



Building Inspection Department

Jason Dool
Chief Building Inspector

Lockport Municipal Building
One Locks Plaza
Lockport, NY 14094
Phone (716) 439-6759
Fax (716) 439-6605

July 11, 2023

Megan Brewer

AGENDA

Please be advised that there are (6) six items on the agenda for the regularly scheduled Zoning Board of Appeals Meeting, Tuesday, July 25, 2023 at 5 P.M.

1. Robert & Julia Learn. 223 Waterman Street. Request to remove the 8.2' x 11' rear section of the hose and erect a 12' x 18' addition to the rear of the house situated in an R-1 Zone. (Area-lot coverage 27.8%, area-8.74' south line)
2. Hanan Samuel. 177 Davison Road. Request to erect a two-story mixed-use building situated in a B-1 Zone. (Use- multifamily units, use-professional office space, area-building more than one story in height)
3. James Battistoni. 87 Lindhurst. Request to erect a 4' x 10' awning over the front porch situated in an R-1 Zone. (Area-26.85' east line)
4. Steven Brick. 40 Rochester. Request to install a 12' x 24' inground pool in the rear yard situated in an R-1 Zone. (Area-lot coverage 32.4%)
5. JKU, LLC. 215 Davison Road. Request to erect a 3,146 s.f. addition to the north side of the building situated in a B-1 Zone. (Area-lot coverage 35%, area-17.08' north line, area-38 parking spaces)
6. Chase Commons, LLC. 327 High Street. Request to amend Variance Case No. 2288 by increasing the total amounts of units to 51 with 26 efficiency units under 600 square feet situated in an R-1 Zone. (Use-multi-family, area-units under 600 square feet)

***IF YOU CANNOT ATTEND THIS MEETING, PLEASE CONTACT MEGAN AT 439-6754 or
mbrewer@lockportny.gov ***



Building Inspection Department

Jason Dool
Chief Building Inspector

Lockport Municipal Building
One Locks Plaza
Lockport, NY 14094
Phone (716) 439-6759
Fax (716) 439-6605

NOTICE OF PUBLIC HEARING

Case No. 2298

July 10, 2023

Megan Brewer

Dear Sir or Madam:

An Appeal under the Zoning Ordinance as applied to the property at 223 Waterman Street, New York, had been filed by Robert & Julia Learn.

The request is for a variance to remove the 8.2' x 11' rear section of the house and erect a 12' x 18 addition to the rear of the house situated in an R-1 Zone.

Approval of the application was denied or withheld because the addition will increase the lot coverage to 27.8% and will be located 8.74' from the south property line.

The City of Lockport Zoning Ordinance allows a maximum 20% lot coverage and requires a minimum 10' side yard setback in an R-1 Zone.

A Public Hearing will be held by the Zoning Board of Appeals on **Tuesday July 25, 2023 at 5:00 P.M.**, at the Lockport Municipal Building, One Locks Plaza, Lockport, New York, at which time you may appear, if you so desire, either in person or by agent or attorney.

The purpose of this Hearing is to give all affected property owners an opportunity to support or oppose the granting of this Appeal.

LOCKPORT ZONING BOARD OF APPEALS

Megan Brewer

0078

CITY OF LOCKPORT, NEW YORK
ZONING BOARD OF APPEALS APPLICATION

AREA VARIANCE USE VARIANCE

It is the responsibility of the applicant to complete this form in its entirety, including all required attachments, and as precisely as possible. Failure to submit a complete application may result in a delay in being placed on a Zoning Board of Appeals agenda or a delayed decision from the Zoning Board.

PROPERTY ADDRESS: 223 Waterman St. Lockport, NY 14094

APPLICANT INFORMATION

NAME: Robert & Julia Learn ADDRESS: 223 Waterman St.

PHONE: [REDACTED] Lockport NY 14094

FAX: _____ E-MAIL: julieandybob@roadrunner.com

OWNER INFORMATION

NAME: Robert & Julia Learn ADDRESS: 223 Waterman St.

PHONE: [REDACTED] Lockport NY 14094

FAX: _____ E-MAIL: julieandybob@roadrunner.com

RELATIONSHIP OF APPLICANT TO PROPERTY:

____ CONTRACT PURCHASER ____ CONTRACTOR OTHER (owner)
____ ARCHITECT/ENGINEER ____ LESSEE

OFFICE USE ONLY

RECEIVED BY: _____ DATE/TIME RECEIVED: _____

FEE AMOUNT: _____ CHECK/MONEY ORDER#: _____

ZONING: _____ FEE TRANSMITTAL DATE: _____

AGENDA DATE: _____ DEADLINE DATE: _____

COUNTY TAX MAP IDENTIFICATION NUMBER: _____

—

—

—

BRIEF HISTORY OF PROPERTY (historic use of property, ownership history, etc.)

A We've lived at 223 Waterman St. for 40 yrs. Over that time we have remodeled the kitchen, remodeled the bathroom, replaced the front porch (twice) and had the driveway paved, once in black top and more recently in concrete. We also added a deck at the rear.

DESCRIPTION OF PROPOSED ACTION (include specific use proposed, hours, # of employees, etc.)

Currently there is a 8x11.0 addition at the back of the house. We use it as a rear entrance and mud room. This room has no foundation. We would like to remove this room and add a larger room (12.0x18.0) with a proper foundation.

VARIANCE STANDARDS (USE VARIANCE)

Applications for use variances must be based on alleviating a clearly demonstrable hardship, as opposed to a special privilege of convenience sought by the owner. Furthermore, the hardship must be peculiar to the land or building and must not generally apply to land throughout the neighborhood. An example of a property that may potentially have a case for a used variance is a corner store in a predominantly residential neighborhood. If the building has large plate glass windows, a parking lot and loading docks in the rear, it would be extremely costly to convert the building to residential uses to comply with existing zoning regulations.

VARIANCE STANDARDS (AREA VARIANCE)

Applications for area variances must be based on some extraordinary topographic condition or other physical condition inherent in the parcel (for example: exceptional narrowness, shallowness, shape or area). This condition must prohibit or unreasonably restrict the use of the land and/or building. One example of special condition: A utility right-of-way cutting through the rear half of several properties within a larger neighborhood limiting the buildable area of those properties, thereby requiring variances for rear and side yard setbacks for those particular property owners to construct new garages or sheds.

DESCRIPTION OF HARDSHIP (describe the features or conditions of the property that restrict reasonable use of the property under current zoning regulations)

All of our bedrooms are on the 2nd floor and as my wife and I age getting to the 2nd floor will become more and more difficult. We would like to add a bedroom and full bath to the larger addition on the main floor. The size of the current addition is too small to accommodate a bedroom and full bath.

Describe how the requested variance will not alter the character of the larger neighborhood or impact adjacent properties:

The requested variance will not alter the character of the neighborhood because the new addition will be fully behind the house itself and not visible from the street.

APPLICATION ATTACHMENTS

To ensure appropriate and timely review of the application, please provide the following additional documentation in support of the application. Failure to provide all of the applicable materials listed below may result in a delay in scheduling the application for review by the Zoning Board of Appeals.

- ___ \$150 application fee (cash or checks payable to the City of Lockport)
- ___ Detailed site plan (10 copies)
- ___ Photographs of existing conditions
- ___ Property survey (10 copies)

APPLICANT/OWNER AFFIRMATION

I, THE UNDERSIGNED, DO HEREBY AFFIRM THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND I FURTHER UNDERSTAND THAT INTENTIONALLY PROVIDING FALSE OR MISLEADING INFORMATION IS GROUNDS FOR IMMEDIATE DENIAL OF MY APPLICATION.

FURTHERMORE, I UNDERSTAND THAT I (OR A DESIGNATED REPRESENTATIVE) MUST BE PRESENT AT THE MEETING TO REPRESENT THE APPLICATION AND RESPOND TO ANY QUESTIONS FROM THE ZONING BOARD OF APPEALS MEMBERS.


Signature (Applicant)

6-15-2023
Date

IF APPLICANT IS NOT THE OWNER OF RECORD FOR SUBJECT PARCEL:

I, THE UNDERSIGNED, HEREBY AFFIRM THAT I AM THE OWNER OF RECORD FOR THE SUBJECT PARCEL AT THE TIME OF APPLICATION. FURTHERMORE, I AM FAMILIAR WITH THE REQUEST BY THE APPLICANT AND AUTHORIZE SAID APPLICANT TO REPRESENT THE INTEREST OF THE OWNER (S) IN FURTHERANCE OF THE REQUEST.

Signature (Owner)

Date

Regular meetings of the Zoning Board of Appeals are generally held on the 4th Tuesday of every month. The meetings are held at 6:00 P.M. in the Common Council chambers on the first floor of City Hall. Applicants will receive a reminder notice in the mail prior to the meeting.

Pursuant to Section §190-188(d) of the City of Lockport Zoning Ordinance, property owners within a 200' radius will be notified of the intent of the applicant and given an opportunity to speak for or against the application.

CITY OF LOCKPORT, NEW YORK
DEPARTMENT OF BUILDING INSPECTION
BUILDING PERMIT APPLICATION

Application Number: 2023-0166

Application Date: 04/13/2023

LOCATION: 223 Waterman St LOCKPORT, NY 14094

WARD: 2 ZONE: R1

Permission is sought by Robert Learn, to perform the following work, at the above location:
remove the existing 8.2- x 11' rear section of the house and erect a 12' x 18' addition to the rear of the house.

Contact type Owner	Full name Robert Learn	Phone number
Requirements	Actual	
Lot Coverage	allowed-20%, existing 25.2%, addition increase 27.8%	
Hardwired Alarms		
Scaled Drawings		
Side Yard Setbacks (2)	required 10', addition will be 8.74	
Survey		

This building permit application has been denied because of the following:

Allowed 20% lot coverage, existing is 25.2% with addition 27.8% addition will be located 8.74' from the south property line.

The undersigned hereby acknowledges that this application does not meet the minimum standards and that no work is to begin until a building permit has been issued

I do certify that I have examined the forgoing petition and building plans and plot plan and that they do not conform to Ordinances of the City of Lockport, NY



SIGNED: OWNER OR AGENT

Issuing Officer

OWNER OF RECORD: Robert Learn

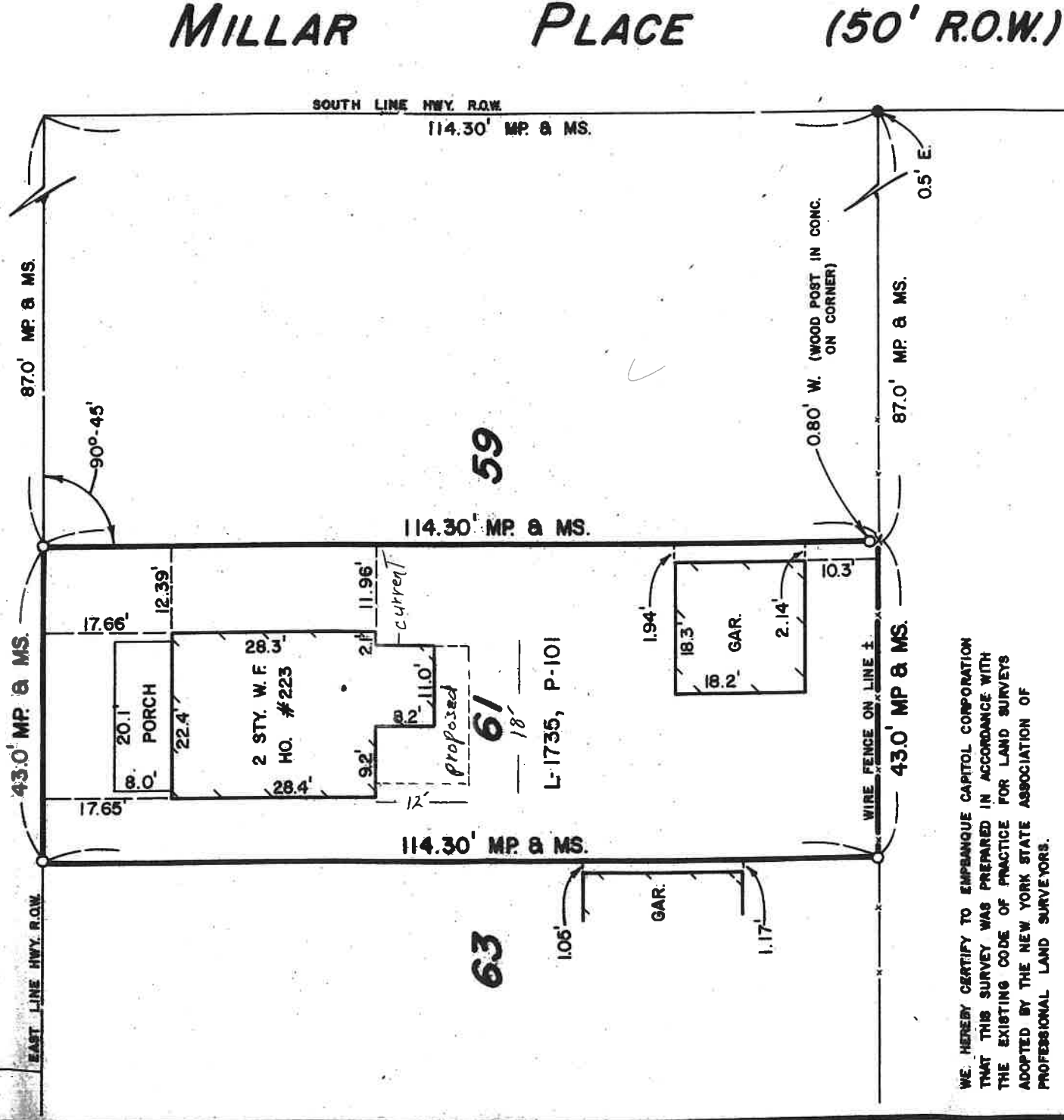
Megan Brewer

Address: 223 Waterman St
Lockport, NY 14094

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.



WATERMAN STREET



WE HEREBY CERTIFY TO EMPERQUE CAPITOL CORPORATION THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW

D = DEED

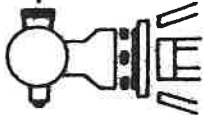
MS = MEASURED

MP = MAP

ENC = ENCROACHMENT

● = EX. IRON

○ = SET IRON



ROSS W. MARTIN
 PROFESSIONAL LAND SURVEYOR
 6398 Locust St. Ext., Lockport, N.Y., 14094
 (716) 434-6531

SURVEY OF: PART OF LOT -11, SEC-14, TWP-14, R-6 OF THE HOLLAND PURCHASE. SUB. LOT-61
 IS SHOWN ON A MAP BY S.F. GOODING, DTD. 4-4-1901 & FILED IN N.C.C.O. IN MICRO. BK-10, PG-983

LOCATION: CITY OF LOCKPORT, NIAGARA CO., NEW YORK

SCALE: 1" = 20' DATE: MAY 9, 1984 JOB NO: 8406084



Building Inspection Department

Jason Dool
Chief Building Inspector

Lockport Municipal Building
One Locks Plaza
Lockport, NY 14094
Phone (716) 439-6759
Fax (716) 439-6605

NOTICE OF PUBLIC HEARING

Case No. 2299

July 10, 2023

Megan Brewer

Dear Sir or Madam:

An Appeal under the Zoning Ordinance as applied to the property at 177 Davison Road, New York, had been filed by Hanan Samuel.

The request is for a variance to erect a two-story mixed-use building situated in a B-1 Zone.

Approval of the application was denied or withheld because multifamily units and professional office space are not permitted uses in a B-1 Zone. The multiuse building will exceed one story.

The City of Lockport Zoning Ordinance allows multifamily units in R-3, B-2, B-3, B-4 and B-5 zones. The City of Lockport Zoning Ordinance allows professional office space in B-2, B-3, B-4 and B-5 Zones. The City of Lockport Zoning Ordinance allows a maximum one story building in a B-1 Zone.

