aging of Past Due Amounts

| | | | | | |
|------------------------------------|---------------------|-----------------|----------------------|-------------------|-------------------------------|
| 21 Current Net Amount Due 0.00 | 22 30 Days 0.00 | 60 Days 0.00 | Over 90 Days 0.00 | *Unapplied Amount | 23 Total Amount Due 48.18 |
|------------------------------------|---------------------|-----------------|----------------------|-------------------|-------------------------------|

NIAGARA GAZETTE

(716) 282-2311

* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

| | | | | | |
|-----------------------------------|--------------------------------------|---|--|--|--|
| 24 Invoice 223861 | 25 Billing Period 04/2018 | Advertiser Information | | | |
| 6 Billed Account Number 80359 | 7 Advertiser/Client Number 80359 | 2 Advertiser/Client Name LOCKPORT TOWN (LEGALS) | | | |

STATE OF NEW YORK
NIAGARA COUNTY, } SS, _____

Janet M. Slipko, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Clerk of

LOCKPORT UNION-SUN & JOURNAL

A newspaper published in the County and State aforesaid, and that the annexed printed legal # 223861 was printed and published in said paper on the following dates:

04/11/2018

Janet M. Slipko
Principal Clerk

Subscribed and sworn to before me this
4-11-18

Teresa L. McCarthy
Teresa L McCarthy 02/26/2022

Notary Public Expiration Date

TERESA L MCCARTHY
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01MC4962698
Qualified in Niagara County
Commission Expires February 26, 2022

**NOTICE OF PUBLIC HEARINGS
TOWN OF LOCKPORT PLANNING BOARD**

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Dated: April 6, 2018

By Order of the
TOWN OF LOCKPORT PLANNING BOARD
#L223861 4/11/2018



**OFFICE OF THE SHERIFF
COUNTY OF NIAGARA**

5526 Niagara Street Ext.
P.O Box 496
Lockport, New York 14095-0496

James R. Voutour
Sheriff

Michael J. Filicetti
Undersheriff

(716) 438-3370

April 16, 2017

Town of Lockport Planning Board
6200 Robinson Road
Lockport, New York 14094



Town of Lockport Planning Board,

When citizens have an emergency, it is their expectation that they will have the ability to make a successful 9-1-1 call wherever they are and recent surveys have shown that over 50% of American households are now only using wireless cell phones as their primary phone service. In addition, over 80% of all 9-1-1 Calls received at the Niagara County Sheriff's Office Communications Dispatch Center come from wireless phones; therefore, it is paramount for the public safety for citizens to have the availability of reliable wireless coverage in as many locations as possible. When citizens make wireless 9-1-1 calls, optimally the wireless carrier is able to obtain and deliver to 9-1-1 Dispatch Centers the location of the wireless device, which enables emergency responders to be dispatched and respond to an emergency even if the caller does not know where they are or are unable to speak.

Based on the above stated information, the Niagara County Sheriff's Office would like to go on record in support of the Wireless Telecommunications Tower proposed at 7154 Chestnut Ridge Road in the Town of Lockport, as this new tower will provide reliable wireless cell coverage to areas that do not currently have it.

If you have any questions please contact me at any time.

A handwritten signature in black ink, appearing to read "M. E. Kasprzak".

Marc E. Kasprzak
Director of Emergency Communications

Cc Town of Lockport Supervisor

"EXHIBIT A" 4/17/2018

M | L | F

THE MURRAY LAW FIRM^{PC}

10 Maxwell Drive, Suite 100 • Clifton Park, NY 12065
Tel: (518) 688-0755 • Fax: (518) 688-0297

www.themurraylawfirm.com

April 17, 2018

VIA Hand Delivery

Planning Board
Town of Lockport
6560 Dysinger Road
Lockport, NY 14094

**Re: Proposed Wireless Telecommunications Facility
7154 Chestnut Ridge Road, Lockport, NY (SBL 110.-1-11)**

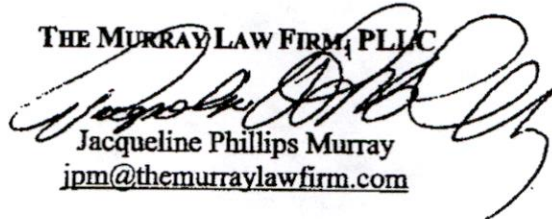
Dear Members of the Planning Board:

On behalf of our client, Horvath Communications, Inc., and Verizon Wireless, in respect to the above-referenced Application, we hereby confirm that the Application is amended to request a reduced height for the proposed facility from 195 feet to 150 feet. Such reduced height of 150 feet will be reflected in the facility's structural design and construction drawings submitted in furtherance of any future building permit application for this project.

We thank you in for your continued review of this Application.

