

LOCKPORT PLANNING AND ZONING BOARD
LOCKPORT, NEW YORK
OCTOBER 5, 2020

PRESENT: TERRY HARMON, CHAIRMAN, MARSHALL ROTH, JEFF TRACY, ROBERT BRAGG, DON GILL, STACY STOLL, ROBERT BRAGG, JASON DOOL, CHIEF BUILDING INSPECTOR, PAT MCGRATH, DEPUTY CORPORATION COUNSEL.

The meeting of the Lockport Planning Board was called to order at 5:00 P.M. at the Lockport Municipal Building, One Locks Plaza, Lockport, New York.

1. Sunshine Auto. 32 So. Niagara St. Request to erect a chain link fence on the north and east side of the property situated in a B-5 Zone.

Mr. Bushad Eldhany was present.

Mr. Eldhany stated that they are looking for approval to build a fence around the property because they have been robbed five times. He said the last time they were robbed was five days ago. He said that an inspector gave his son verbal approval to building the fence then showed up and said that they had to stop. He said that they want to put the fence up on two sides. He said that it will be 6' high on the railroad side and 4' high along the road.

Commissioner Harmon said that he stopped by the property and it looks like they have already manufactured the fence. He asked how tall it will be.

Mr. Eldhany said that it will be 4' high in the front and 6' tall in the back.

Commissioner Harmon said that the Code will not let the fence be higher than 3' on the Niagara St side.

Mr. Eldhany asked if that is the street side.

Commissioner Harmon said yes.

Mr. Eldhany said that they made the fence so it won't be a problem to make it shorter.

Commissioner Roth asked what material the fence will be.

Mr. Eldhany said it is steel.

Commissioner Tracy asked if the fence is going to be painted.

Mr. Eldhany showed the Board a picture of what the fence will look like on his phone.

Commissioner Roth asked if they are going to paint what is on the property.

Mr. Eldhany said yes.

Commissioner Harmon stated that he looked at the fence pieces when he was at the property and they weren't painted.

Mr. Eldhany said that they are going to paint the fence black after they install it.

Commissioner Harmon asked about the wood frame they have around the metal that is on the property.

Commissioner Roth asked if that is just a template.

Mr. Eldhany said yes.

Commissioner Harmon asked how far the fence will run.

Mr. Eldhany said behind the building because people trespass.

Commissioner Harmon asked if it is going to go behind the office building.

Mr. Eldhany said yes, it will be "L" shaped.

Commissioner Harmon asked if it will go behind the repair shop.

Mr. Eldhany said yes.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Commissioner Roth made a motion to approve the request to erect a metal fence on the north and east sides of the property with the following stipulations:

1. The fence be no higher than 3' on the Niagara Street side of the property.
2. The fence be painted.

Seconded by Commissioner Stoll.

Commissioner Gill-yes
Commissioner Harmon-yes
Commissioner Stoll-yes
Commissioner Roth-yes
Commissioner Tracy-yes

Commissioner Bragg-yes

APPROVED

2. Farideh Chubineh, 13 Park Avenue. Request for site plan approval to erect a 9.5' x 19' addition to the rear of the building and upgrade the exterior façade situated in a B-5 Zone.

Farideh Chubineh, Cyrus Chubineh and Les Burdick were present at the meeting.

Mr. Chubineh showed the Board a picture of another Jackson Hewitt office. He stated that they are trying to emulate that building as much as possible.

Mr. Chubineh stated that if you look at the drawing, they would like to install green bushes on the side where 7-11 is. He said that they would like to put faux windows on that side of the building as well.

Mr. Chubineh showed the Board the material they would like to use for the upgrades. He said that there will be a red bamboo material with beige trim. He said they will also install black tile. He said that they would like to install a corporate Jackson Hewitt sign on the 7-11 side of the building.

Ms. Stoll asked if the sign will be illuminated.

Megan Brewer explained that they need to apply for a variance for the signage because of the size of the sign versus the size of the building.

Commissioner Tracy stated that he is happy that they are resurrecting this building. He said that the plans look awesome.

Mr. Chubineh said that they tried to buy the land before the building went up but there were some issues.

Commissioner Harmon asked if there currently is a flower bed where they want to install shrubs.

Mr. Chubineh said no, just gravel. He said that they want to clean it up.

Mr. Chubineh said that there is a guardrail on the side that they want to remove.

Jason Dool stated that he wasn't sure they those guardrails are theirs. He said that they don't have a lot of room on the 7-11 side of the building.

Ms. Chubineh said that they want to remove the guardrail on the other side as well.

Mr. Dool said that he would have to measure it.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Commissioner Tracy made a motion to approve the site plan and façade upgrade. Seconded by Commissioner Stoll.

Commissioner Gill-yes
Commissioner Harmon-yes
Commissioner Stoll-yes
Commissioner Roth-yes
Commissioner Tracy-yes
Commissioner Bragg-yes

APPROVED

3. The Chapel/ Jon Cook. 25 Walnut Street. Request for a Special Use Permit to operate a daycare/drop off program until June 2021 situated in a B-2 Zone.

No one was present from the Chapel. Jason Dool explained the request to the Board.

Corporation Counsel McGrath asked if the Board has any questions that cannot be answered by Jason's explanation.

Commissioner Tracy said that he worked for the YMCA day camp. He said that they are obligated to get permits and are regulated by the Niagara County Health Department. He said that they are always on the up and up and he has no concerns.

Commissioner Harmon said that he has no issues.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Commissioner Tracy made a motion to recommend the Special Use Permit to operate a daycare/ drop off program until June 2021. Seconded by Commissioner Gill.

Commissioner Gill-yes
Commissioner Harmon-yes
Commissioner Stoll-yes
Commissioner Roth-yes
Commissioner Tracy-yes
Commissioner Bragg-yes

RECOMMENED TO COUNCIL

Commissioner Roth made a motion to approve the minutes from the September 7, 2020 meeting. Seconded by Commissioner Stoll. Ayes-6 Noes-0

Commissioner Roth made a motion to adjourn the meeting. Seconded by Commissioner Stoll. Ayes- 6 Noes-0

THE NEXT REGULARLY SCHEDULED MEETING WILL BE NOVEMBER 2, 2020. IF YOU CANNOT ATTEND PLEASE CONTACT MEGAN AT 439-6754 OR mbrewer@lockportny.gov.