A Public Hearing will be held by the Zoning Board of Appeals on **Tuesday July 25, 2023 at 5:00 P.M.**, at the Lockport Municipal Building, One Locks Plaza, Lockport, New York, at which time you may appear, if you so desire, either in person or by agent or attorney.

The purpose of this Hearing is to give all affected property owners an opportunity to support or oppose the granting of this Appeal.

LOCKPORT ZONING BOARD OF APPEALS
Megan Brewer

845

**CITY OF LOCKPORT, NEW YORK
ZONING BOARD OF APPEALS APPLICATION**

X AREA VARIANCE **X** USE VARIANCE

A¹) Existing Parcel - Lot Size & Depth in a B-1 Business Zone U¹) Residential Use (Single Family Living Units) in a Business Zone & Professional Office (eg. accountant, engineering firm, etc.) in a Business Zone
A²) Number of Stories and Height in a B-1 Business Zone
It is the responsibility of the applicant to complete this form in its entirety, including all required attachments, and as precisely as possible. Failure to submit a complete application may result in a delay in being placed on a Zoning Board of Appeals agenda or a delayed decision from the Zoning Board.

PROPERTY ADDRESS: 177 Davison Road (SW Corner of Bonner Dr.)

APPLICANT INFORMATION

NAME: *Thomas H. Shelberg, R.A. ADDRESS: 183 Bathurst Drive
Site Plan representative
PHONE: [REDACTED] Tonawanda, New York 14150
CITY STATE ZIP
FAX: _____ E-MAIL: delresource@verizon.net

OWNER INFORMATION

NAME: Hanan Samuel - ADDRESS: Paramount Hospitality LLC
(Project owner's representative)
PHONE: 560 College Ave
Niagara Falls, NY 14305 USA
CITY STATE ZIP
FAX: _____ E-MAIL: hanan.samuel@icloud.com

RELATIONSHIP OF APPLICANT TO PROPERTY:

CONTRACT PURCHASER _____ CONTRACTOR **X** OTHER **X** ** (Brian Stiles -Owner Representative)
X * Thomas Shelberg, R.A. ARCHITECT/ENGINEER _____ LESSEE _____

OFFICE USE ONLY

RECEIVED BY: _____ DATE/TIME RECEIVED: _____
FEE AMOUNT: _____ CHECK/MONEY ORDER#: _____
ZONING: _____ FEE TRANSMITTAL DATE: _____
AGENDA DATE: _____ DEADLINE DATE: _____

COUNTY TAX MAP IDENTIFICATION NUMBER: _____

1

1

1

BRIEF HISTORY OF PROPERTY

(historic use of property, ownership history, etc.)

According to old maps and surveys, the parcel and surrounding area was part of Harrison Field. Across Davison Road was the County Infirmary until the 1970 when a few municipal social service offices located in the buildings up until a few years ago where the land is open space and know as Lockport Infirmary Fields. Bonner Road was part of the DeSales Field Subdivision filed in 1996(according to map reference by J. McIntosh Jr.). The 0.436 acre parcel is currently an undeveloped open vacant area previously owned by George Oriold.

DESCRIPTION OF PROPOSED ACTION

(include specific use proposed, hours, # of employees, etc.)

The proposed project will consist of a two story (+/- 1,684 s.f. ea. story) mixed-use building with neighborhood business space including small professional office and loft apartment units. The parcel is mapped as a B-1 Neighborhood Business Zone. Normal business hours (8:00 am - 6:00 pm) can be expected for the anticipated uses such as hair saloon, beauty shop, dry-cleaning shop, small food stores, small drug store, small eating establishment, essential services, etc as approved by the Zoning Code. The eating establishment use opening / close hours may vary slightly (eg. small coffee shop or small pizza shop). Three (3) to Five (5) employees are expected for the first floor space. The living units will be loft-style single bedroom single family use.

VARIANCE STANDARDS (USE VARIANCE)

Applications for use variances must be based on alleviating a clearly demonstrable hardship, as opposed to a special privilege of convenience sought by the owner. Furthermore, the hardship must be peculiar to the land or building and must not generally apply to land throughout the neighborhood. An example of a property that may potentially have a case for a used variance is a corner store in a predominantly residential neighborhood. If the building has large plate glass windows, a parking lot and loading docks in the rear, it would be extremely costly to convert the building to residential uses to comply with existing zoning regulations.

VARIANCE STANDARDS (AREA VARIANCE)

Applications for area variances must be based on some extraordinary topographic condition or other physical condition inherent in the parcel (for example: exceptional narrowness, shallowness, shape or area). This condition must prohibit or unreasonably restrict the use of the land and/or building. One example of special condition: A utility right-of-way cutting through the rear half of several properties within a larger neighborhood limiting the buildable area of those properties, thereby requiring variances for rear and side yard setbacks for those particular property owners to construct new garages or sheds.

DESCRIPTION OF HARDSHIP

(describe the features or conditions of the property that restrict

reasonable use of the property under current zoning regulations)

USE VARIANCE (Proposed):

The two USE variances not permitted in the current Zoning Code Chapter 190 Article VII -B-1 Neighborhood Business:

- RESIDENTIAL (Single Family Loft-style Apartment Units)

- PROFESSIONAL OFFICE (Small office for accountant or engineer type firm) will provide a consist of a two story Existing corner parcel location is sited on busy roadway. Project Property use has been vacant for several decades where this newer type of mixed used projects allows relief from limited rentable space due to current limited and particularly specific permitted uses in the B-1 zone.

AREA VARIANCE (Proposed):

The two DIMENSIONAL variances NOT permitted in the current Zoning Code Chapter 190 Schedule II Zoning Schedule of Bulk and Coverage Control:

- MINIMUM LOT SIZE & LOT DEPTH

- MAXIMUM HEIGHT (Feet & Stories)

Existing corner parcel location is sited on smaller under-sized corner lot where two (2) front yard setback are required thereby restricting development areas. All similar and adjacent structures have high roofs approx. 30 ft. including many 2 1/2 stories structures. Project Property has been vacant for several decades where second floor living units allows contextual building height transition to adjacent structures.

Describe how the requested variance will not alter the character of the larger neighborhood or impact adjacent properties:

USE VARIANCE:

We contend that USE VARIANCE, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

We further contend that the USE VARIANCE, if authorized, will represent the minimum variance occupancy use that will provide a transition from Business to adjacent Residential zones, afford relief to maintain continual occupancy and will represent the least modification possible of the regulation in issuance.

AREA VARIANCE:

We contend, because of such physical circumstances or conditions, there is limited possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that the authorization of a area variance(s) is/ are therefore, necessary to enable the reasonable use of the property. As listed above, the area variances will be in concert with adjacent properties and similar type residential structures and small neighborhood business buildings (based on the dimensional schedule II Zoning 190 attachment) and will not alter the essential character of the neighborhood.

APPLICATION ATTACHMENTS

To ensure appropriate and timely review of the application, please provide the following additional documentation in support of the application. Failure to provide all of the applicable materials listed below may result in a delay in scheduling the application for review by the Zoning Board of Appeals.

- \$150 application fee (cash or checks payable to the City of Lockport)
- Detailed site plan (10 copies)
- Photographs of existing conditions(On Site Plan)
- Property survey (10 copies)

APPLICANT/OWNER AFFIRMATION

I, THE UNDERSIGNED, DO HEREBY AFFIRM THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND I FURTHER UNDERSTAND THAT INTENTIONALLY PROVIDING FALSE OR MISLEADING INFORMATION IS GROUNDS FOR IMMEDIATE DENIAL OF MY APPLICATION.

FURTHERMORE, I UNDERSTAND THAT I (OR A DESIGNATED REPRESENTATIVE) MUST BE PRESENT AT THE MEETING TO REPRESENT THE APPLICATION AND RESPOND TO ANY QUESTIONS FROM THE ZONING BOARD OF APPEALS MEMBERS.

Thomas B. Kelly
Signature (Applicant)

07 July 2023
Date

IF APPLICANT IS NOT THE OWNER OF RECORD FOR SUBJECT PARCEL:

I, THE UNDERSIGNED, HEREBY AFFIRM THAT I AM THE OWNER OF RECORD FOR THE SUBJECT PARCEL AT THE TIME OF APPLICATION. FURTHERMORE, I AM FAMILIAR WITH THE REQUEST BY THE APPLICANT AND AUTHORIZE SAID APPLICANT TO REPRESENT THE INTEREST OF THE OWNER (S) IN FURTHERANCE OF THE REQUEST.

[Signature]
Signature (Owner)

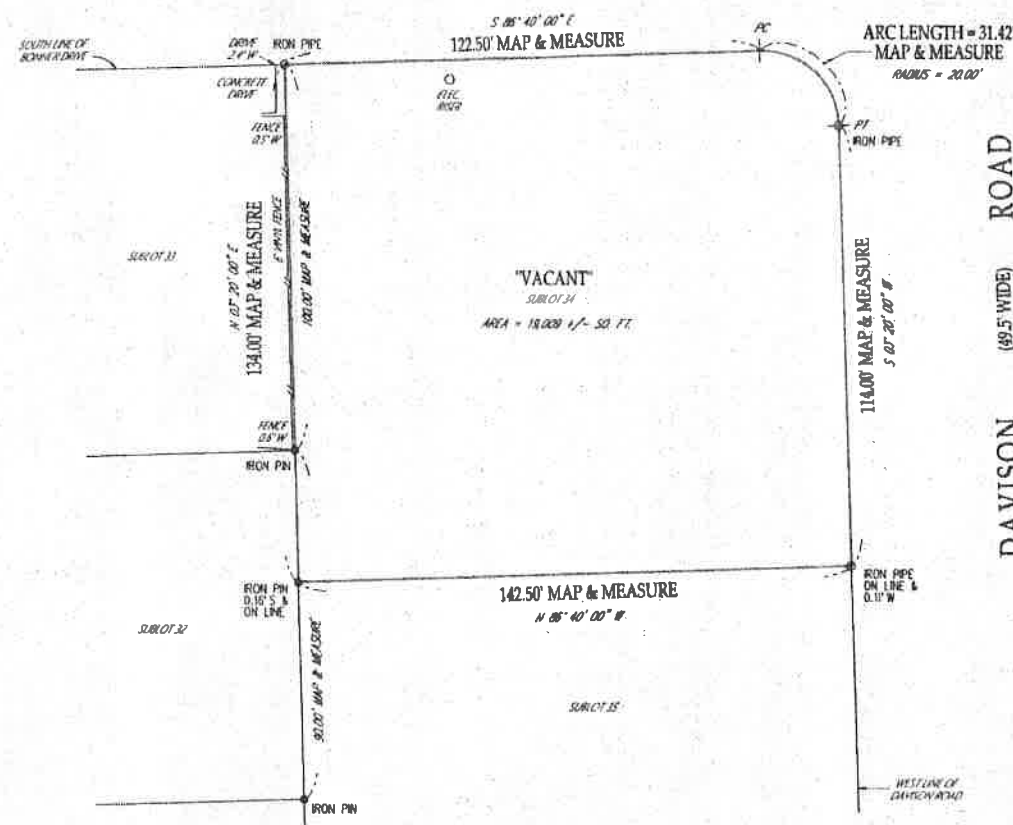
7/7/23
Date

Regular meetings of the Zoning Board of Appeals are generally held on the 4th Tuesday of every month. The meetings are held at 5:00 P.M. in the Common Council chambers on the first floor of City Hall. Applicants will receive a reminder notice in the mail prior to the meeting.

Pursuant to Section § 190-188(d) of the City of Lockport Zoning Ordinance, property owners within a 200' radius will be notified of the intent of the applicant and given an opportunity to speak for or against the application.



BONNER (50' WIDE) DRIVE



DAVISON ROAD (49.5' WIDE)

"VACANT"
SUBLOT 31
AREA = 18,000 +/- SQ. FT.

MAP REFERENCE:
ACCORDING TO A CERTAIN MAP OF DESAULES FIELD SUBDIVISION PART 8 PREPARED BY JOHN E. McINTOSH, JR. ON SEPTEMBER 11, 1995 AND FILED IN THE NIAGARA COUNTY CLERK'S OFFICE ON MAY 21, 1996 IN BOOK 56 OF REGISTERED MAPS AT PAGE 5622.

A COPY OF THIS DOCUMENT WITHOUT A PROPER APPLICATION OF THE SURVEYOR'S ENDOSSSED SEAL SHOULD BE ASSUMED TO BE AN UNAUTHORIZED COPY.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.

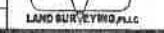
UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 2305, PARAGRAPH 2 OF THE NEW YORK STATE EDUCATION LAW.

TERRA PUNTE LAND SURVEYING, PLLC
 1352 Swann Road
 Youngstown, NY 14174
 Phone: 716-205-3310
 Email: mark.hare@terrapointepllc.com

CITY: LOCKPORT	BEING PART OF LOT 2, SECTION 14, TOWNSHIP 14, RANGE 6 OF THE HOLLAND LAND COMPANY'S SURVEY	TAX ID NO: 10912-3-02
COUNTY: NIAGARA		
STATE: NEW YORK		
DATE: NOVEMBER 2, 2020	INSTRUMENT REFERENCE: 2020-21435	
SCALE: 1" = 30'		
JOB NO: 1005-20		

JOB TITLE: BOUNDARY SURVEY
 DRAWING OF: LANDS OWNED BY: **GEORGE ORIOLD**

MARK S. HARE LIC. NO. 50840



© TERRA PUNTE LAND SURVEYING, PLLC - ALL RIGHTS RESERVED

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: SITE PLAN REVIEW:177 DAVISON ROAD MIXED USE BLDG.:Hanan Samuel -Paramount Hospitality LLC , 560 College Ave, Niagara Falls,NY 14305	
Project Location (describe, and attach a general location map): 177 Davison Road at SW corner of Bonner Drive, City of Lockport 14094	
Brief Description of Proposed Action (include purpose or need): The project entails the construction of two story (+/- 1,684 s.f. ea. story) mixed-use building with business space and loft apartment units on a 0.436 acre parcel. The mixed use project is a needed flexible building facility allowing neighborhood shopping and permanent living options. The property is in a B-1 Neighborhood Business District.	
Name of Applicant/Sponsor: Hanan Samuel - Paramount Hospitality LLC ,	Telephone: 716-251-5917 E-Mail: hanan.samuel@icloud.com
Address: Paramount Hospitality LLC , 560 College Ave,	
City/PO: Niagara Falls	State: N Y Zip Code: 14305
Project Contact (if not same as sponsor; give name and title/role): Thomas H. Shelberg , R.A.	
Address: 183 Bathurst Drive	
City/PO: Tonawanda	State: N Y Zip Code: 14150
Property Owner (if not same as sponsor): Same as sponsor	
Address:	
City/PO:	State: Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No SITE PLAN APPROVAL	T.B.D.
b. City, Town or Village Planning Board or Commission	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No SITE PLAN REVIEW	Aug. 07, 2023
c. City, Town or Village Zoning Board of Appeals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No AREA & USE VARIANCES -City of Lockport ZBA meeting	July 25, 2023
d. Other local agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No WATER DEPT. & HEALTH DEPT. Backflow Prevention Device	T.B.D.
e. County agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No AREA & USE VARIANCES (See C.)- Niagara County ZBA meeting	July 17, 2023
f. Regional agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	
g. State agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	
h. Federal agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part I
C.2. Adopted land use plans.
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)
If Yes, identify the plan(s): NYS Heritage Areas: West Erie Canal Corridor
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?
If Yes, identify the plan(s):

C.3. Zoning

- a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
B-1 Neighborhood Business District, Ward 5
- b. Is the use permitted or allowed by a special or conditional use permit? Yes No
- c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

- a. In what school district is the project site located? Lockport City School District
- b. What police or other public protection forces serve the project site?
City of Lockport
- c. Which fire protection and emergency medical services serve the project site?
City of Lockport Fire Department, 1 Locks Plaza, Lockport NY 14094
- d. What parks serve the project site?
Joseph E. Kibler Park, Niagara County Golf Course, Lockport Infirmary Field

D. Project Details

D.1. Proposed and Potential Development

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? commercial. office, suburban residential, multi-family
- b. a. Total acreage of the site of the proposed action? 0.44 acres
b. Total acreage to be physically disturbed? 0.40 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.44 acres
- c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) Yes No
ii. Is a cluster/conservation layout proposed? Yes No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____
- e. Will the proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: 6-9 months
ii. If Yes:
• Total number of phases anticipated _____
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
• Anticipated completion date of final phase _____ month _____ year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses?
If Yes, show numbers of units proposed. Yes No

One Family	Two Family	Three Family	Multiple Family (four or more)
2-3			

Initial Phase At completion of all phases

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
If Yes,

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: <35 ft. height; 62 ft. +/- width; and 52 ft. +/- length

iii. Approximate extent of building space to be heated or cooled: 3,368 +/- square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: 400 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: City of Lockport
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: Wastewater Treatment Plant & Compost Facility

• Name of district: Wastewater Treatment Plant & Compost Facility

• Does the existing wastewater treatment plant have capacity to serve the project? Yes No

• Is the project site in the existing district? Yes No

- Is expansion of the district needed? Yes No

Yes No
 Yes No

• Do existing sewer lines serve the project site?
 • Will a line extension within an existing district be necessary to serve the project?
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

Yes No

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____

 vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

Yes No

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?
 If Yes:

- How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
- Describe types of new point sources: _____
- Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
 The Storm water requires to be detained on site during a severe rainstorm to equal the run off volume-rate of the existing non-developed grass site. Usually (effective design) this is done using dry grass drainage swales in the lawn areas to temporarily detain the new additional hard surfaces (pavement)
 - If to surface waters, identify receiving water bodies or wetlands: _____

Yes No
 Yes No
 Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?
 f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?
 If Yes, identify:

- Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____
- Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____
- Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____

Yes No
 Yes No

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?
 If Yes:

- Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)
 _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)
- In addition to emissions as calculated in the application, the project will generate: _____

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____
Not applicable for large truck other than possible weekly dumpster pick up. Small delivery trucks / vans would be expected

iii. Parking spaces: Existing _____ Proposed _____ 14 Net increase/decrease _____
 Yes No

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____
Curb cut driveway to roadways

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
Small electricity demand with new project. T.B.D.