Very truly yours,

THE MURRAY LAW FIRM, PLLC



Jacqueline Phillips Murray
jpm@themurraylawfirm.com

cc via E-Mail:

William Johnson, Consultant
Brian D. Seaman, Town Attorney

JPM/lb

FILED

APR 24 2018

TOWN CLERK
LOCKPORT, NY 14094



**OFFICE OF THE SHERIFF
COUNTY OF NIAGARA**

5526 Niagara Street Ext.
P.O Box 496
Lockport, New York 14095-0496

James R. Voutour
Sheriff

Michael J. Filicetti
Undersheriff

(716) 438-3370

April 16, 2017

Town of Lockport Planning Board
6200 Robinson Road
Lockport, New York 14094

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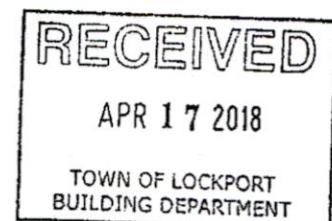

Marc E. Kasprzak
Director of Emergency Communications

Cc Town of Lockport Supervisor

FILED

APR 24 2018

**TOWN CLERK
LOCKPORT, NY 14094**



Teresa Strassel
7120 Ridgewood Drive
Lockport, NY 14094
716-208-5499

15 APR 18

29
Residents
"Petition"
"IN FAVOR"

Town Supervisor
6560 Dysinger Road
Lockport, NY 14094
C/O
Marc Crocker
5513 Forest Hill Road
Lockport, NY 14094

April 13, 2018

To whom it may concern,

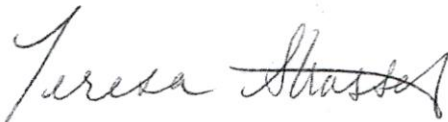
In anticipation of the upcoming town meeting regarding the possible installation of a Verizon cell tower off of Chestnut Ridge road, I felt compelled to offer the town some addition incite as to how the local neighbors are feeling about the tower. I took it upon myself to contact the town to get some information on the exact location, height, and pictures as to how the landscape would look with the tower in place. Armed with this information, the latest newspaper clipping, and a petition I created in favor of the cell tower, I spent an evening walking neighbor to neighbor. Although I could only walk one evening, the overwhelming response in favor of the tower was evident. 98% of those approached were in favor of building a tower, if the result would improve cell service. During my conversations with my neighbors, most agreed that they had trouble with service.

Another thing to keep in mind is that some of these residents are not Verizon cell users and are still in favor of the 190' tower that could potentially be used in the future by their cell service providers to increase service in the area.

Please consider the needs of these residents in the eastern part of the Town of Lockport and build the cell tower...soon.

If additional signatures would increase the chances of a positive vote, I can continue to gather this data.

Sincerely,



Teresa Strassel

FILED
APR 24 2018
TOWN CLERK
LOCKPORT, NY 14094

RECEIVED
APR 17 2018
TOWN OF LOCKPORT
BUILDING DEPARTMENT



To Whom it may concern,

We, the concerned citizens of the Town of Lockport, urge the Town of Lockport officials to move forward with the planning and installation of the cell tower at the proposed location off of Chestnut Ridge Road. The cell tower is a necessity to fill gaps in Verizon Wireless' coverage for the eastern part of Lockport.

| Printed Name | Signature | Address | Date |
|-----------------------------|-----------------------------|---------------------|--------|
| 1. Andrea Leathe | <i>Andrea Leathe</i> | 7122 Ridgewood Dr. | 4/9/18 |
| 2. Sandra Smith | <i>Sandra Smith</i> | 7122 Ridgewood Dr | 4/9/18 |
| 3. ALLEN RICHARDS | <i>Allen Richards</i> | 7124 RIDGEWOOD DR | 4/9/18 |
| 4. Donna Richards | <i>Donna Richards</i> | 7124 RIDGEWOOD DR | 4/9/18 |
| 5. Jennifer Ganz | <i>Jennifer Ganz</i> | 7128 Ridgewood | 4/9/18 |
| 6. Chef Socrist | <i>Chef Socrist</i> | 7130 Ridgewood DR | 4-9-18 |
| 7. Rita Nolan | <i>Rita Nolan</i> | 7135 Ridgewood DR | 4-9-18 |
| 8. Elizabeth McLean | <i>Elizabeth McLean</i> | 7135 Ridgewood DR | 4/9/18 |
| 9. Thomas McLean | <i>Thomas McLean</i> | 7135 Ridgewood DR | 4/9/18 |
| 10. DAVID CHATT | <i>David Chatt</i> | 7133 NORTHLEDGE DR | 4/9/18 |
| 11. CHANCY ANNE | <i>Chancy Anne</i> | 7137 NORTHLEDGE DR | 4/9/18 |
| 12. SYLVIA CLEARY | <i>Sylvia Cleary</i> | 7161 NORTHLEDGE DR | 4/9/18 |
| 13. CHRISTINE A GATTO | <i>Christine A Gatto</i> | 7168 Northledge Dr | 4/9/18 |
| 14. Bianca Gatto | <i>Bianca Gatto</i> | 7168 Northledge Dr | 4/9/18 |
| 15. Cathy + George Moore | <i>Cathy + George Moore</i> | 7121 Northledge Dr. | 4/9/18 |
| 16. ROBERT FALGIANO | <i>Robert Falgiano</i> | 7117 NORTHLEDGE DR. | 4-9-18 |
| 17. DENISE FALGIANO | <i>Denise Falgiano</i> | 7117 NORTHLEDGE DR | 4-9-18 |
| 18. John Vogt | <i>John Vogt</i> | 7115 Northledge Dr | 4/9/18 |
| 19. David Larson | <i>David Larson</i> | 7120 Northledge Dr | 4-9-18 |
| 20. Diane Sy | <i>Diane Sy</i> | 7111 Northledge Dr | 4-9-18 |
| 21. Tom Sy | <i>Tom Sy</i> | 7111 Northledge | 4-9-18 |
| 22. Daniele Triest | <i>Daniele Triest</i> | 7114 Northledge | 4-9-18 |
| 23. Travis Brown | Travis Brown | 7105 Northledge Dr | 4-9-18 |
| 24. Nancy Byle | <i>Nancy Byle</i> | 7101 Northledge Dr | 4-9-18 |
| 25. ROBERT BEEBE | <i>Robert Beebe</i> | 7100 Ridgewood DR | 4-9-18 |

