

LOCKPORT PLANNING AND ZONING BOARD
LOCKPORT, NEW YORK
MARCH 6, 2023

PRESENT: JEFF TRACY, CHAIRMAN, MARSHALL ROTH, ROBERT BRAGG, STACY STOLL, DON GILL, DEBBIE ALLPORT, DON STEVENS, DANIEL WOJEWODA, 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. Nussbaumer & Clarke, Inc 115 Oakhurst Street. Request for a special use permit to utilize the existing single-family home on the parcel while simultaneously operating an industrial use situated in an R-2 Zone.

Mr. Robert Pidanick, Nussbaumer & Clarke was present to represent the request.

Mr. Pidanick stated that they are before the board with a simple request, a special use permit to utilize the single-family home at 115 Oakhurst Street while operating an industrial use. He said that the existing lot is a 7.54 acres parcel. He said that there is an existing home on the property. He said that an agreement has been made between Zenton and the Harrington family. He said that the agreement will allow them to occupy the home through a life use estate.

Mr. Pidanick stated that Zenton would like to build a 16,000 s.f. industrial office building/ warehouse. He said that Zenton acquired CDI chemical in 2019, a business that has been around since 1959. He said that Zenton would like to continue operation in the city and move their business to Oakhurst Street.

Mr. Pidanick said that they will return to the board with a full site plan showing lighting, drainage and landscaping. He said that Liesl Dukhedin-Lalla and Darrin Wilt are present with him from Zenton if anyone has any questions for them.

Commissioner Tracy asked if anyone has come across an arrangement similar to this? He asked if there have been any difficulties.

Mr. Pidanick said that he has in Amherst and Cheektowaga. He said that they have worked out. He said that the Harrington family has lived here for a long time. He said that they don't want a fence installed, they are used to having open space. He said that the new building will be setback 150' from the house. He said that the Harrington family wants to be able to see the deer and other wildlife on the property.

Commissioner Bragg asked if the area where the primary residence is will be left untouched.

Mr. Pidanick said that they have surveyed the leased portion of the parcel, their intent is for it to remain the same.

The meeting was opened to the public.

The meeting was closed to the public.

Deputy Corporation Counsel asked what will happen if the tenants that have life tenancy move off the property.

Mr. Pidanick said that he would have to ask the owners of the company.

There being nothing further Commissioner Allport made a motion to recommend the special use permit to utilize the existing single-family dwelling home on the parcel while simultaneously operating an industrial use situated in an I-2 Zone with the stipulation that the utilization of the single-family home is valid for the current tenants occupying the home only.

Seconded by Commissioner Stoll.

Commissioner Roth-yes
Commissioner Stevens-yes
Commissioner Tracy-yes
Commissioner Bragg-yes
Commissioner Allport-yes
Commissioner Stoll-yes
Commissioner Gill-yes

RECOMMENDED TO COUNCIL

2. Eula Mae Collins. 135 Charlotte Street. Request for a special use permit to utilize the existing pole sign, erect two wall signs and utilize a 16' x 16' tent on the property from May 1st to October 1st situated in an R-2 Zone.

Ms. Collins said that she took over 135 Charlotte Street. She said that it has been a long haul but she opened two months ago. She said that she is looking to make new adjustments for the spring and summer. She said that she is looking to put up a special sign on the pole to honor her mother and signs on the sides of the building for Baby Ribs.

Ms. Collins said that she would like to put a tent up in the summertime for tables and chairs so that people can eat outside. She said that the restaurant is very small. She said that the tent will block the wall sign when it is up.

Ms. Collins said that it is time to move forward with her business, she would like to use this place as her homebase. She said that the tent will be temporary, up from May until September or October. She said that it will come down in the wintertime.

Commissioner Roth asked if there is going to be any cooking under the tent.

Ms. Collins said no, it is just to make people comfortable, it's for outdoor seating.

Commissioner Tracy asked if the tent will have sides.

Ms. Collins said that it will just be a canopy. She said that she wants something that is less liability. She said that if she thinks the tent is dangerous she will take it down.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Commissioner Roth made a motion to recommend the request for a special use permit to utilize the existing pole sign, erect two wall signs and utilize a 16' x 16' tent on the property from May 1st to October 31st.

Seconded by Commissioner Stevens.

Commissioner Roth-yes
Commissioner Stevens-yes
Commissioner Tracy-yes
Commissioner Bragg-yes
Commissioner Allport-yes
Commissioner Stoll-yes
Commissioner Gill-yes

RECOMMENDED TO COUNCIL

Commissioner Stoll made a motion to approve the minutes from the January 9, 2023 meeting. Seconded Commissioner Roth. Ayes-7 Noes-0

Commissioner Roth made a motion to adjourn the meeting. Seconded by Commissioner Stoll. Ayes-7. Noes-0

**THE NEXT REGULARLY SCHEDULED MEETING WILL BE APRIL 3, 2023.
IF YOU CANNOT ATTEND, PLEASE CONTACT MEGAN AT 439-6754 OR
mbrewer@lockportny.gov.**