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

Local utility companies _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____ 8 am - 5 pm
- Saturday: _____ 8 am - 5 pm
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____ 8 am - 6 pm
- Saturday: _____ 8 am - 6 pm
- Sunday: _____ 9 am - 4 pm
- Holidays: _____ varies

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:

i. Provide details including sources, time of day and duration: _____

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Describe: _____ Yes No

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: Parking lot to use LED out-off shields with directional heads to be aimed downwards to prevent any glare or spill-over of light to adjacent parcels

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Describe: _____ Yes No

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ 1 tons per _____ week (unit of time)
 • Operation : _____ 0.5 tons per _____ week (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: Minimize construction waste uses standard sizes to eliminate material waste, possible to use recycled asphalt in pavement areas
 • Operation: use of recycling bins and adhere to recycling program

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: construction dumpster and dump truck waste management scheduled pick up
 • Operation: recycling bins-container and dumpster to landfill with scheduled pick up

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:
 Not applicable _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
- Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe:

 Davison Road is a combination of the above listed land uses _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.0	0.286	+ 0.286
• Forested	0.0	0.0	
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.44	0.154	- 0.286
• Agricultural (includes active orchards, field, greenhouse etc.)	0.0	0.0	
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.0	0.0	
• Wetlands (freshwater or tidal)	0.0	0.0	
• Non-vegetated (bare rock, earth or fill)	0.0	0.0	
• Other Describe: _____	0.0	0.0	

c. Is the project site presently used by members of the community for public recreation? Yes No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No

If Yes,

i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No

If Yes:

i. Has the facility been formally closed? Yes No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No

Provide DEC ID number(s): _____

Provide DEC ID number(s): _____

Yes – Spills Incidents database

Yes – Environmental Site Remediation database

Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ > 5 feet Yes No

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: Churchhill silt loam (0-2% slope) 88 %
 Hilton silt loam (0-3% slope) 12 %
 _____ %

d. What is the average depth to the water table on the project site? Average: _____ 2-3 feet

e. Drainage status of project site soils: Well Drained: 12 % of site
 Moderately Well Drained: 88 % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 100 % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

• Streams:	Name _____	Classification _____
• Lakes or Ponds:	Name _____	Classification _____
• Wetlands:	Name _____	Approximate Size _____
• Wetland No. (if regulated by DEC)	_____	_____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:
 vacant not used parcel _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____

 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?
 If Yes:
 i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?
 If Yes, provide county plus district name/number: _____
 Yes No

b. Are agricultural lands consisting of highly productive soils present?
 i. If Yes: acreage(s) on project site: _____
 ii. Source(s) of soil rating(s): _____
 Yes No

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____
 Yes No

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?
 Yes No

If Yes:
 i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District
 ii. Name: _____
 iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?
 Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site?
 If Yes: Yes No
 i. Describe possible resource(s): _____
 ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?
 Yes No
 If Yes:
 i. Identify resource: _____
 ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____
 iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?
 Yes No
 If Yes:
 i. Identify the name of the river and its designation: _____
 ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?
 Yes No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Thomas H. Shelberg, R.A. am ASCE Date July 06, 2023

Signature _____ Title President DEL Resource -Applicant Representative

PRINT FORM

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri (China), Swire, Swire, Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri (China), Swire, Swire, Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No

E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No



PROJECT PARCEL LOOKING SOUTH FROM BONNER DRIVE @ DAVISON ROAD



PROJECT PARCEL LOOKING NORTH FROM DAVISON ROAD

PROJECT DESCRIPTION

The proposed project consists of a two story mixed-use of business space and loft apartment units. The B-1 Neighborhood Business Zoned parcel is an undeveloped corner property adjacent to developed parcels.

The project mixed use building (commercial business and living units) will use pedestrian scale earth-tone materials, accent lighting, boutique style canopies and comprehensive sign design program to integrate the streetscape and adjacent aesthetics with the storefront and loft apartment units above. The building facade will utilize modern architectural exterior wall surfaces including diverse material and color selection. The architecture will emphasize a creative design with a rich pattern of glazing, color panels, metal, exterior textured cladding and masonry.

The site will be designed with sufficient on site parking and green space. Tree, shrubs, ground cover plantings are proposed & designed on the property perimeter and building storefront accent planters.

The City of Lockport municipality is required to refer only the following actions to the Niagara County Planning Board pursuant to Inter-municipal agreement:

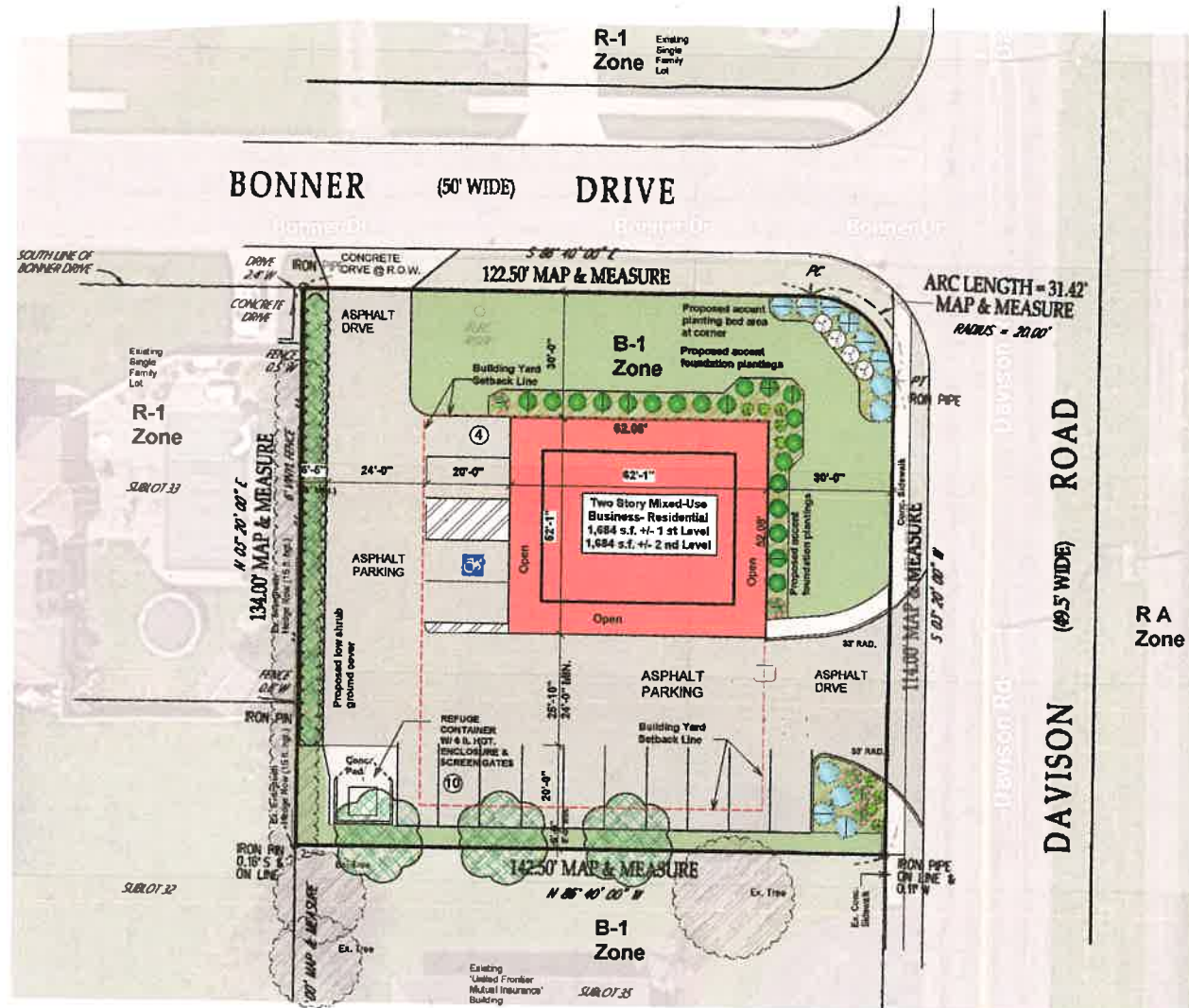
- Adoption or amendment of a local comprehensive plan having a municipal-wide effect
- Adoption or amendment of a zoning ordinance or local law having a municipal-wide effect
- Actions immediately adjacent to a municipal boundary
- Actions immediately adjacent to a state or county park
- Actions on corner lots on state or county highways

Before Site Plan Review, the mixed use project is required to receive variance approvals based on a proposed building:

- (Use) Proposed Residential use (and Professional Offices) in a B-1 District
- (Area) Existing Lot Size & Depth in a B-1 District
- (Area) Proposed two story in a B-1 District

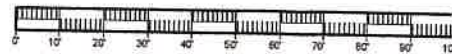
The Site Plan considers the following:

- The project is compatible with the existing developments on Davison Road and adjacent land uses including near municipal borders
- The project traffic flow characteristics are a minor impact and compatible with the capacity of existing infrastructure
- The project will have low impact on county or state institutional uses and government buildings
- The project will enhance the community and have low impact on community character of existing land uses, population density, relationship between residential and nonresidential areas, and community resources including natural, cultural, and historic resources
- The impact on regional drainage systems including drainage infrastructure, drainage capacity, water quality, coastal resources, natural and community resources, wetlands, floodplains, etc. will not be affected. The project's drainage will consist of on-site grass stormwater detention drainage system using grass swales & grass basins in the lawn areas to equal (or be less than) existing undeveloped drainage out flow to municipal drainage system.
- The project will not impact on community facilities including educational facilities, community centers, recreation areas, etc.
- The project will be consistent with local and county development policies as outlined in community plans and regulations



SITE PLAN

SCALE: 1"= 20'-0"



Zoning Schedule of Bulk and Coverage Controls
City of Lockport, New York

District	Minimum Lot Area (feet)	Minimum Lot Area per Dwelling Unit (square feet)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Maximum Height (feet)	Minimum Front Yard (feet)	Minimum Side Yard (feet)	Minimum Rear Yard (feet)	Maximum Lot Coverage ¹	
B-1 Single-Family	10,000	10,000	70	150	35	2 1/2	10	25	25%	
R-2 Two-Family	12,000	6,000	70	120	35	2 1/2	10	25	30%	
B-3 Multifamily	20,000	2,500	70	150	35	3	10	30	35%	
B-1	1 acre	1,250	100	200	90	8	40	50	55%	
B-1 Neighborhood Business	20,000	10,000	100	150	35	3	10	30	50%	
B-2 Central Business	None	None	None	None	120	12	None	None	100%	
B-3 General Business	20,000	None	100	150	35	3	20	25	30	35%
B-4 Office Business	10,000	None	60	100	35	3	30	10	30	35%
I-1 Light Industrial - Research	2 acres	None	200	300	35	2	50	30	40	35%
I-2 Light Industrial	1 acre	None	150	200	35	2	35	20	30	40%
I-3 Heavy Industrial	2 acres	None	200	300	40	2	25	20	30	50%
RA Restory Area	4 acres	None	300	400	35	2 1/2	40	50	100	10%

NOTES:
 1 Total maximum coverage allowed, including all buildings and accessory structures.
 2 For all residential structures over 35 feet, side yards shall be a minimum of 20 feet or 1/2 the height of the structure, whichever is greater.
 3 For all residential structures over 35 feet, side yards shall be a minimum of 20 feet or 1/2 the height of the structure, whichever is greater.
 4 All multifamily residential structures in the B-1, B-2 and B-4 Districts shall comply with R-3 District lot bulk and coverage controls.
 5 The side yard shall be 10 feet, except in the case of structures with a series of small units in irregularly located side-by-side sharing common walls and separately owned and operated. In such case, there shall be at least 20 feet between buildings on the same lot.