TO: TOWN OF LOCKPORT PLANNING BOARD

RE: TELECOMMUNICATIONS TOWER REQUEST

Dear Planning Board Members

With respect to your pending vote Tuesday April 17th regarding the Verizon tower request. We feel that your approval is paramount to the continued safety of all our residents. Please consider the following:

1) Volunteer Firemen / Emergency Responders now rely on cell phones as part of their communication to receive emergency calls for EMS and Fire. Firemen's phones not only provide the alert, but also provide the location of the emergency to respond and will allow them to notify superiors of their availability to respond. We are currently experiencing poor communication coverage in areas of the town that can have a negative effect on the ability to provide timely and adequately staffed emergency response. **(Please refer to the attached letters from area Fire Departments in support of adequate communication coverage.)

2) Life Alert- Life Alert is a communication system for the elderly and the handicapped which allows them to communicate remotely should an emergency occur that prevents them from using a phone. Today many Alert systems communicate via cell service for those not having a land line or to achieve more reliability in the event of a power loss. In areas that have poor cellular coverage their ability to communicate in an emergency situation can be compromised.

3) Burglar, Smoke Detection and Fire Alarms- today many security systems rely on cellular service as their primary method of emergency notification for increased reliability and protection. Most systems now rely on cellular communication as a back up signal method should phone wires be cut or lost in a storm. We now have areas that have compromised coverage due to ineffective cellular signal quality. A situation that could effect the life and property of others.

4) Telephone/Data Coverage- as we modernize, many people/families have chosen to use their Cell Phones as their primary method of communication. Thus opting out of spending additional money for another phone at home. Having adequate cellular service is now expected in every community. Those without reliable cellular coverage need to receive the same considerations as residents in areas that have reliable service. **(Petition- please review the attached petition and give voice to all of us who have a concern for our HEALTH AND SAFETY)

Currently, there are areas of our town where residents and volunteers alike experience unreliable communication or have no coverage at all. We ask only that you give the safety and security of our residents the very highest priority when making your judgement for positive approval of the Telecommunications tower request.

Thank you for your consideration.

FILED

APR 24 2018

TOWN CLERK
LOCKPORT, NY 14094

Rapids Volunteer Fire Company

E-Mail Address: rapidsvfc@gmail.com

Website: www.rapidsvfc.com

ADMINISTRATIVE OFFICERS

Andrew Doyle; *President*
Paul Ast; *Vice President*
Laverne Bowen; *Treasurer*
Monica Rook; *Recording Secretary*
Nancy Drury; *Corresponding Secretary*
Joseph Bowes; *Board of Director*
Wendy Hollenbeck; *Board of Director*
Scott Reynolds; *Board of Director*

FIREMATIC OFFICERS

Barry Kobrin; *Chief*
Brett Johnson; *1st Asst. Chief*
Joseph Fries; *2nd Asst. Chief*
Neil Sommerfeldt; *3rd Asst. Chief*
Jeff Smith; *4th Asst. Chief*
Brent Ast; *EMS Captain*



MAILING ADDRESS:
7195 Plank Road
Lockport, New York 14094

FIRE STATION #1
7195 Plank Road
(716) 434-4502
(716) 434-4347 Fax

FIRE STATION #2
6131 Old Beattie Road
(716) 434-6506
(716) 434-3663 Fax

Monday, August 07, 2017

To: Whom it may concern

Re: Chestnut Ridge Road - Verizon Cell Tower

On the behalf of the Rapids Volunteer Fire Company Inc. this letter is to express support of the prompt construction of a Verizon Wireless Cell Tower on Chestnut Ridge Road in the Town of Lockport, NY.

The use of cellular devices in the fire service is becoming more and more prevalent among our fire company. Currently one of our notification methods used by the Niagara County Communication Center comes in two forms, text messages and a cell phone application called "I am Responding." In order to receive this information it requires adequate cellphone signal reception. Many times issues with the system have directly been associated with lack of cellphone reception.

The Rapids Volunteer Fire Company Inc. fully supports the construction of a new Verizon Wireless Cell Tower on Chestnut Ridge Road, Lockport, NY.

Sincerely,

Andrew Doyle
President



Terry's Corners Volunteer Fire Co. Inc.
7801 Chestnut Ridge Rd
Gasport, NY 14067



To: Whom it may concern

Re: Verizon Cell Tower

On behalf of the Terry's Corners Volunteer Fire Co., Inc this letter is to express support of the prompt construction of a Verizon Wireless Cell Tower on Chestnut Ridge Road in the Town of Lockport, NY.

The Terry's Corners Volunteer Fire Company is located on Chestnut Ridge Road in Gasport NY. We operate a 100% Volunteer Fire Company serving the Towns of Royalton and Lockport. We are an established Non-Profit Organization (501c3) serving the community since 1949.

The use of cellular devices in the fire service is becoming more and more prevalent among the local companies. Currently one of our notification methods from County Dispatch comes in two forms, text messages and thru a cell phone application called I am Responding. In order to receive this information it requires adequate cellphone signal reception including a 4G data connection. Many times members have complained that these messages have not come through or the application activates long after the incident has begun. This either delays the response of Firefighters/EMTs or prevents them from responding all together. The issues with the system have directly been associated with lack of cellphone reception.