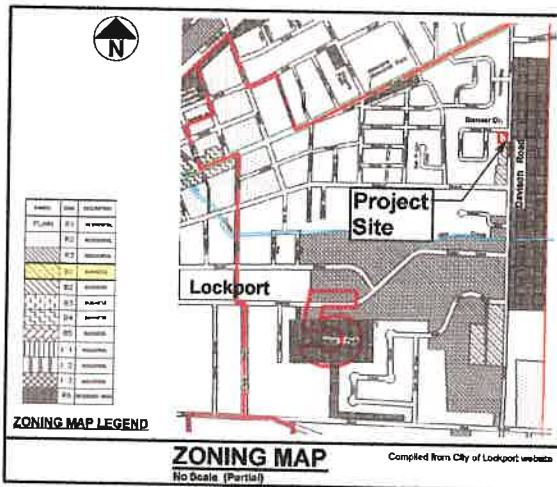
CITY of LOCKPORT, NEW YORK - REQUIREMENTS

ZONING	B-1 NEIGHBORHOOD BUSINESS (Ward 8)
BUILDING USE -PROPOSED	BUSINESS & RESIDENTIAL LIVING UNITS (MIXED USE)
SITE -PARCEL SIZE	(19,009 S.F. +/-) 0.436 acres +/-
PROJECT SIZE -EXTENT OF CONSTRUCTION (total grading and utility work perimeter lawn area at property line to remain undisturbed)	0.40 acres +/-
PROPOSED BUILDING FOOTPRINT	3,234 sq. ft. +/-
PROPOSED TOTAL BUILDING AREA (2 levels)	3,368 sq. ft. +/- (Total -See Below)
- 1st Floor - Business	1,684 sq. ft. +/-
- 2nd Floor - Residential	1,684 sq. ft. +/-
MAXIMUM BUILDING HEIGHT (STORIES)	
ALLOWED:	20 ft (1 Story)
PROPOSED:	< 35 ft (2 Stories)
MINIMUM LOT AREA	
ALLOWED:	20,000 sq. ft.
PROPOSED: (Existing Lot Size)	19,009 sq. ft.
MINIMUM LOT WIDTH	
ALLOWED:	100'
PROPOSED: (Existing Lot Width)	134'
MINIMUM LOT DEPTH	
ALLOWED:	150'
PROPOSED: (Existing Lot Depth)	142.50'
MINIMUM FRONT YARD SETBACK	
ALLOWED:	30'
PROPOSED:	30' (North) and 30' (East)
MINIMUM SIDE YARD SETBACK *	
ALLOWED:	10'
PROPOSED:	50' +/-
MINIMUM REAR YARD SETBACK **	
ALLOWED:	30'
PROPOSED:	50' +/-
PARKING	
REQUIRED NUMBER OF SPACES:	
B-1 Districts	1 for each 200 s.f. floor space = 8.42 spaces***
Single- and two-family dwellings	1 for each dwelling unit = 2 spaces
*** Outside wall dimension Gross Floor Area minus allowance of 10% for walls, vestibule, storage, mechanical space, & restrooms = 1,516 s.f. Net Floor Area	
PROVIDED NUMBER OF SPACES: (1,684 s.f. Business)	10 spaces
(2 Dwelling Units)	2 spaces
(2 guest)	2 spaces
	14 spaces
REQUIRED SIZE OF SPACE:	200 s.f.
PROVIDED SIZE OF SPACE:	10' x 20'
MAXIMUM LOT COVERAGE (BUILDING)	
ALLOWED:	30 %
PROPOSED:	17 %
GREENSPACE PROVIDED	35.0 %
LANDSCAPED AREA REQUIRED	12.0 %
LANDSCAPED AREA PROVIDED	14.0 %

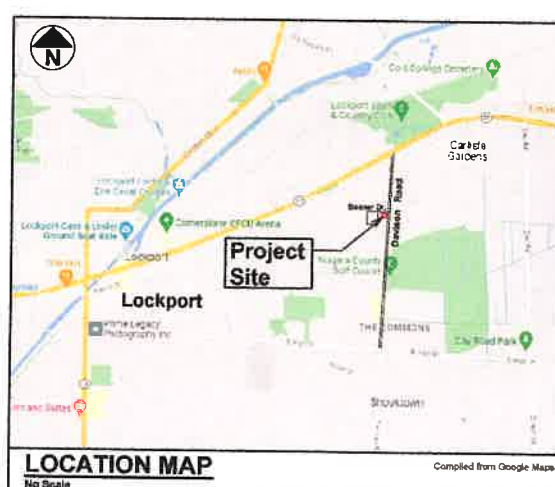
* The project parcel is a corner lot adjacent to existing developed lots.
 ** The project parcel is a corner lot adjacent to existing developed lots.

*** CALCULATING PARKING REQUIREMENTS: For the purpose of applying the requirements for off-street parking and loading in the case of in a business district the requirements allow net square footage of the building use.

Net Floor Area is defined by the 2020 International Building Code as:
 The actual occupied area not including unoccupied accessory areas such as corridors, stairways, ramps, toilet rooms, mechanical rooms and closets.



ZONING MAP
No Scale (Partial)
Compiled from City of Lockport website



LOCATION MAP
No Scale
Compiled from Google Maps

WARNING: It is a violation of Section 7205, Subdivision 2, of the New York State Education Law for any person, unless acting under the direction of a Licensed Architect or Professional Engineer, to alter in any way, the plans, specifications or reports to which the seal of a Licensed Architect or Professional Engineer has been applied.

Thomas H. Shelberg, R.A.
 Architect - Consultant
 183 Balford Drive
 Buffalo, New York 14150
 716-083-1134
 thshelberg@att.net

D E L resource
 Design Environment Land
 Project Consultant and Coordinator:
 Brian S. Stiles
 Owner & General Manager
 Hilton Home Care
 1000 Home Care Blvd
 866-747-8818 (mobile)

MIXED USE BUILDING PROJECT
 1177 DAVISON ROAD @ BONNER DRIVE
 CITY OF LOCKPORT, NEW YORK 14094

Developer:
 Hanan Samuel
 PARAMOUNT HOSPITALITY, LLC
 560 COLLEGE AVE
 NIAGARA FALLS NY 14305
 hanan.samuel@icloud.com (716) 281-6917

REVISIONS

NO.	DESCRIPTION	DATE

SITE PLAN

C - 1

JOB NO. 2023-27

ISSUED BY: THOMAS H. SHELBURG R.A. amASCE

FINAL FOR CONSTRUCTION

PERMIT SET

PROGRESS NOT FOR CONSTRUCTION

DOCUMENT STATUS:

DATE: 6 JULY 2023



Building Inspection Department

Jason Dool
Chief Building Inspector

Lockport Municipal Building
One Locks Plaza
Lockport, NY 14094
Phone (716) 439-6759
Fax (716) 439-6605

NOTICE OF PUBLIC HEARING

Case No. 2300

Megan Brewer

July 10, 2023

Dear Sir or Madam:

An Appeal under the Zoning Ordinance as applied to the property at 87 Lindhurst Drive, New York, had been filed by James Battistoni.

The request is for a variance to erect a 4' x 10' awning over the front porch situated in an R-1 Zone.

Approval of the application was denied or withheld because the awning will be located 26.85' from the east property line.

The City of Lockport Zoning Ordinance required a minimum 40' front yard setback in an R-1 Zone.

A Public Hearing will be held by the Zoning Board of Appeals on **Tuesday July 25, 2023 at 5:00 P.M.**, at the Lockport Municipal Building, One Locks Plaza, Lockport, New York, at which time you may appear, if you so desire, either in person or by agent or attorney.

The purpose of this Hearing is to give all affected property owners an opportunity to support or oppose the granting of this Appeal.

LOCKPORT ZONING BOARD OF APPEALS
Megan Brewer

CITY OF LOCKPORT, NEW YORK
ZONING BOARD OF APPEALS APPLICATION

AREA VARIANCE

USE VARIANCE

It is the responsibility of the applicant to complete this form in its entirety, including all required attachments, and as precisely as possible. Failure to submit a complete application may result in a delay in being placed on a Zoning Board of Appeals agenda or a delayed decision from the Zoning Board.

PROPERTY ADDRESS: 87 Lindhurst Dr.

APPLICANT INFORMATION

NAME: Kohler Auning ADDRESS: 2600 Walden Ave
PHONE: [REDACTED] CHECK: N.Y. 14225
FAX: _____ E-MAIL: jesse@kohler-auning.com

OWNER INFORMATION

NAME: James Battistone ADDRESS: 87 Lindhurst Dr.
PHONE: [REDACTED] Lockport N.Y. 14094
FAX: _____ E-MAIL: battistone2846@redrunner.com

RELATIONSHIP OF APPLICANT TO PROPERTY:

- CONTRACT PURCHASER CONTRACTOR OTHER
- ARCHITECT/ENGINEER LESSEE

OFFICE USE ONLY

RECEIVED BY: _____ DATE/TIME RECEIVED: _____
 FEE AMOUNT: _____ CHECK/MONEY ORDER#: _____
 ZONING: _____ FEE TRANSMITTAL DATE: _____
 AGENDA DATE: _____ DEADLINE DATE: _____
 COUNTY TAX MAP IDENTIFICATION NUMBER: _____

BRIEF HISTORY OF PROPERTY (historic use of property, ownership history, etc.)

Single family residence owned by James Battistoni

DESCRIPTION OF PROPOSED ACTION (include specific use proposed, hours, # of employees, etc.)

Install an aluminum screen over front porch.



VARIANCE STANDARDS (USE VARIANCE)

Applications for use variances must be based on alleviating a clearly demonstrable hardship, as opposed to a special privilege of convenience sought by the owner. Furthermore, the hardship must be peculiar to the land or special privilege and must not generally apply to land throughout the neighborhood. An example of a property that may potentially have a case for a used variance is a corner store in a predominantly residential neighborhood. If the building has large plate glass windows, a parking lot and loading docks in the rear, it would be extremely costly to convert the building to residential uses to comply with existing zoning regulations.



VARIANCE STANDARDS (AREA VARIANCE)

Applications for area variances must be based on some extraordinary topographic condition or other physical condition inherent in the parcel (for example: exceptional narrowness, shallowness, shape or area). This condition must prohibit or unreasonably restrict the use of the land and/or building. One example of special condition: A utility right-of-way cutting through the rear half of several properties within a larger neighborhood limiting the buildable area of those properties, thereby requiring variances for rear and side yard setbacks for those particular property owners to construct new garages or sheds.

DESCRIPTION OF HARDSHIP (describe the features or conditions of the property that restrict reasonable use of the property under current zoning regulations)

He can't sit on his front porch because there is an over head protection. The front door gets hot due to red setting sun.

Describe how the requested variance will not alter the character of the larger neighborhood or impact adjacent properties:

We are just installing a small aluminum screen over a 4x10 foot porch.

APPLICATION ATTACHMENTS

To ensure appropriate and timely review of the application, please provide the following additional documentation in support of the application. Failure to provide all of the applicable materials listed below may result in a delay in scheduling the application for review by the Zoning Board of Appeals.

- \$150 application fee (cash or checks payable to the City of Lockport)
- Detailed site plan (10 copies)
- Photographs of existing conditions
- Property survey (10 copies)

APPLICANT/OWNER AFFIRMATION

I, THE UNDERSIGNED, DO HEREBY AFFIRM THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND I FURTHER UNDERSTAND THAT INTENTIONALLY PROVIDING FALSE OR MISLEADING INFORMATION IS GROUNDS FOR IMMEDIATE DENIAL OF MY APPLICATION.

FURTHERMORE, I UNDERSTAND THAT I (OR A DESIGNATED REPRESENTATIVE) MUST BE PRESENT AT THE MEETING TO REPRESENT THE APPLICATION AND RESPOND TO ANY QUESTIONS FROM THE ZONING BOARD OF APPEALS MEMBERS.


Signature (Applicant)

6/23/23
Date

IF APPLICANT IS NOT THE OWNER OF RECORD FOR SUBJECT PARCEL:

I, THE UNDERSIGNED, HEREBY AFFIRM THAT I AM THE OWNER OF RECORD FOR THE SUBJECT PARCEL AT THE TIME OF APPLICATION. FURTHERMORE, I AM FAMILIAR WITH THE REQUEST BY THE APPLICANT AND AUTHORIZE SAID APPLICANT TO REPRESENT THE INTEREST OF THE OWNER(S) IN FURTHERANCE OF THE REQUEST.


Signature (Owner)

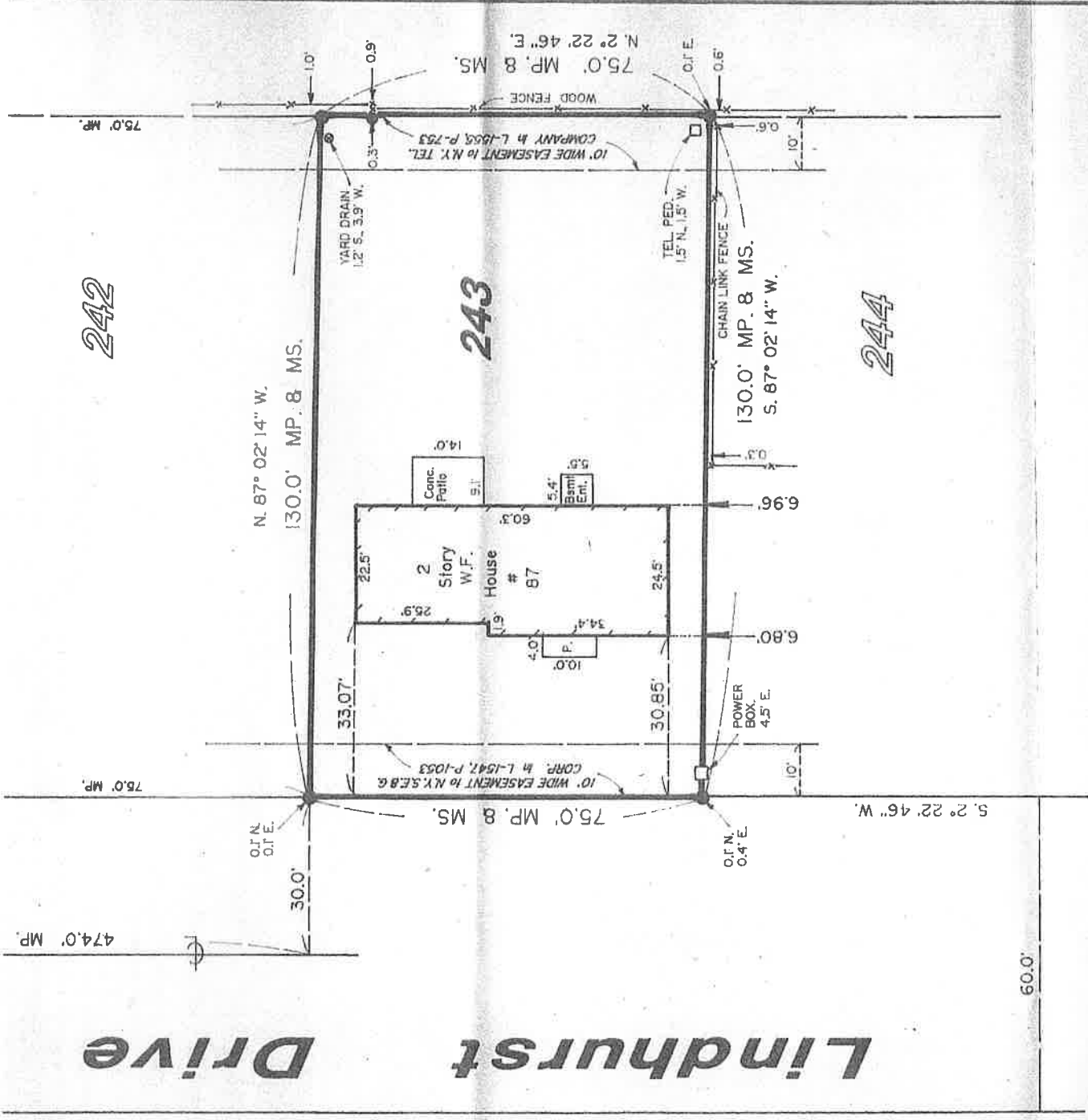
6/23/23
Date

Regular meetings of the Zoning Board of Appeals are generally held on the 4th Tuesday of every month. The meetings are held at 6:00 P.M. in the Common Council chambers on the first floor of City Hall. Applicants will receive a reminder notice in the mail prior to the meeting.

Pursuant to Section §190-188(d) of the City of Lockport Zoning Ordinance, property owners within a 200' radius will be notified of the intent of the applicant and given an opportunity to speak for or against the application.

Drive

Lindhurst



DEED	MP. = MAP	MS. = MEASURED	● = EX. IRON	○ = SET IRON	ENC. = ENCROACHMENT
<p>NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN UPDATED ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH</p>					
<p>ROSS W. MARTIN PROFESSIONAL LAND SURVEYOR 5445 LEETE ROAD, LOCKPORT, N.Y. 14094 PHONE # (716) 434 - 6531 ; FAX # (716) 434 - 1130</p>					
<p>THIS MAP VOID FOR TRANSFER UNLESS EMBOSSED WITH NY 5215'S SEAL NO. 045368</p>					
<p>MAP OF "BELLE-AIRE GARDENS SUBDIV." FILED IN N.C.O. IN MICROFILM BOOK 45, AT PAGE 4393.</p>			<p>DATE: SEPT. 2, 1997</p>		
<p>STATE OF NEW YORK</p>			<p>JOB # 9708106</p>		
<p>FILE # 1" = 30'</p>			<p>S.B.L. # 123.11-2-29</p>		



Building Inspection Department

Jason Dool
Chief Building Inspector

Lockport Municipal Building
One Locks Plaza
Lockport, NY 14094
Phone (716) 439-6759
Fax (716) 439-6605

NOTICE OF PUBLIC HEARING

Case No. 2301

July 10, 2023

Megan Brewer

Dear Sir or Madam:

An Appeal under the Zoning Ordinance as applied to the property at 40 Rochester Street, New York, had been filed by Steven Brick.