On top of the above, Terry's Corners Vol. Fire Co. utilizes Mobile Data Terminals (MDT) to connect directly to Niagara County Dispatch to access critical incident information during emergencies. This information includes responder safety alerts, real time incident updates, and Incident Pre-Plans. Without this information, the lives of the firefighters could be placed in danger. This information is transmitted to the MDT via Verizon MiFi Hotspots providing connectivity to the system. Often times the signals are lost or connection to the system is not available. This poses huge problems for the responders and the community.

Nicholas Baes
Fire Chief
716-523-1924



GASPORT CHEMICAL HOSE CO.

Vol. Fire Dept.
8412 STATE ST., BOX 325, GASPORT, NEW YORK 14067

To: Whom it may concern

August 28, 2017

Re: Verizon Cell Tower

On behalf of the Gasport Fire Company this letter is to express support of the prompt construction of a Verizon Wireless Cell Tower on Chestnut Ridge Rd. in the town of Lockport, NY.

The use of cellular devices in the fire service is becoming more and more prevalent among our fire company. Currently one of our notification methods used by County Dispatch comes in two forms, text messages and a cell phone application called I am Responding. In order to receive this information it requires adequate cell phone signal reception. Many times issues with the system have been directly associated with the lack of cell phone reception.

The Gasport Fire Company fully supports the construction of a new Verizon cell phone tower on Chestnut Ridge Road, Lockport, New York.

Sincerely,

Christopher D. Wesolek
Chief
Gasport Fire Company
Cell 716 998-1963
chris.wesolek35@gmail.com

Petition to Support Cell Phone Tower on Chestnut Ridge Rd, Lockport, New York

We, the undersigned, support the application to construct a cell tower on property located on Chestnut Ridge Road in the Town of Lockport. Cellphone reception in the area is poor at best resulting in numerous dropped calls. Many of us do not have dedicated landlines and rely on cell phone reception for emergency calls. Not having dependable cell phone reception is a health and safety issue. We strongly request that the Town of Lockport allow the cell phone tower.

| Name: | Address: | Email: |
|--------------------|--|-----------------------------|
| Ronnie Kowaleski | 7008 Northview Drive | rk1757 yankee@gmail.com |
| Tim Durfy | 18 TUOOR Lane 1 | Lockport durfdid.t@yaho.com |
| SHARON YOUNG | 7089 Old English Rd | |
| Michael Ferraro | 7093 Old English Rd. ^{Lockport} | mferraro911@yahoo.com |
| Gloria Ferraro | " | " |
| Barb Wassunga | 7101 Old English Rd | |
| Cally Coururier | 7105 Old English | Callybrauer@msn.com |
| Lisa Ciccicarelli | 7109 Old English | lanrongo@gmail.com |
| Thomas C. Conroy | 7125 Old English | |
| ANTHONY SCHIAVITTI | 7133 Old English | ajschiavitti@roadrunner.com |
| MARK PARSONS | 7122 OLD ENGLISH RD | MLPARSONSCHEERON.NET |
| Samuel Montanaro | 7118 Old English Rd | |
| Judith Montanaro | 7118 Old English Rd | judym21@verizon.net |
| Kwinn O. Pollock | 7114 " " " | kPollock25@aol.com |
| Rick BERMAN | 7110 Old English Rd | — |
| Derrick Ferraro | 6035 S Transit Bldg | DFerraro518@gmail.com |
| Joshua ferraro | 7093 Old English | |
| Laurie Island | 7074 Old English | |
| Miane Fallgatter | 7070 Old English | dfallgat@hotmail.com |
| Karen Robinson | 7066 Old English | |

Petition to Support Cell Phone Tower on Chestnut Ridge Rd, Lockport, New York

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| Name: | Address: | Email: |
|---------------------------|-----------------------------------|---------------------------------|
| <u>Tom Branat</u> | <u>7064 Old English Rd</u> | <u>TOMBRANATUKPT@Yahoo</u> |
| <u>Gloria Huth</u> | <u>7063 Old English Rd</u> | <u>gahuth@verizon.net</u> |
| <u>Ros Cozell</u> | <u>7069 Old English Rd</u> | <u>rsanford29@gmail.com</u> |
| <u>Martin Bielicki</u> | <u>7077 Old English Rd</u> | <u>martinab7@Yahoo.com</u> |
| <u>Lydia Bielicki</u> | <u>7077 Old English Rd</u> | <u>lidalot@yahoo.com</u> |
| <u>J. C. Cull</u> | <u>7087 E HIGH ST</u> | <u>hycw1982.JC@gmail.com</u> |
| <u>Janet Brooks</u> | <u>6764 CHESTNUT RIDGE RD.</u> | <u>BROOKS JANET54@gmail.com</u> |
| <u>Jamie Bowes</u> | <u>7087 East High St Lockport</u> | <u>MLB71111@gmail.com</u> |
| <u>Deborah L. Clewell</u> | <u>7087 East High St Lockport</u> | |
| <u>Scott Reynolds</u> | <u>6437 Lowest St EXT</u> | <u>TR2SBM@aol.com</u> |
| <u>Brett Johnson</u> | <u>7260 Tonawanda CK Rd.</u> | <u>Brettuj72@gmail.com</u> |
| <u>Brent Ast</u> | <u>6763 Minnick Rd. #19</u> | <u>brentast85@gmail.com</u> |
| <u>Barry Kobrin</u> | <u>6506 Amy Ln</u> | |
| <u>PAUL AST</u> | <u>6765 MINNICK RD #19</u> | |
| <u>John Miller</u> | <u>13 Howard Ave</u> | |
| <u>Laurenbe Bentley</u> | <u>7281 Ton. CK. Rd.</u> | <u>LANDBENTLEY@NET2EE.NET</u> |
| <u>Donald Bragg</u> | <u>6489 Dysinger Rd</u> | <u>D.Bragg@gmail.com</u> |
| <u>Andrew Doyle</u> | <u>5635 Jeffrey Drive</u> | <u>andrewdoyle@me.com</u> |
| <u>Jeff Smith</u> | <u>232 BRANCH ST.</u> | <u>JeffSmith232@gmail.com</u> |
| <u>Laureie Libner</u> | <u>7068 Old English Rd</u> | |

Petition to Support Cell Phone Tower on Chestnut Ridge Rd, Lockport, New York

We, the undersigned, support the application to construct a cell tower on property located on Chestnut Ridge Road in the Town of Lockport. Cellphone reception in the area is poor at best resulting in numerous dropped calls. Many of us do not have dedicated landlines and rely on cell phone reception for emergency calls. Not having dependable cell phone reception is a health and safety issue. We strongly request that the Town of Lockport allow the cell phone tower.

| Name: | Address: | Email: |
|----------------------|------------------------------------|--------|
| Patricia A Cascia | 7098 Old English Lockport | |
| Joshua Maida | 7106 Old English Lockport, NY | |
| Monica Maida | 7106 Old English Rd Lockport, N.Y. | |
| Kathleen Burns | 7126 Old English Rd. " " | |
| Norma Wiers | 7130 Old English Rd | |
| Helena Fitzgerald | 7117 Old English Rd, UKPT | |
| Arlese Quay | 7113 Old English Rd, Lkpt | |
| William Quay | 7113 Old English Rd, Lkpt. | |
| Mary M. L. L. L. | 5453 Ernest Rd. Lkpt | |
| John V. L. | 7073 Old English Lkpt | |
| Minam Portos | 6957 Academy Ln Lkpt | |
| Elizabeth Miles | 6959 Academy Ln | |
| Jeff E. Berhardt | 6966 Academy Ln | |
| Glenn Whitlock | 6964 Academy Ln Lkpt. | |
| Michael Hockroiter | 6962 Academy Ln | |
| Kate Kleismit | 6958 Academy Lane Lockport | |
| Joe TONAS | 6967 Academy Lockport | |
| Christine A Phillips | 6971 Academy Ln Lockport | |
| Lisa Phillips | 6971 Academy Ln Lockport NY | |
| Dale Wallace | 6973 Academy Ln Lockport, NY | |

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| Name: | Address: | Email: |
|----------------|--------------------|--------|
| Adam Calt | 6989 Academy | |
| Jonathan Reede | 7001 Academy | |
| Dan He | 6413 Arthur Rd. | |
| Jule Klinck | 7155 Northview DR. | |
| Heidi Swartz | 5674 Bowmiller Rd | |
| Jeanne Schuler | 7225 Academy Ln | |
| Amanda Puy | 7041 Academy Ln | |
| Michelle B. | 7041 Academy | |
| Dan Ron | 7059 Academy Ln | |
| R. Durvive | 7061 Academy Ln | |
| J. Peck | 7065 Academy Ln | |
| Will Grant | 7067 Academy Ln. | |
| Jim Yeager | 22 ASPEN | |
| Cynthia Lee | 7077 Academy Ln. | |
| Devin Wilson | 7079 Academy Ln | |
| Tiffany Wilson | 7079 Academy Ln | |
| myah wade | 7079 Academy Ln | |
| Sarah Walker | 7101 Academy Ln | |
| Victoria Namat | 7133 Academy Ln | |
| Jeffery Papat | 7132 Academy Ln . | |

Petition to Support Cell Phone Tower on Chestnut Ridge Rd, Lockport, New York

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| Name: | Address: | Email: |
|----------------------|-------------------|--------------------------------|
| Phil Yoder | 7135 ACADEMY LA. | Yoder1950@yahoo.com |
| Rich Tomasi-Kiewicz | 7137 Academy Ln | FET9852@yahoo.com |
| [Signature] | 7141 ACADEMY LN | JUSGW@AOL.COM |
| Linda Nelson | 6925 Academy | WtHybl@roadrunner.com |
| Linda + Eric Landman | 6929 Academy Ln | |
| Scott + Cindy Dunbar | 6931 Academy LN | |
| Suzanne M Buser | 6945 Academy Ln | |
| David Rheam | 6947 Academy Lane | David.Rheam@att.net |
| Christina Rheam | 6947 Academy Ln | |
| [Signature] | 7016 Academy LN | |
| Jeremiah Meigs | 7020 Academy Ln | |
| Jennifer Meigs | 7020 Academy Ln | |
| Vildana Dodson | 7022 Academy Ln | |
| Kathy Sobieraski | 7064 Academy Lane | |
| Charlie Rahmo | 7068 Academy Ln. | |
| Suzanne Sadore | 7070 Academy Ln | |
| Antoinette Okita | 7084 Academy Ln | |
| CRAIG MATLAND | 7088 ACADEMY LANE | CMAITLANDZ1@HOTMAIL.COM |
| Michelle Hamilton | 7090 Academy Lane | |
| George Deby | 7094 Academy Ln | |

Date: 04/12/2018 [04:01:40 PM -04]
From: LAWRENCE PEREIRA <pereirainjax@icloud.com>
To: crocker@elockport.com
Subject: Cell tower meetings

Mr Crocker -

Lack of a consistent and strong cellular signal is an aggravation to many of us who live in the Worthington Ridge Condominiums.