The request is for a variance to install a 12' x 24' inground pool in the rear yard situated in an R-1 Zone.

Approval of the application was denied or withheld because the pool installation will increase the lot coverage to 32.4%

The City of Lockport Zoning Ordinance allows a maximum 20% lot coverage in an R-1 Zone.

A Public Hearing will be held by the Zoning Board of Appeals on **Tuesday July 25, 2023 at 5:00 P.M.**, at the Lockport Municipal Building, One Locks Plaza, Lockport, New York, at which time you may appear, if you so desire, either in person or by agent or attorney.

The purpose of this Hearing is to give all affected property owners an opportunity to support or oppose the granting of this Appeal.

LOCKPORT ZONING BOARD OF APPEALS
Megan Brewer

2351

CITY OF LOCKPORT, NEW YORK
ZONING BOARD OF APPEALS APPLICATION

AREA VARIANCE USE VARIANCE

It is the responsibility of the applicant to complete this form in its entirety, including all required attachments, and as precisely as possible. Failure to submit a complete application may result in a delay in being placed on a Zoning Board of Appeals agenda or a delayed decision from the Zoning Board.

PROPERTY ADDRESS: 40 ROCHESTER STREET

APPLICANT INFORMATION

NAME: STEVEN BIECK ADDRESS: 40 ROCHESTER STREET
PHONE: [REDACTED] LOCKPORT NY 14094
FAX: _____ CITY STATE ZIP
E-MAIL: SKBRICK@MSN.COM

OWNER INFORMATION

NAME: STEVEN TORICE ADDRESS: 40 ROCHESTER STREET
PHONE: [REDACTED] LOCKPORT NY 14094
FAX: _____ CITY STATE ZIP
E-MAIL: SKBRICK@MSN.COM

RELATIONSHIP OF APPLICANT TO PROPERTY:

CONTRACT PURCHASER CONTRACTOR OTHER
 ARCHITECT/ENGINEER LESSEE

OFFICE USE ONLY

RECEIVED BY: _____ DATE/TIME RECEIVED: _____
FEE AMOUNT: _____ CHECK/MONEY ORDER#: _____
ZONING: _____ FEE TRANSMITTAL DATE: _____
AGENDA DATE: _____ DEADLINE DATE: _____

COUNTY TAX MAP IDENTIFICATION NUMBER: _____

BRIEF HISTORY OF PROPERTY (historic use of property, ownership history, etc.)

SINGE FAMILY HOME OWNED BY STEVEN BRICK SINCE 1991.

DESCRIPTION OF PROPOSED ACTION (include specific use proposed, hours, # of employees, etc.)

INSTALL INGROUND POOL - PERMIT POOLS IS THE CONSTRUCTOR

VARIANCE STANDARDS (USE VARIANCE)

Applications for use variances must be based on alleviating a clearly demonstrable hardship, as opposed to a special privilege of convenience sought by the owner. Furthermore, the hardship must be peculiar to the land or building and must not generally apply to land throughout the neighborhood. An example of a property that may potentially have a case for a used variance is a corner store in a predominantly residential neighborhood. If the building has large plate glass windows, a parking lot and loading docks in the rear, it would be extremely costly to convert the building to residential uses to comply with existing zoning regulations.

VARIANCE STANDARDS (AREA VARIANCE)

Applications for area variances must be based on some extraordinary topographic condition or other physical condition inherent in the parcel (for example: exceptional narrowness, shallowness, shape or area). This condition must prohibit or unreasonably restrict the use of the land and/or building. One example of special condition: A utility right-of-way cutting through the rear half of several properties within a larger neighborhood limiting the buildable area of those properties, thereby requiring variances for rear and side yard setbacks for those particular property owners to construct new garages or sheds.

DESCRIPTION OF HARDSHIP (describe the features or conditions of the property that restrict reasonable use of the property under current zoning regulations)

INGROUND POOL WILL PUT THE PROPERTY OVER THE ALLOWED LOT COVERAGE.

Describe how the requested variance will not alter the character of the larger neighborhood or impact adjacent properties:

THE POOL WILL BE CONSTRUCTED WITHIN MY OWN PROPERTY BOUNDARIES AND WILL BE COMPLETED FENCED. THIS WILL NOT AFFECT THE CHARACTER OF THE NEIGHBORHOOD OR IMPACT ADJACENT PROPERTIES. THE INGROUND POOL WILL REPLACE AN EXISTING ABOVE GROUND POOL.

APPLICATION ATTACHMENTS

To ensure appropriate and timely review of the application, please provide the following additional documentation in support of the application. Failure to provide all of the applicable materials listed below may result in a delay in scheduling the application for review by the Zoning Board of Appeals.

- \$150 application fee (cash or checks payable to the City of Lockport)
- Detailed site plan (10 copies)
- Photographs of existing conditions
- Property survey (10 copies)

APPLICANT/OWNER AFFIRMATION

I, THE UNDERSIGNED, DO HEREBY AFFIRM THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND I FURTHER UNDERSTAND THAT INTENTIONALLY PROVIDING FALSE OR MISLEADING INFORMATION IS GROUNDS FOR IMMEDIATE DENIAL OF MY APPLICATION.

FURTHERMORE, I UNDERSTAND THAT I (OR A DESIGNATED REPRESENTATIVE) MUST BE PRESENT AT THE MEETING TO REPRESENT THE APPLICATION AND RESPOND TO ANY QUESTIONS FROM THE ZONING BOARD OF APPEALS MEMBERS.


Signature (Applicant)

7/6/2023
Date

IF APPLICANT IS NOT THE OWNER OF RECORD FOR SUBJECT PARCEL:

I, THE UNDERSIGNED, HEREBY AFFIRM THAT I AM THE OWNER OF RECORD FOR THE SUBJECT PARCEL AT THE TIME OF APPLICATION. FURTHERMORE, I AM FAMILIAR WITH THE REQUEST BY THE APPLICANT AND AUTHORIZE SAID APPLICANT TO REPRESENT THE INTEREST OF THE OWNER(S) IN FURTHERANCE OF THE REQUEST.


Signature (Owner)

7/6/2023
Date

Regular meetings of the Zoning Board of Appeals are generally held on the 4th Tuesday of every month. The meetings are held at 6:00 P.M. in the Common Council chambers on the first floor of City Hall. Applicants will receive a reminder notice in the mail prior to the meeting.

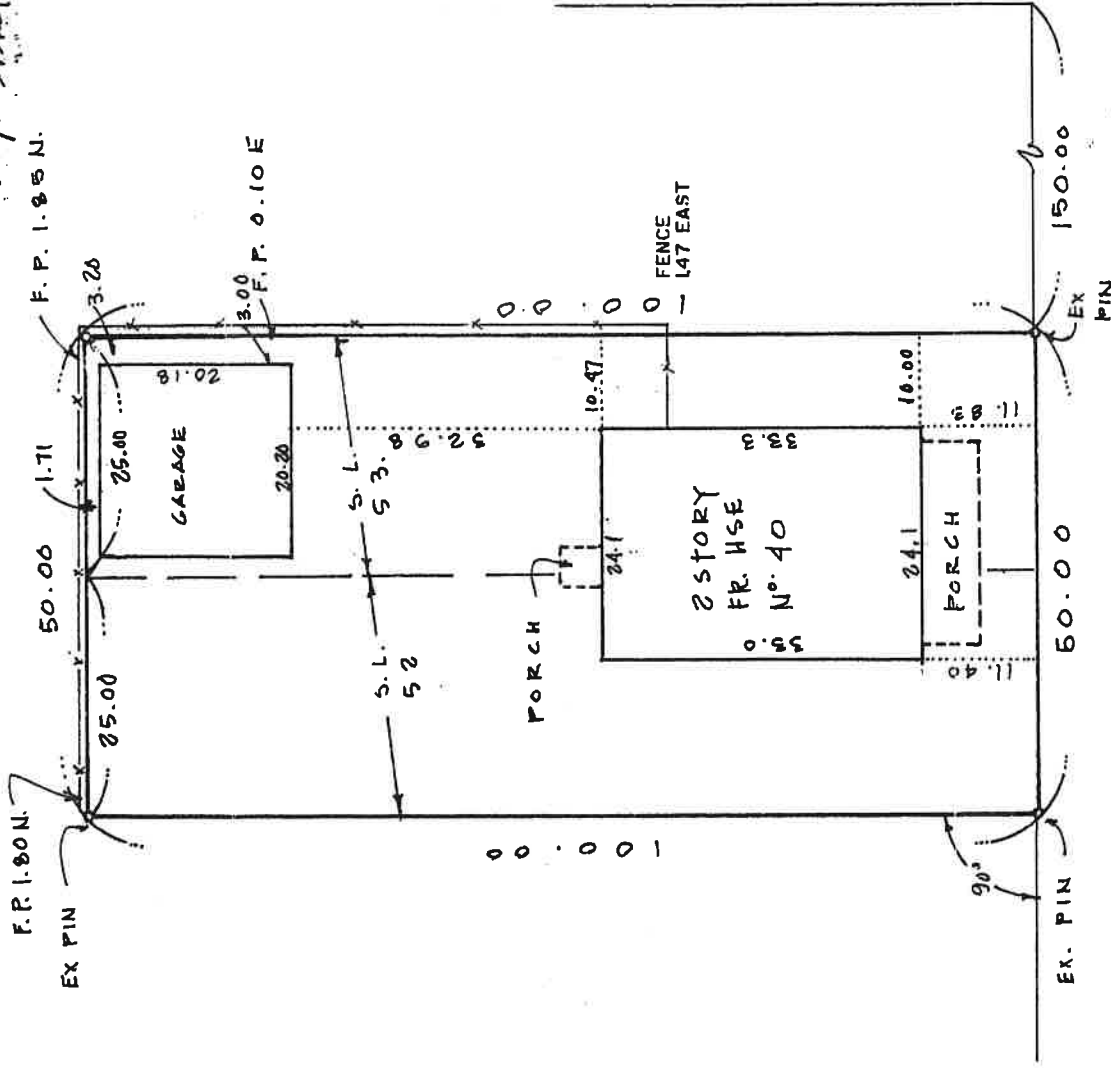
Pursuant to Section §190-188(d) of the City of Lockport Zoning Ordinance, property owners within a 200' radius will be notified of the intent of the applicant and given an opportunity to speak for or against the application.



FIRST FEDERAL SAVINGS & LOAN
ASSOCIATION OF ROCHESTER
its successors and/or assigns
TICOR TITLE GUARANTEE COMPANY
TICOR TITLE INSURANCE COMPANY

I CERTIFY TO THE ABOVE THAT THIS SURVEY WAS PREPARED IN ACCORD WITH THE CODE OF PRACTICE ADOPTED BY THE NEW YORK STATE ASSOCIATION OF LAND SURVEYORS. THIS SURVEY IS SO CERTIFIED DURING THE PERIOD THAT THE CURRENTLY ISSUED TITLE INSURANCE POLICY IS IN EFFECT. NO CERTIFICATION WHATSOEVER IS EXTENDED TO SUBSEQUENT OWNERS, MORTGAGEES, OR TITLE INSURORS, UNLESS THIS SURVEY HAS BEEN RESURVEYED AND REDATED FOR THIS PURPOSE BY THE SURVEYOR.

Steph. A. Pitt



ROCHESTER ST (50')

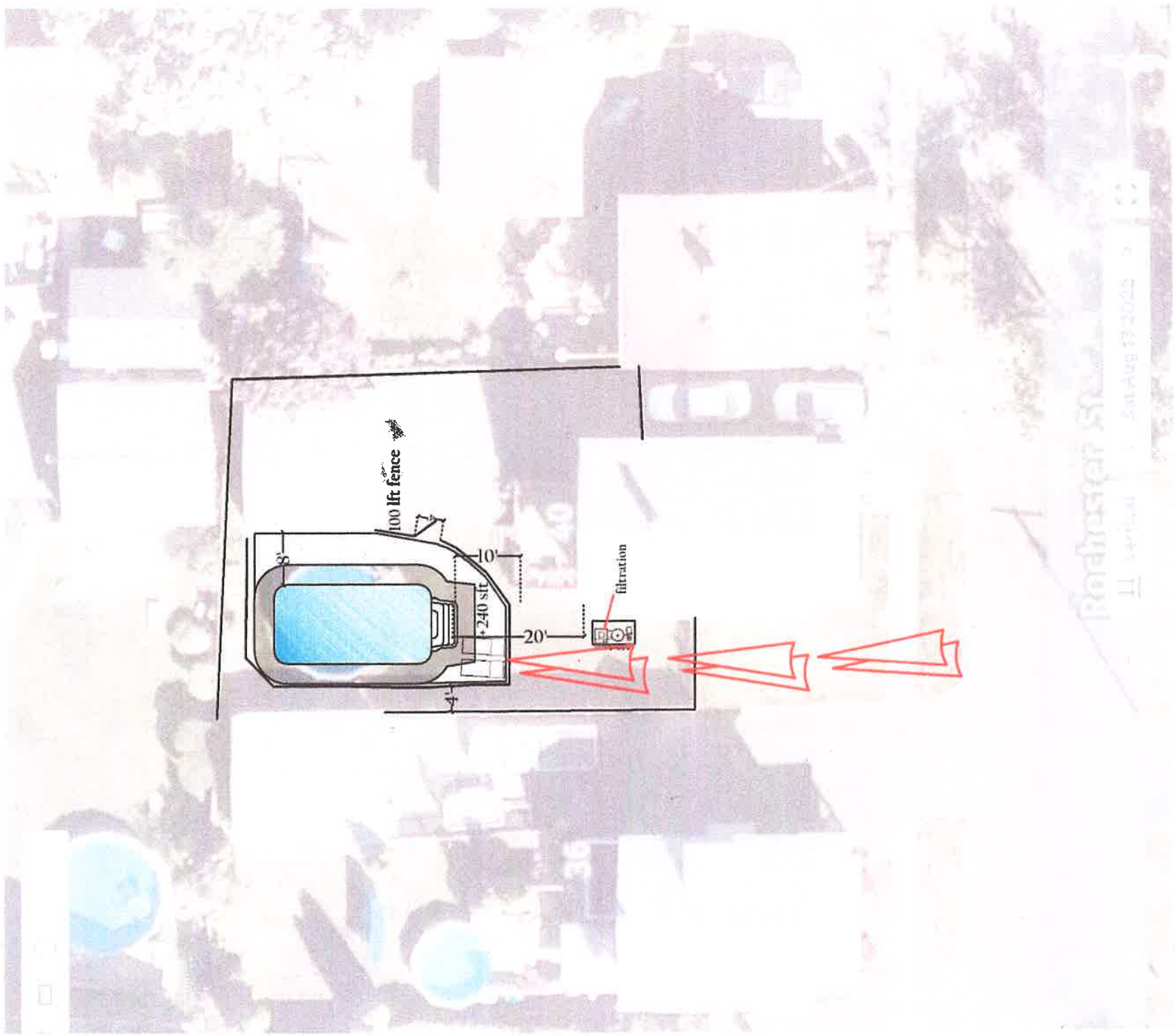
MAP REF:
FILED IN N.C.C.O.
UNDER COVER No.
185, NOV IN BK.
11 OF MFM'S AT
PGS 1039 AND
1040.