I want to urge you to guide the cell tower proposal to a positive conclusion, resulting in improved service to the residents of the Town of Lockport.

I recognize it is a daunting task to provide leadership to a dynamic town in these challenging times. In this case, you need look no further for strength and guidance than the goals found on the Welcome Page of the Town of Lockport web site:

"WE SEEK TO BLEND THE OLD WITH THE NEW TO PRESERVE THE PAST AS WELL AS MOVE AHEAD WITH THE CHANGING TIMES." Town of Lockport

This proposal provides an opportunity to "move ahead with the changing times" and validate that the Town recognizes what the majority of its residents and businesses accept as reality - the digital age has arrived. Please give us an essential tool to be successful, now and in the future - basic cellular service.

Thank you, and please support the tower proposal.

Lawrence Pereira
4801 A Sturbridge Lane
Lockport, New York 14094

13 APR 18

Please add to public record.

Mark Cohen

RECEIVED
APR 16 2018
TOWN OF LOCKPORT
BUILDING DEPARTMENT

FILED

APR 24 2018

TOWN CLERK
LOCKPORT, NY 14094

MAROTTA & MAROTTA CORP.

April 29, 2018

Town of Lockport Planning Board
Town of Lockport Zoning and Appeals Board
6560 Dysinger Road
Lockport, NY 14094

Dear Planning Board Members and Zoning and Appeals Board Members:

Enclosed please find pertinent questions I would like answered in writing by William Johnson and Verizon. Also enclosed is a rebuttal to the April 17, 2018 meeting on certain very concerning events. I ask that these items be made a matter of record for all Board Members to receive a copy for review before any vote.

Sincerely,



David S. Marotta,
President

Enclosures – (3)
William Johnson's Questions
Verizon's Questions
Rebuttal

FILED

APR 30 2018

TOWN CLERK
LOCKPORT, NY 14094

PO Box 598 · Lockport, NY 14095
Phone: 716.438.7637 · Cell: 716.316.146
marottaholdings@roadrunner.com

VERIZON QUESTIONS

Answers requested in writing

1. It is true per the Telecommunications Act of 1996-Section 704 that:
“(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission’s regulations concerning such emissions.”

Is it true cell companies can commence a lawsuit against State or Local government in the event siting is denied based on environmental effects of radio frequency emissions on Public Health concerns thereof and petition the Commission for relief?

Resulting in which would be the cell site being built per their wanted location.

2. Is it true Verizon released photo simulations at 160' to the public, as well as the altered photo images?
3. So, it is correct per your Tech department that Rt. 31 / Rt. 77 neighborhood is being re-directed out to a Tower further out from the closer tower? Yes or No
This was stated to me Spring of 2017 by a Verizon phone Tech Support. Also, this was stated to my neighbor by Verizon phone Tech Support.
4. Is Verizon going to study coverage maps and provide said maps for Shooktown/NYSEG project and Eastern Niagara Hospital (ENH) site prior to vote?
5. Is it true you put out requests to three additional cell companies to locate on this location (7154 Chestnut Ridge Rd)?
6. Is it true in the event the Town accepts, that the tower is being engineered and constructed to be extended to 195'?
7. As of 4/17/2018, how many cell companies have accepted co-locating on this tower?
8. Is it true at 195' at this location, that a red blinking light will be required to be installed per Mercy Flight path?
9. Is it true that each cell company will be operating at or near max watt output per FCC limits when operating?
10. Who monitors and records watt output per FCC legal limits of wattage output for each cell company on the tower? Are monitor companies independent of the cell companies? – Yes or No. How often are they recorded? Where are they reported to? Are there monetary penalties or restriction if found exceeding FCC limit?

 5/1/2018

WILLIAM JOHNSON - QUESTIONS

1. Why did Mr. Johnson submit to the Planning Board three full pages of his report trying to convince the Planning Board that there is no health effects, when the fact is, Mr. Johnson's work contract does not ask for medical options?
2. Mr. Johnson: Are you an educated medical doctor of research, such as a biologist or an oncologist? I don't believe an Electrical Engineer such as yourself are trained with a medical degree, per your resume
3. Mr. Johnson, why would you say in your report; I quote: "The following information is offered for your consideration" ?

I assume you know the Telecommunications Act of 1996, Section 704 states:

"No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions."

Question: Do you feel you have the right to influence the Board as to RF (radio frequency) health issues?; as the definition of environmental effects (stated above) states I quote " is the result of environmental impacts on human health and welfare".

As to your 3 pages on health, I could provide many research papers more currently dated that debunks most of what your printed, but I will not, as it would possibly influence the Planning Board and possibly result in a violation of Section 704 of the TCC Act of 1996 Law.

4. Mr. Johnson: It has been said that you did not analyze for accuracy Verizon's RF results (i.e. color plotting maps). So, is it correct? you took Verizon's results and put them in your report?