STEPHEN S. SUIA & ASSOCIATES ©

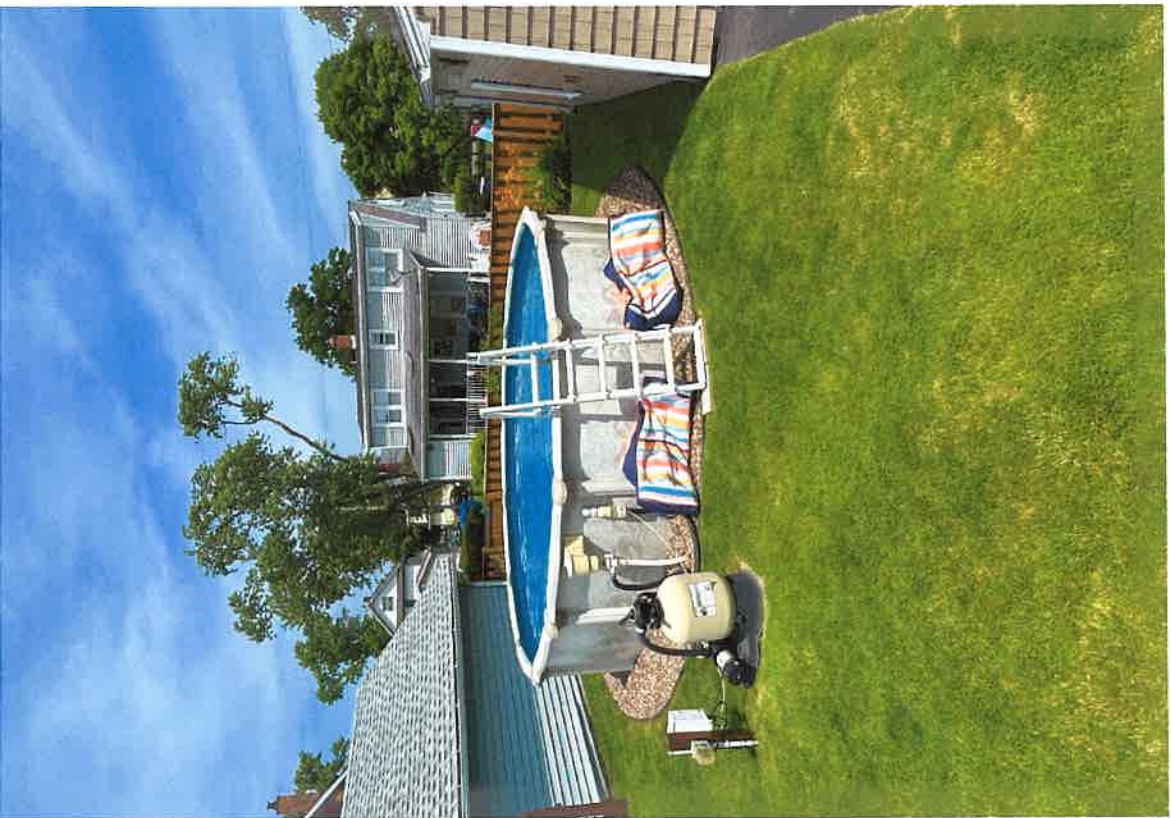
Developers • Surveyors • Planners • Architects
2808 Niagara Falls Blvd., Niagara Falls, NY 14304 Phone (716) 694-6103

Resurvey MARCH 25, 1991	Survey of Sublots 52 & 53	M.C. Range	Date August 29, 1989
TM 109.50-3-7D	Part of lot Town of County of NIAGARA	City of Lockport	Scale 1" = 20' CMB
			Job. No. 89698

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH



Scale: 1/20" = 1 ft









Building Inspection Department

Jason Dool
Chief Building Inspector

Lockport Municipal Building
One Locks Plaza
Lockport, NY 14094
Phone (716) 439-6759
Fax (716) 439-6605

NOTICE OF PUBLIC HEARING

Case No. 2302

July 10, 2023

Megan Brewer

Dear Sir or Madam:

An Appeal under the Zoning Ordinance as applied to the property at 215 Davison Rd, New York, had been filed by JKU, LLC.

The request is for a variance to erect a 3,146 s.f. addition to the north side of the building situation in a B-1 Zone.

Approval of the application was denied or withheld because the addition will increase the lot coverage to 35%, the addition will be located 17.08' from the north property line and there will be ~~38~~³⁴ parking spaces available.

The City of Lockport Zoning Ordinance allows a maximum 30% lot coverage in a B-1 Zone. The City of Lockport Zoning Ordinance Section 190.90 requires a 20' rear yard setback. The City of Lockport Zoning Ordinance Section 190-111 requires the retail space to have 61 parking spaces.

A Public Hearing will be held by the Zoning Board of Appeals on **Tuesday July 25, 2023 at 5:00 P.M.**, at the Lockport Municipal Building, One Locks Plaza, Lockport, New York, at which time you may appear, if you so desire, either in person or by agent or attorney.

The purpose of this Hearing is to give all affected property owners an opportunity to support or oppose the granting of this Appeal.

LOCKPORT ZONING BOARD OF APPEALS
Megan Brewer

CITY OF LOCKPORT, NEW YORK
ZONING BOARD OF APPEALS APPLICATION

AREA VARIANCE USE VARIANCE

It is the responsibility of the applicant to complete this form in its entirety, including all required attachments, and as precisely as possible. Failure to submit a complete application may result in a delay in being placed on a Zoning Board of Appeals agenda or a delayed decision from the Zoning Board.

PROPERTY ADDRESS: 215 Dawson Rd. and 789 Walnut St.

APPLICANT INFORMATION

*- Apex Consulting Surveys Engineering Service
Agent / Consulting Engineer*

NAME: Spalding Hardware/Address: 215 Dawson Rd.

PHONE: (716) [REDACTED]

Lockport, NY 14094

CITY STATE ZIP

FAX: (716) 433-7612 E-MAIL: Kitty@spaldinghardware.com

OWNER INFORMATION

NAME: Spalding Hardware ADDRESS: 215 Dawson Rd.

PHONE: (716) [REDACTED]

Lockport, NY 14094

CITY STATE ZIP

FAX: _____ E-MAIL: Kitty@spaldinghardware.com

RELATIONSHIP OF APPLICANT TO PROPERTY: Same

CONTRACT PURCHASER CONTRACTOR OTHER
 ARCHITECT/ENGINEER LESSEE

OFFICE USE ONLY

RECEIVED BY: _____ DATE/TIME RECEIVED: _____

FEE AMOUNT: _____ CHECK/MONEY ORDER#: _____

ZONING: _____ FEE TRANSMITTAL DATE: _____

AGENDA DATE: _____ DEADLINE DATE: _____

COUNTY TAX MAP IDENTIFICATION NUMBER: _____

Vertical line with tick marks on both sides.

Vertical line with tick marks on both sides.

Vertical black bar.

Vertical black bar.

BRIEF HISTORY OF PROPERTY (historic use of property, ownership history, etc.)

215 Dawson Rd. has been the location of Spalding Hardware Store for over 65 years. Ulrich Family has owned it since 1950. 789 Walnut St. has been owned by Family for over 30 years

DESCRIPTION OF PROPOSED ACTION (include specific use proposed, hours, # of employees, etc.)

3,146 SF Addition to retail Ace Hardware Store. The addition will be used for retail merchandise store expansion and reconfiguration. Other business location Standish Jones was recently sold therefore additional store area required.

VARIANCE STANDARDS (USE VARIANCE)

Applications for use variances must be based on alleviating a clearly demonstrable hardship, as opposed to a special privilege of convenience sought by the owner. Furthermore, the hardship must be peculiar to the land or building and must generally apply to land throughout the neighborhood. An example of a property that may potentially have a case for a used variance is a corner store in a predominantly residential neighborhood. If the building has large plate glass windows, a parking lot and loading docks in the rear, it would be extremely costly to convert the building to residential uses to comply with existing zoning regulations.

VARIANCE STANDARDS (AREA VARIANCE)

Applications for area variances must be based on some extraordinary topographic condition or other physical condition inherent in the parcel (for example: exceptional narrowness, shallowness, shape or area). This condition must prohibit or unreasonably restrict the use of the land and/or building. One example of special condition: A utility right-of-way cutting through the rear half of several properties within a larger neighborhood limiting the buildable area of those properties, thereby requiring variances for rear and side yard setbacks for those particular property owners to construct new garages or sheds.

DESCRIPTION OF HARDSHIP (describe the features or conditions of the property that restrict reasonable use of the property under current zoning regulations)

Requesting 2 Area Variances. (Lot Coverage and Parking) per Ordinance Lot Coverage Max. 30% requesting 35% with addition and removal of existing house. Existing parking lot has 38 spaces which is the same number available since 1996. Requested with 12,200 SF retail space is 61. The adjacent properties are all zoned R1 so additional land not available to expand parking lot or area available for lot coverage adjustment

Describe how the requested variance will not alter the character of the larger neighborhood or impact adjacent properties:

Existing parking lot 38 spaces has existed since 1996. Addition and parking lot reconfiguration so existing building area has been in existence since 1996. The addition adds 25% more space but existing house is to be removed so net change is only 2000 SF or 15% overall. The overall character change is minimal due to the minor additional building area.

APPLICATION ATTACHMENTS

To ensure appropriate and timely review of the application, please provide the following additional documentation in support of the application. Failure to provide all of the applicable materials listed below may result in a delay in scheduling the application for review by the Zoning Board of Appeals.

- \$150 application fee (cash or checks payable to the City of Lockport)
- Detailed site plan (10 copies)
- Photographs of existing conditions
- Property survey (10 copies)

APPLICANT/OWNER AFFIRMATION

I, THE UNDERSIGNED, DO HEREBY AFFIRM THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND I FURTHER UNDERSTAND THAT INTENTIONALLY PROVIDING FALSE OR MISLEADING INFORMATION IS GROUNDS FOR IMMEDIATE DENIAL OF MY APPLICATION.

FURTHERMORE, I UNDERSTAND THAT I (OR A DESIGNATED REPRESENTATIVE) MUST BE PRESENT AT THE MEETING TO REPRESENT THE APPLICATION AND RESPOND TO ANY QUESTIONS FROM THE ZONING BOARD OF APPEALS MEMBERS.

Katherine M. Ulrich
Signature (Applicant)

6/30/2023
Date

IF APPLICANT IS NOT THE OWNER OF RECORD FOR SUBJECT PARCEL:

I, THE UNDERSIGNED, HEREBY AFFIRM THAT I AM THE OWNER OF RECORD FOR THE SUBJECT PARCEL AT THE TIME OF APPLICATION. FURTHERMORE, I AM FAMILIAR WITH THE REQUEST BY THE APPLICANT AND AUTHORIZE SAID APPLICANT TO REPRESENT THE INTEREST OF THE OWNER (S) IN FURTHERANCE OF THE REQUEST.

Katherine M. Ulrich
Signature (Owner)

6/30/2023
Date

Regular meetings of the Zoning Board of Appeals are generally held on the 4th Tuesday of every month. The meetings are held at 6:00 P.M. in the Common Council chambers on the first floor of City Hall. Applicants will receive a reminder notice in the mail prior to the meeting.

Pursuant to Section §190-188(d) of the City of Lockport Zoning Ordinance, property owners within a 200' radius will be notified of the intent of the applicant and given an opportunity to speak for or against the application.

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Name of Action or Project: <i>Spalding Hardware 3146SF Store Addition</i>		Telephone: <i>(616) 433-8155</i>
Project Location (describe, and attach a location map): <i>215 Davison Rd. & 789 Walnut St. Lockport, NY</i>		E-Mail: <i>Kathy@spaldingacehardware.com</i>
Brief Description of Proposed Action: <ul style="list-style-type: none"> <i>3146SF Store Addition to existing Ace Hardware Retail Store</i> <i>Removal of existing structure on 789 Walnut St.</i> <i>Misc. site work (grading).</i> 		
Name of Applicant or Sponsor: <i>Spalding Hardware</i>	State: <i>NY</i>	Zip Code: <i>14094</i>
Address: <i>215 Davison Road</i>		
City/PO: <i>Lockport</i>		
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		
		NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		
		NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? <u>1.018</u> acres		
b. Total acreage to be physically disturbed? <u>0.10</u> acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <u>1.018</u> acres		
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input checked="" type="checkbox"/> Parkland		

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	<input checked="" type="checkbox"/>	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	<input checked="" type="checkbox"/>	YES
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>Building Design Systems will comply with current NYSECC</u>	NO	YES	<input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>Existing Service to be retained</u>	NO	<input checked="" type="checkbox"/>	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>Existing Service to be retained</u>	NO	<input checked="" type="checkbox"/>	YES
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	<input checked="" type="checkbox"/>	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	<input checked="" type="checkbox"/>	YES
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban	NO	YES	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	<input checked="" type="checkbox"/>	YES
16. Is the project site located in the 100 year flood plain?	NO	<input checked="" type="checkbox"/>	YES
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <u>Roof drainage will be connected to existing Catchbasin on property</u>	NO	YES	YES

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Apex Consulting Survey & Engineering Services PC</u> Date: <u>6/28/2023</u> Signature: <u>Timothy W. Arlington, PE</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: <ul style="list-style-type: none"> a. public / private water supplies? b. public / private wastewater treatment utilities? 	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

SITE PLAN REVIEW/ZONING REFERRAL FORM



Niagara County Planning Board
Vantage Center - Suite One
6311 Inducon Corporate Drive
Sanborn, NY 14132

For Use By NCPB
Received _____
Case No. _____
Returned _____

REFERRING MUNICIPALITY City of Lockport

Referring Officer: Jessie Deol Title: Sr. Building Inspector

Telephone: (716) 439-6751 / (716) 439-6754 Fax Number: (716) 439-6605

Mailing Address: City of Lockport, City Hall
One Locks Plaza Lockport, NY 14094

Signature: _____ Date: July 5, 2023

Public Hearing Date: 7/25/2023 @ 5PM Time: 5PM Location: Lockport City Hall

** Please note, the NCPB recommendation will be sent back to the Referring Officer.

APPLICANT: Spalding Hardware Phone: (716) 433-8155

Address or Location of Proposal: 215 Davison Rd & 789 Walnut St. Lockport

Size of Parcel: 1.01 Ac. Existing Zoning: B1 Neighbourhood Business

Proposed Use: 3,146 SF Addition

** If applicant would like a copy of the NCPB recommendation please list fax number: (716) 439-0189

PROPOSED ACTION (check all that apply) *

- Area Variance
- Use Variance
- Special Permit
- Site Plan Review
- Zoning Text Amendment
- Zoning Map Amendment
- Zoning Ordinance
- Comprehensive Plan
- Other _____

* Applicants should contact the Niagara County Department of Economic Development at (716) 278-8750 to see if a representative should be present at the meeting to answer questions.

This referral is forwarded to your office for review in compliance with Sections 239-1 and 239-m of Article 12-B of New York State's General Municipal Law. The property affected is within 500 feet of the boundary of a (check all that apply):

- City, Town, Village
- State or County Land with Public Building
- Existing or Proposed Park or Recreation Area
- Existing or Proposed State of County Parkway, Road or Highway, or County-owned Drainage Channel.
- Farm operation located in an Agricultural District (except for area variances)

DEADLINE

All completed referrals must be received by close of business on Friday, six business days preceding the 3rd Monday of each month. **LATE REFERRALS WILL BE REVIEWED BY THE NIAGARA COUNTY PLANNING BOARD THE FOLLOWING MONTH.**

REQUIRED ENCLOSURES

The Niagara County Planning Board requires adequate information upon which to make its decision. The zoning referral form will not be accepted unless all the following information is submitted (please check that all items are included):

- Adequate written description of proposal
- Sketch Plan, Survey, Plats or Site Plans of the property affected showing: property boundaries, any existing and proposed structures, landscaping, traffic access patterns, parking arrangements, walls, fences or other buffers, existing and proposed signs. Drawings must be properly dimensioned and drawn to scale.

- SEQR Environmental Assessment Form (EAF)

For variances, indicate specific changes from local code being requested:
◦ Area Variance Lot Coverage: 35% vs. 30%
◦ Parking Spaces Existing vs. 60 required

NCPB ACTION	Case No. _____
The Niagara County Planning Board has reviewed the proposal(s) and makes the following recommendations and comments:	



Building Inspection Department

Jason Dool
Chief Building Inspector

Lockport Municipal Building
One Locks Plaza
Lockport, NY 14094
Phone (716) 439-6759
Fax (716) 439-6605

NOTICE OF PUBLIC HEARING

Case No. 2303

July 10, 2023

«AddressBlock»

Dear Sir or Madam:

An Appeal under the Zoning Ordinance as applied to the property at 327 High Street, New York, had been filed by Chase Commons, LLC.