5. Mr. Johnson: Your report mostly agrees with what Verizon wants, or should I say Verizon reports. Is that correct?
6. Mr. Johnson: Were you paid by Verizon monies that was paid to the Town of Lockport, and then, was paid to you?
7. Mr. Johnson's stated that the alternate site could not be constructed to 195 feet because would interfere with existing towers' communication. What is Mr. Johnson's written technical reason in terms that another RF analyst could review?. (Not just it's technical as he stated at the 4/17/18 meeting.) Also technical reason why proposed site at 195' was technically ok?
8. *On 4/27/2018 ZBA Board meeting Mr Johnson stated "I don't know where I (meaning David Marotta) came up with this 2.2 mile radius factor and height of tower matters to avoid ground clutter" per pg8 of Chestnut Ridge Search Area paragraph 3 "2.2 mile radius, this is the ideal location from both a capacity and coverage perspective "and pg9 Land Use Considerations paragraph 3 "antenna height of 176' is the minimum required to elevate the antennas sufficiently high above the surrounding trees and buildings in the immediate area. Reducing antenna height closer to the tree and roof tops results in near-field scatter and detrimental signal degrading effects that lessen the facility's effectiveness ". So my question is did you read Verizon application? This is their requirements from the application! So can you be thorough per #7 above Also see pg 9 Tower Height; Future Co-Location Capacity for futher explanation*


5/1/2018

REBUTTAL – To 4/17/18 Planning Board Meeting

First, I want to state that I highly respect the work that Emergency Management and Volunteer Fire Departments provide.

1. The endorsement of a certain piece of land or location as stated by the letter from Marc E Kasprzak, Director of Emergency Communications of the Niagara County Sheriff's Office, and as stated by Terry's Corners Volunteer Fire Co. representative on 4/17/18 seems misguided. Shouldn't the priority be about the signal coverage not the real estate location?
2. Per written petitions in favor of proposed location that was provided on 4/17/18, note all but one address is well out of sight of said tower anywhere from ½ to 1- ½ miles away.
3. The call for urgency to construct said cell tower at the 4/17/18 meeting seems misplaced as three years and many delays have not been from the Town Boards or from the neighborhood people, but in fact came from Verizon's many long delays between meetings.
4. Verizon could have gone on NYSEG tower three years ago or more and provided coverage to the East side and double coverage for the city of Lockport. Verizon has chosen this site and only this site and has not pursued co-location as recommended by zoning law, but instead pursued becoming a landlord and renting space to other carriers
5. 4/17/2018 Planning Board Meeting a statement was made by a Volunteer fireman of "how would you like to make a 911 call and no one there to answer "that would be terrible and wrong but the full burden and responsibility would be that of Verizon and Horvath Communications per #3 and 4 above.


5/1/2018

STATE OF NEW YORK
COUNTY OF NIAGARA

TOWN OF LOCKPORT
PLANNING BOARD

In the Matter of the Application

Of

DECISION

SPRING LAKE WINERY

APPLICATION FOR A SPECIAL USE PERMIT to conduct a one-time music festival on August 19, 2018 on said premises.

For Special Use Permit:

Location of Property: 7373 Rochester Road

Tax Map No. 96.00-2-14.11

Date: April 17, 2018

The Planning Board having held a Public Hearing on April 17, 2018, in the matter of an Application for Special Use Permit as set forth in the Application, and

After review and discussion, and based upon the findings to be set forth in the minutes, this Board hereby:

DENIES the request set forth in the Application.

GRANTS the requested Special Use Permit, as set forth in the Application, subject to the following conditions:

1. This event will be limited to a maximum of 2,250 people (proof of ticket sales to be provided to the Town 48 hours prior to the event).
2. There will be no parking along Rochester Road or along the entrance driveway leading into the facility.
3. All vehicles will be routed along Wilson Road to parking lots. All parking lots will be prepared and suitable for the purpose

and large enough to accommodate ticket sales and subject to inspection prior to the event. Parking attendants will be present before and after the event to ensure safe and orderly entry and exit from the premises.

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 and parking 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-Johns and handwashing 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 after 10:00 p.m. Local noise ordinances will be enforced at 11:00 p.m.

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.

15. The Town Code Enforcement Officer or his designee shall be allowed to inspect the site at any time within 36 hours in advance of the event start time and at any time during or immediately following the event. Sanitation facilities, parking signage, adequate water

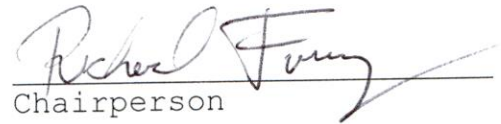
supply and electrical equipment, may be checked and shall be subject to applicable state and local codes.

Vote: Ayes 8

Nays 0

Notes:

Dated: April 17 2018


Chairperson

TOWN OF LOCKPORT

SEQRA RESOLUTION

WHEREAS, a Short Environmental Assessment Form has been prepared for the proposed action requesting a Special Use Permit to conduct a one-time music festival on August 19, 2018 on premises located at 7373 Rochester Road, Lockport, NY (Tax Map No. 96.00-2-14.11) 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.

TOWN OF LOCKPORT

RESOLUTION

WHEREAS, an application for a Special Use Permit has been submitted by Spring Lake Winery for the proposed action to conduct a one-time music festival on August 19, 2018 on premises owned by Spring Lake Winery located at 7373 Rochester Road, Lockport, NY (Tax Map No. 96.00-2-14.11),

NOW, THEREFORE, BE IT,

RESOLVED, that the Board further finds no adverse impacts will be caused by this Project, and

BE IT FURTHER RESOLVED, that the attached Findings are hereby adopted by the Board, and

BE IT FURTHER RESOLVED, the Special Use Permit is hereby approved subject to the following condition(s):

1. This event will be limited to a maximum of 2,250 people (proof of ticket sales to be provided to the Town 48 hours prior to the event).