The request is for a variance to amend Variance Case No. 2288 by increasing the total amounts of units to 51 with 26 efficiency units under 600 square feet situated in an R-1 Zone.

Approval of the application was denied or withheld because multi-unit dwellings are not a permitted use in an R-1 Zone and 26 of the units will be under 600 square feet.

The City of Lockport Zoning Ordinance allows multi-unit dwellings in R-3, B-2, B-3 and B-4 zones and requires a dwelling unit to have a minimum 600 square feet of living space.

A Public Hearing will be held by the Zoning Board of Appeals on **Tuesday July 25, 2023 at 5:00 P.M.**, at the Lockport Municipal Building, One Locks Plaza, Lockport, New York, at which time you may appear, if you so desire, either in person or by agent or attorney.

The purpose of this Hearing is to give all affected property owners an opportunity to support or oppose the granting of this Appeal.

LOCKPORT ZONING BOARD OF APPEALS
Megan Brewer

CITY OF LOCKPORT, NEW YORK
ZONING BOARD OF APPEALS APPLICATION

AREA VARIANCE (R) _____ USE VARIANCE

It is the responsibility of the applicant to complete this form in its entirety, including all required attachments, and as precisely as possible. Failure to submit a complete application may result in a delay in being placed on a Zoning Board of Appeals agenda or a delayed decision from the Zoning Board.

PROPERTY ADDRESS: 305-327 High St.

APPLICANT INFORMATION

NAME: Chase Connors LLC ADDRESS: 8525 Porter Rd.
PHONE: () [REDACTED]
FAX: _____ E-MAIL: _____
CITY STATE ZIP
Massara Falls NY 14304
massara@olbkr Realty.net

OWNER INFORMATION

NAME: Dominic Massara ADDRESS: 8525 Porter Rd.
PHONE: () [REDACTED]
FAX: _____ E-MAIL: _____
CITY STATE ZIP
Massara Falls NY 14304
domassara@massaragroup.com

RELATIONSHIP OF APPLICANT TO PROPERTY:

— CONTRACT PURCHASER — CONTRACTOR OTHER
— ARCHITECT/ENGINEER — LESSEE

OFFICE USE ONLY

RECEIVED BY: _____ DATE/TIME RECEIVED: _____
FEE AMOUNT: _____ CHECK/MONEY ORDER#: _____
ZONING: _____ FEE TRANSMITTAL DATE: _____
AGENDA DATE: _____ DEADLINE DATE: _____

COUNTY TAX MAP IDENTIFICATION NUMBER: _____

—
—

—
—
—

—
—
—

APPLICATION ATTACHMENTS

To ensure appropriate and timely review of the application, please provide the following additional documentation in support of the application. Failure to provide all of the applicable materials listed below may result in a delay in scheduling the application for review by the Zoning Board of Appeals.

- \$150 application fee (cash or checks payable to the City of Lockport)
- Detailed site plan (10 copies)
- Photographs of existing conditions
- Property survey (10 copies)

APPLICANT/OWNER AFFIRMATION

I, THE UNDERSIGNED, DO HEREBY AFFIRM THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND I FURTHER UNDERSTAND THAT INTENTIONALLY PROVIDING FALSE OR MISLEADING INFORMATION IS GROUNDS FOR IMMEDIATE DENIAL OF MY APPLICATION.

FURTHERMORE, I UNDERSTAND THAT I (OR A DESIGNATED REPRESENTATIVE) MUST BE PRESENT AT THE MEETING TO REPRESENT THE APPLICATION AND RESPOND TO ANY QUESTIONS FROM THE ZONING BOARD OF APPEALS MEMBERS.



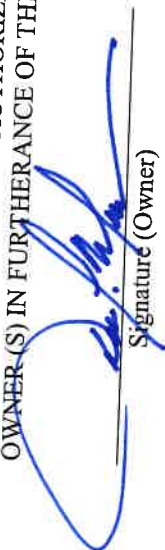
Signature (Applicant)

7/5/2023

Date

IF APPLICANT IS NOT THE OWNER OF RECORD FOR SUBJECT PARCEL:

I, THE UNDERSIGNED, HEREBY AFFIRM THAT I AM THE OWNER OF RECORD FOR THE SUBJECT PARCEL AT THE TIME OF APPLICATION. FURTHERMORE, I AM FAMILIAR WITH THE REQUEST BY THE APPLICANT AND AUTHORIZE SAID APPLICANT TO REPRESENT THE INTEREST OF THE OWNER(S) IN FURTHERANCE OF THE REQUEST.



Signature (Owner)

7/5/2023

Date

Regular meetings of the Zoning Board of Appeals are generally held on the 4th Tuesday of every month. The meetings are held at 5:00 P.M. in the Common Council chambers on the first floor of City Hall. Applicants will receive a reminder notice in the mail prior to the meeting.

Pursuant to Section §190-188(d) of the City of Lockport Zoning Ordinance, property owners within a 200' radius will be notified of the intent of the applicant and given an opportunity to speak for or against the application.

City of Lockport Zoning Board of Appeals Application

Applicant Responses:

Brief History of Property: Since at least 1959, 305-327 High Street has operated as an assisted living facility. Known as the Presbyterian Home, the 4.5-acre parcel (consisting of four interconnected buildings) comprises nearly 40,000 square feet of space. Two of the buildings (the Chase-Crowley-Keep House and the Chase-Hubbard-Williams House), built in the 1850's and 1870's respectively, are on the National Register of Historic Places. Chase Commons, LLC, purchased the property from Beechwood Homes in April of 2023.

Description of Proposed Action: Chase Commons, LLC, is proposing to convert the property into a market-rate apartment operation. Internal conversions of preexisting individual dwelling units will take place across all four buildings. We now anticipate this conversion to yield a total of 51 rental units, which will include a mix of studio, 1-bedroom, and 2-bedroom apartments. The conversion should take approximately 15 to 18 months and will be completed in two phases. The first phase will encompass the "New House" and "New Cottage" buildings and will yield 29 units. The second phase will encompass the "Keep" and "Williams" houses and will yield an estimated 22 units. Upon completion of both phases, leasing and property management services at the property should employ approximately 10 people.

Description of Hardship (Area Variance): At the December 21, 2022 meeting of the City of Lockport Zoning Board of Appeals, in regards to Case No. 2288, a resolution allowing a 50-unit apartment house, inclusive of 12 efficiency units smaller than 600sqft, at 305-327 High Street was adopted. Chase Commons, LLC, is now requesting an Area Variance to include 26 efficiency units in its 51-unit redevelopment plan of 305-327 High Street. The efficiency units will range in size between 405 and 590 square feet. At the present time, the City of Lockport Building Code stipulates a minimum rental dwelling size of 600sqft. The "New Cottage" building currently has a floorplate with 28 pre-defined dwelling units measuring approximately 400sqft, complete with a bedroom, full bathroom, and living area. We are proposing to keep 12 of these preexisting dwelling units intact, thereby substantially reducing the overall cost of the conversion. If we were to combine all the "New Cottage" preexisting units into larger units (at least 600sqft) the conversion costs, due to the added demolition and repair, would be prohibitive and render our redevelopment efforts financially unviable. As part of the overall conversion plan, we are currently projecting an additional 14 units, across all four buildings, to measure slightly under the 600sqft threshold.

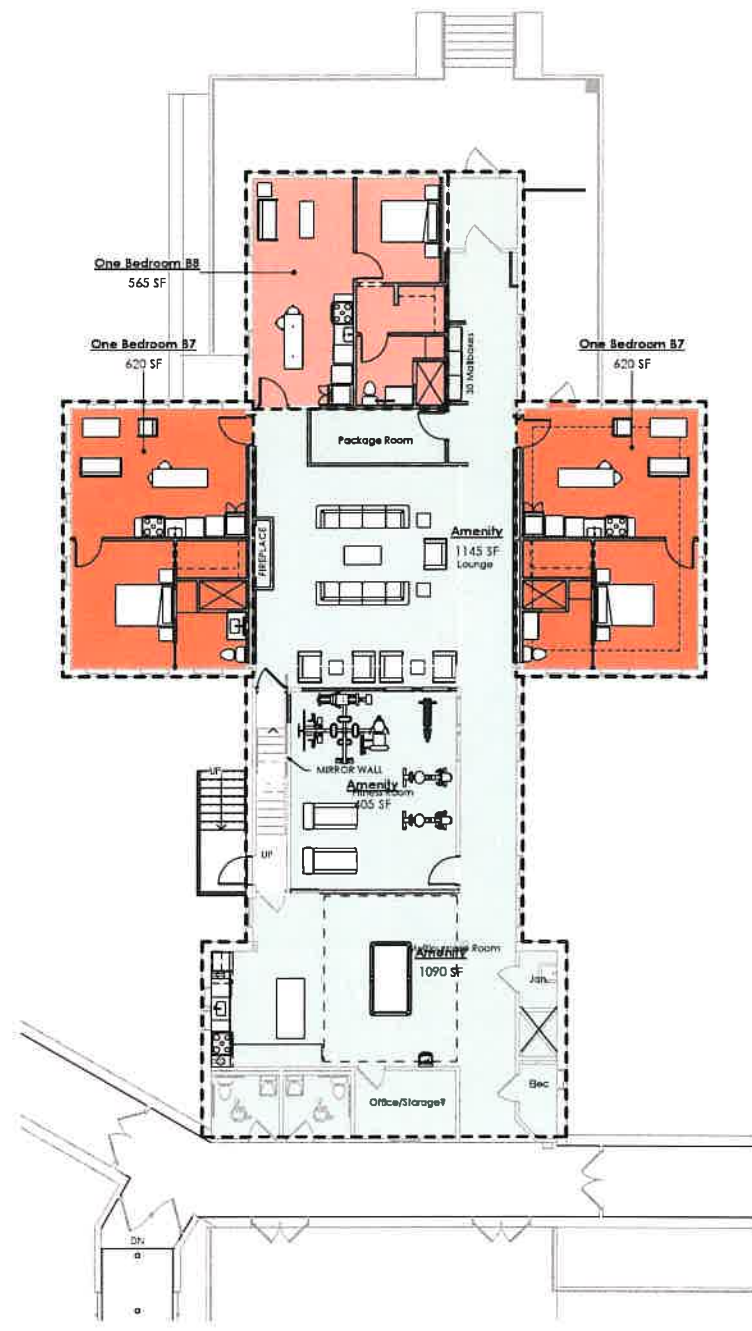
Having developed efficiency units at other properties in the past, we can attest to the ready demand for this type of rental product. Certain tenants don't need (or want) much personal living space. Their busy lives require them to be away from their apartments often. These tenants also typically take advantage of a property's common amenities (i.e., fitness facilities, clubhouses, game rooms, etc.), which limits their need/desire to remain in their individual units for extended periods of time. Chase Commons hopes to accommodate this market trend in rental housing by offering a certain number of efficiency units along with an adequate number of common amenities for our tenants to enjoy.

Since Case No. 2288 was considered in December of 2022, our architects have determined that one additional unit can be attained through the conversion. Chase Commons would obviously like to

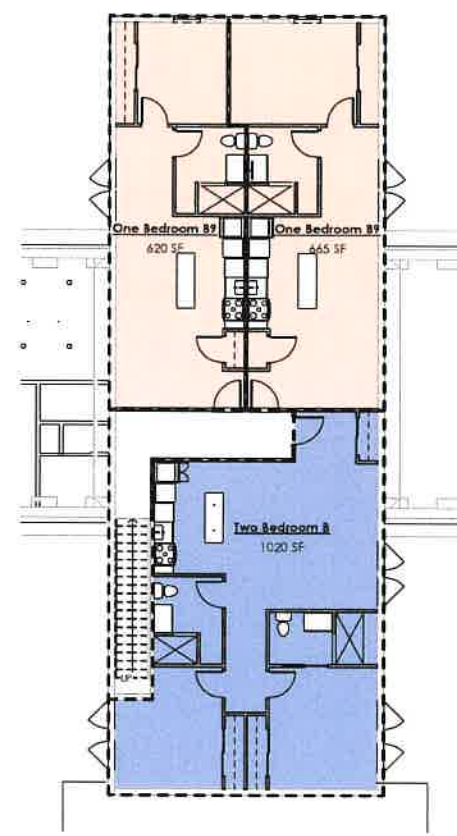
endeavor to bring this one additional unit to market as it makes the overall project that much more scalable. We can now potentially amortize our costs over one additional unit.

The requested Area Variance to configure and rent individual dwellings units under 600sqft should not alter the character of the larger neighborhood or impact adjacent properties since these units will be confined to the existing building footprints. Also, the additional one unit (bringing the total unit count to 51) from our previous application will not negatively impact the surrounding properties. The property previously housed a 52-bed assisted living facility. No changes to the property's exterior will result from the granting of the Area Variance.

7/1/2023 2:53:05 PM Autodesk Docs://156.02.327 High Street/327 High Street.rvt
 The design concept, construction drawings and details presented herein are the sole property of ELEV8 Architecture.
 Any reproduction or other use of this information without the written consent of ELEV8 Architecture is expressly prohibited. All rights reserved. Copyright ELEV8 Architecture.



1 New House - First Floor
 1/8" = 1'-0"



2 New House - Second Floor
 1/8" = 1'-0"

- Program**
- Amenity
 - One Bedroom A
 - One Bedroom B
 - One Bedroom B1
 - One Bedroom B2
 - One Bedroom B3
 - One Bedroom B4
 - One Bedroom B5
 - One Bedroom B6
 - One Bedroom B7
 - One Bedroom B8
 - One Bedroom B9
 - Studio
 - Two Bedroom
 - Two Bedroom A
 - Two Bedroom B

Unit Count - New House	
Name	Area
One Bedroom B8	565 SF
One Bedroom B7	620 SF
One Bedroom B7	620 SF
One Bedroom B7	620 SF
One Bedroom B7	665 SF
Two Bedroom B	1020 SF
Grand Total:	

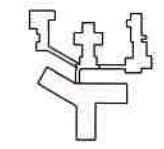


ELEV8 Architecture
 15 Cobblestone Ct
 Orchard Park, NY 14127
 645 Rocky Mount Lane
 Draper, UT 84020
 888 863 5388

IBC Engineering, PC
 2495 Main Street
 18-Multi Center, Suite 318
 Buffalo, NY 14214
 716.834.2215
 716.834.2319



**Chase Commons
 Redevelopment**
 Chase Commons, LLC
 327 High Street
 Lockport, NY 14094



PERMIT SET

06.29.2023

Revisions		
#	Description	Date

New House Unit Plans

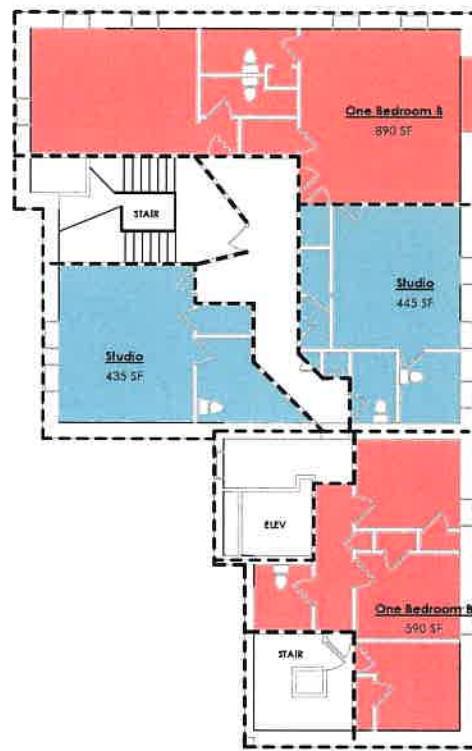
Project Number: 155.02
 Sheet Number:

P-002

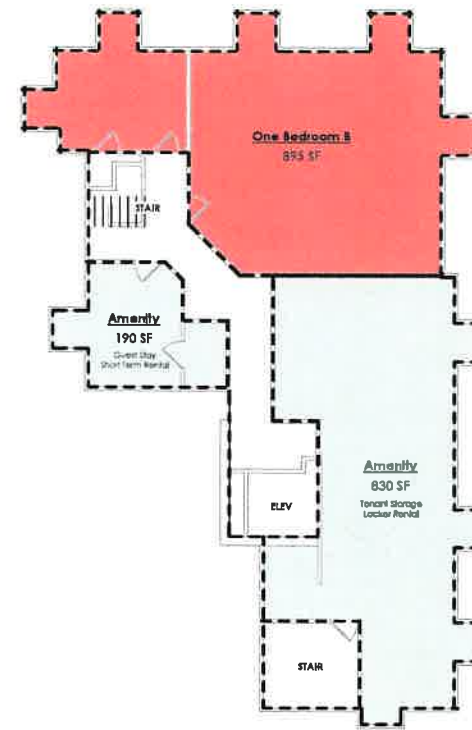
7/2/2023 2:53:07 PM AutoCAD Docx/155.02.137 High Speed/37 High Speed.rvt
 The design concepts, construction drawings and details presented herein are the sole property of ELEV8 Architecture.
 Any reproduction or other use of this information without the written consent of ELEV8 Architecture is expressly prohibited. All rights reserved. Copyright ELEV8 Architecture.



1 Keep House - First Floor
 1/8" = 1'-0"



2 Keep House - Second Floor
 1/8" = 1'-0"



3 Keep House - Third Floor
 1/8" = 1'-0"

Program

- Amenity
- One Bedroom A
- One Bedroom B
- One Bedroom B1
- One Bedroom B2
- One Bedroom B3
- One Bedroom B4
- One Bedroom B5
- One Bedroom B6
- One Bedroom B7
- One Bedroom B8
- One Bedroom B9
- Studio
- Two Bedroom
- Two Bedroom A
- Two Bedroom B

Unit Count - Keep House	
Name	Area
One Bedroom A	405 SF
Studio	435 SF
Studio	445 SF
Studio	505 SF
One Bedroom B	590 SF
One Bedroom B	890 SF
One Bedroom B	895 SF
Two Bedroom	1025 SF
Grand total:	8

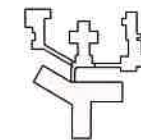


ELEV8 Architecture
 15 Cobblestone Ct
 Orchard Park, NY 14127
 645 Rocky Mouth Lane
 Draper, UT 84020
 888 883 5368

IBC Engineering, PC
 2495 Main Street
 7th-Main Center, Suite 318
 Buffalo, NY 14214
 716.836.2315
 716.836.2319



**Chase Commons
 Redevelopment**
 Chase Commons, LLC
 327 High Street
 Lockport, NY 14094



PERMIT SET

06.29.2023

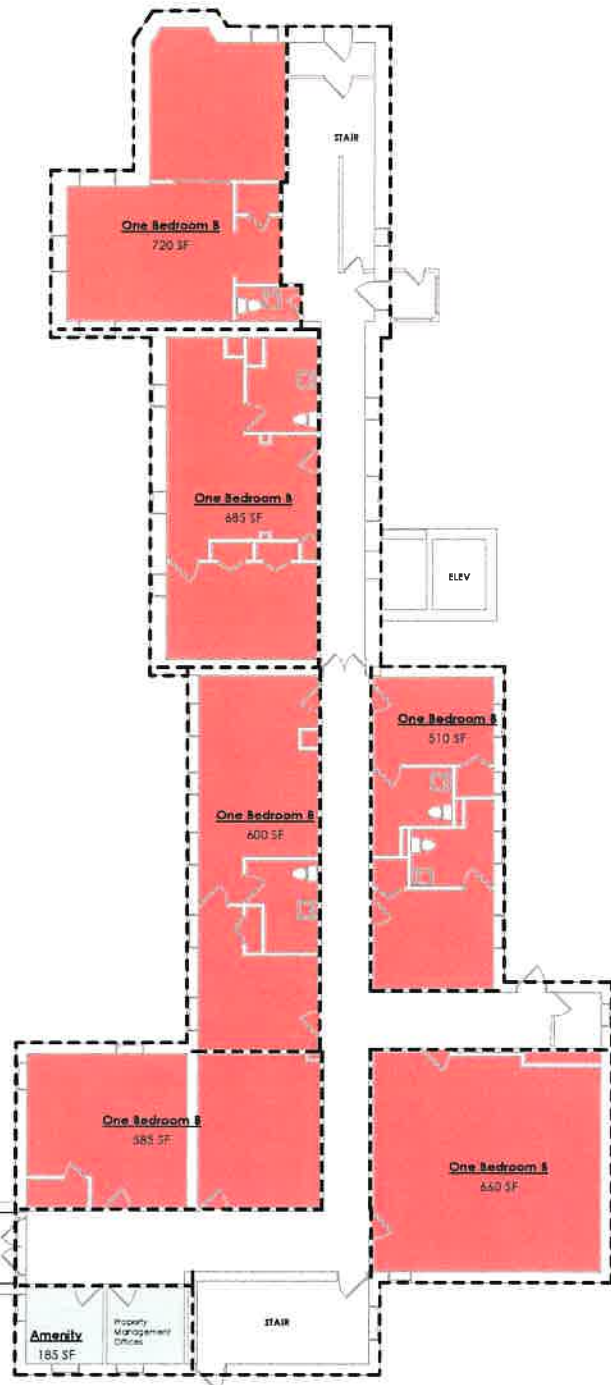
Revisions		
#	Description	Date

Keep House Unit Plans

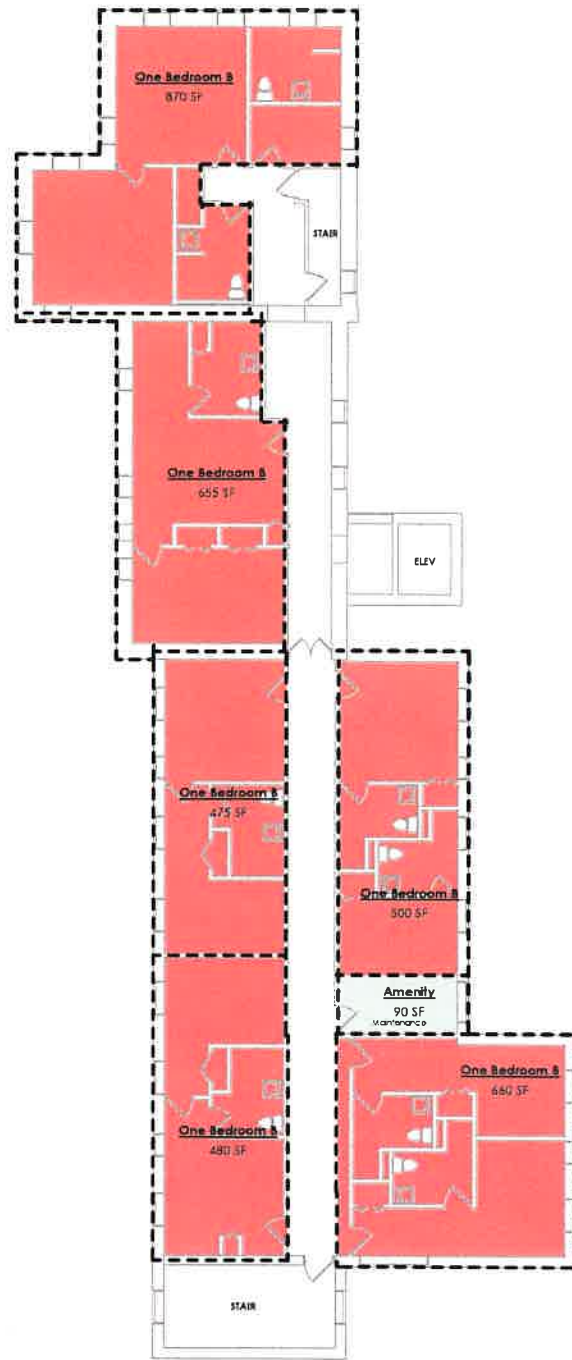
Project Number: 155.02
 Sheet Number:

P-003

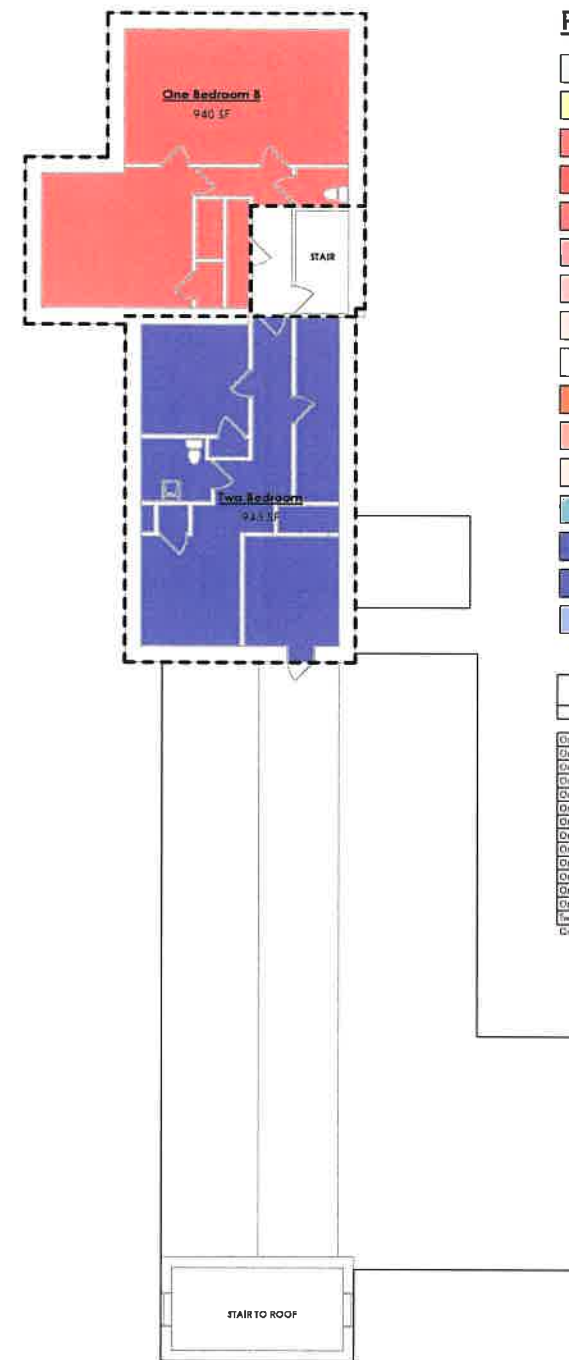
7/17/2023 2:35:10 PM AutoCAD/Docs/1/15/07/377 High Street/377 High Street.rvt
 The design concept, construction drawings and details presented herein are the sole property of ELEV8 Architecture. Any reproduction or other use of this information without the written consent of ELEV8 Architecture is expressly prohibited. All rights reserved. Copyright ELEV8 Architecture.



1 Williams House - First Floor
 1/8" = 1'-0"



2 Williams House - Second Floor
 1/8" = 1'-0"



3 Williams House - Third Floor
 1/8" = 1'-0"

Program

- Amenity
- One Bedroom A
- One Bedroom B
- One Bedroom B1
- One Bedroom B2
- One Bedroom B3
- One Bedroom B4
- One Bedroom B5
- One Bedroom B6
- One Bedroom B7
- One Bedroom B8
- One Bedroom B9
- Studio
- Two Bedroom
- Two Bedroom A
- Two Bedroom B

Unit Count - Williams House	
Name	Area
One Bedroom B	475 SF
One Bedroom B	480 SF
One Bedroom B	500 SF
One Bedroom B	510 SF
One Bedroom B	515 SF
One Bedroom B	600 SF
One Bedroom B	655 SF
One Bedroom B	660 SF
One Bedroom B	660 SF
One Bedroom B	665 SF
One Bedroom B	720 SF
One Bedroom B	870 SF
One Bedroom B	940 SF
Two Bedroom	945 SF
Grand Total:	14

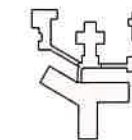


ELEV8 Architecture
 15 Cobblestone Ct
 Orchard Park, NY 14127
 665 Rocky Mouth Lane
 Draper, UT 84020
 888 583 5388

IBC Engineering, PC
 2495 Main Street
 To-Main Center, Suite 318
 Buffalo, NY 14214
 716 836 2315
 716 836 2319



**Chase Commons
 Redevelopment**
 Chase Commons, LLC
 327 High Street
 Lockport, NY 14094



PERMIT SET

06.29.2023

Revisions		
#	Description	Date

William House Unit Plans

Project Number: 155.02
 Sheet Number:

P-004



WASHBURN STREET (66' WIDE)

HIGH STREET (66' WIDE)

DEED INSTRUMENT #2021-04482
 DEED INSTRUMENT #2021-04483
 DEED INSTRUMENT #2021-04484
 DEED INSTRUMENT #2021-04485
 DEED INSTRUMENT #2021-04486
 DEED INSTRUMENT #2021-04487
 DEED INSTRUMENT #2021-04488
 DEED INSTRUMENT #2021-04489
 DEED INSTRUMENT #2021-04490
 DEED INSTRUMENT #2021-04491
 DEED INSTRUMENT #2021-04492
 DEED INSTRUMENT #2021-04493
 DEED INSTRUMENT #2021-04494
 DEED INSTRUMENT #2021-04495
 DEED INSTRUMENT #2021-04496
 DEED INSTRUMENT #2021-04497
 DEED INSTRUMENT #2021-04498
 DEED INSTRUMENT #2021-04499
 DEED INSTRUMENT #2021-04500

NO. 415
 DEED INSTRUMENT
 #2021-04482
 BEING SUBLOT 63 AS
 SHOWN ON A MAP ON FILE
 IN THE NIAGARA COUNTY
 CLERK'S OFFICE AND NOW
 FOUND IN MICROFILM MAP
 BOOK 10 AT PAGE 857

6/17/2022 RESURVEY OF 327 HIGH STREET (S.B.L. 109.18-3-4), 409
 WASHBURN STREET (S.B.L. 109.18-3-2) 411 WASHBURN STREET (S.B.L.
 109.18-3-3) AND SURVEY OF 415 WASHBURN STREET (S.B.L. 109.82-1-1).

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT
 OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY
 INFORMATION DERIVED BY AN EXAMINATION OF THE SAME.

NOTE: ONLY COPIES OF THIS SURVEY MADE FROM THE
 ORIGINAL AND EMBOSSED WITH THE SURVEYORS'
 SEAL SHALL BE VALID COPIES.

NOTE: THIS SURVEY IS SUBJECT TO EASEMENTS
 AND RIGHTS OF WAY OF RECORD.

SBL NUMBER: 109.18-3-4

APEX CONSULTING
 SURVEY & ENGINEERING SERVICES, P.C.

NIAGARA COUNTY
 102 EAST AVENUE, LOCKPORT, NEW YORK 14094
 PHONE: (716) 439-0188 FAX: (716) 439-0739

NOTE: UNAUTHORIZED ALTERATIONS TO THIS MAP
 ARE IN VIOLATION OF SEC. 2209 PROVISION 2
 OF THE NEW YORK STATE EDUCATION LAW.

SURVEY OF PART OF LOTS 7 AND 8, SECTION 14,
 TOWNSHIP 14, RANGE 6 OF THE HOLLAND LAND
 COMPANY'S SURVEY, SITUATE IN THE CITY OF
 LOCKPORT, COUNTY OF NIAGARA AND THE STATE OF
 NEW YORK.

SCALE: 1" = 30'	JOB NO.: 04-036
DATE: 8/5/04	RESURVEYED:
DRAWN BY: CTA	DWG. FILE:
REVISIONS:	
DWG. FILE: 04-036AS Resurvey 5-14-22.dwg	



CURTIS JAMES FIDMAN, L.S.
 N.Y.S. LICENSE NO. 006080