2. There will be no parking along Rochester Road or along the entrance driveway leading into the facility.

3. All vehicles will be routed along Wilson Road to parking lots. All parking lots will be prepared and suitable for the purpose and large enough to accommodate

ticket sales and subject to inspection prior to the event. Parking attendants will be present before and after the event to ensure safe and orderly entry and exit from the premises.

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 and parking 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-Johns and handwashing 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 after 10:00 p.m. Local noise ordinances will be enforced at 11:00 p.m.

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.

15. The Town Code Enforcement Officer or his designee shall be allowed to inspect the site at any time within 36 hours in advance of the event start time and at any time during or immediately following the event. Sanitation facilities, parking signage, adequate water supply and electrical equipment, may be checked and shall be subject to applicable state and local codes.

**TOWN OF LOCKPORT PLANNING BOARD
SPECIAL USE PERMIT FINDINGS**

TOWN OF LOCKPORT, NIAGARA COUNTY, NEW YORK

Pursuant to Article XIX, Special Use Permits, §200-137, Findings required in the Town of Lockport Zoning Law, the Town of Lockport Planning Board has issued the following findings in regards to the special use permit for the below referenced project.

Date of Approval:

Name of Action:

Spring Lake Winery Event

Description of Action:

The applicant wishes to conduct a one day concert on August 19, 2018 (per Section 20033 F of the Lockport Zoning code, which allows one day concerts by SUP).

Location:

The subject property is located at 7373 Rochester Road.

Agency Jurisdiction:

The Planning Board has jurisdiction over the special use permit for the project (as an event, site plan approval is not necessary).

Applicability:

The following represents the findings required for the issuance of a special use permit in accordance with §200-137 of Chapter 200, "Zoning and Land Use Law" of the Town of Lockport. These Findings are based on the information submitted by the applicant (including draft findings- attached), input from the Town staff and consultant, and a thorough review by the Planning Board:

- A. Will comply with all provisions and requirements of this and other local laws and regulations, and will be in harmony with the purposes of the land use district in which it is located and with the general intent and purposes of this chapter.**

Findings:

The Planning Board has determined that this one day event will result in no permanent changes to the site. The Planning Board has found that the proposal complies with the provisions and requirements of this and other local laws and regulations and is in harmony with the purposes of the AG Zoning district.

B. Will not be detrimental to adjacent uses.

Findings:

As a one day event, the proposed project will not have any long term detrimental impacts to adjacent uses.

C. Will not cause undue traffic congestion, unduly impair pedestrian safety, or overload existing roads considering their current width, surfacing, and condition and will have appropriate parking and be accessible to fire, police, and other emergency vehicles.

Findings:

The proposed event is not expected to cause undue traffic congestion or overload existing roads. Vehicles entering site will be routed off Rochester Road onto Wilson Road and into parking areas.

D. Will not overload any public water, drainage, sewer system, or any other municipal facility, or degrade any natural resource or ecosystem.

Findings:

The proposed event will not overload any public water, drainage, or sewer system, or any other municipal facility, or degrade any natural resource or ecosystem. The project will utilize the existing water system and the sewer system will not be over utilized as "portable toilets" will be required. The event will not create any new impervious surfaces and the existing drainage system will handle storm events.

E. Will be suitable for the property on which it is proposed, considering the property's size, location, topography, vegetation, soils, natural habitat, and hydrology, and if appropriate, its ability to be buffered or screened from neighboring properties and public roads, and its existing and proposed use.

Findings:

The proposed event is suitable for the Spring Lake Winery property on which it is proposed, as the site is suitably sized for the 2,250 person event and is compatible with the existing nature of the area. There is several adjoining residences that will be impacted by the event. Proposed safety measures, hours of operation and other mitigations will reduce these temporary impacts

- F. Will not result in excessive noise, dust, odors, solid waste, or glare, or create any other nuisances, and will satisfy the general land use performance standards of this chapter.**

Findings:

The project will result in temporary increases in noise, dust, odors, and solid waste. These impacts will be temporary and minimized to the maximum extent practicable. There are no general land use performance standards of the Zoning Law that would apply to this event.

- G. Will not adversely affect the aesthetics of the premises and adjacent properties and the neighborhoods.**

Findings:

The event will not adversely affect the aesthetics of the site or adjacent properties and neighborhoods, as it is a temporary event that will include no permanent alterations to the site.

- H. Will not cause the site to be unduly congested, dangerous, unattractive to visitors, or unfriendly to pedestrians.**

Findings:

The event will result in the site being temporarily congested. The site will be attractive to visitors and will be friendly to pedestrians. Provisions in the Special permit will help to keep the site from getting dangerous during the event. These provisions/requirements include; private security, coordination and access for emergency service providers, a limitation on ticket sales, required portable toilets, inspection by Town representatives prior to the event, music finishing at 10:00 p.m. and other reasonable conditions contained in the Permit.

Summary of Findings:

The Town of Lockport finds that the applicant has submitted substantial evidence to support the issuance of a special use permit for the Spring Lake Winery day long concert event. After thorough review of the documentation provided by the applicant, the Planning Board feels they have sufficient information to make an informed determination regarding the issuance of the special use permit.

It is the Findings of this Board that the Spring Lake Winery event does not pose any significant adverse impact to the general public health, safety, and welfare. As such, the Board has determined that the special use permit shall be granted with the conditions as noted.