Building Inspection Department

Jason Dool
Chief Building Inspector

Lockport Municipal Building
One Locks Plaza
Lockport, NY 14094
Phone (716) 439-6754
Fax (716) 439-6605

September 1, 2023

Megan Brewer

REGULAR MEETING

Please be advised that there are seven (7) items on the agenda for the regularly scheduled meeting of the Planning Board to be held **Monday, September 11, 2023** at 5:00 P.M.

1. Spalding Hardware. 215 Davison Road. Request for site plan approval for a 3,146 square foot addition to the rear of the building situated in a B-1 Zone.

2. Go Net Speed. 524 Walnut Street. Request to install a concrete pad for a fiber cabinet and a 20 KW generator situated in an R-1 Zone.

3. Go Net Speed. 320 Michigan Street. Request to install a concrete pad for a fiber cabinet and a 20 KW generator situated in an R-2 Zone.

4. Catholic Health Systems. 327 Summit Street. Request to install a private access road situated in an R-1 Zone.

5. Nussbaumer & Clarke, Inc. 115 Oakhurst Street. Request for site plan approval to erect a 16,000 s.f. industrial warehouse building situated in an I-3 Zone.

6. 116-120 Main, LLC. 133 Main Street. Request to demolish the existing structure and extend the existing parking area situated in a B-2 Zone.

7. Richard Ries. 616 West Ave. Request to install a 705.6 KW solar array situated in an I-3 Zone.

If you cannot attend this meeting, please contact Megan Brewer at 716-439-6754 or mbrewer@lockportny.gov

APPLICATION: APPROVED _____ DISAPPROVED _____

CITY OF LOCKPORT
PLANNING BOARD APPLICATION

DESCRIPTION OF PROPOSED REQUEST:

NAME OF PROPERTY: Spalding Hardware PHONE: (716) 433-8155

NAME OF APPLICANT: Same PHONE: Same

ADDRESS OR LOCATION OF PROPOSAL: 215 Davison Rd & 789 Walnut St.

SIZE OF PARCEL OR STRUCTURE: 3146 SF Addition

EXISTING ZONING: B1 Neighborhood Business

PROPOSED REQUEST 3,146 SF Addition for store expansion.

REQUIRED ENCLOSURES:

In order to provide the City Planning Board with adequate information on which to base its decision, this application will not be heard unless the following information is submitted ten (10) days prior to the meeting by no later than 1 p.m.

1. Adequate description of proposal.

2. Survey of property affected, together with a Plot Plan which shows the distance to nearest intersection, proposed physical layout of the property including any existing or proposed structures, traffic access patterns, parking arrangements, walls, fences or other buffers and signs.

SEQRA:

This proposal constitutes a: ( )Type I, ( )Type II, (X)Unlisted action as per the provisions of the State Environmental Quality Review Act. A determination of environmental significance has been made: (X)yes, ( )no; a copy of this determination is attached ( )yes, ( )no.

PROPERTY OWNER'S SIGNATURE Kathy M. Ulrich

APPLICANT'S SIGNATURE Kathy M. Ulrich

PLEASE NOTE YOU OR A REPRESENTATIVE ARE TO BE PRESENT AT THE MEETING TO PRESENT YOUR PROJECT TO THE BOARD.

617.20
Appendix B
Short Environmental Assessment Form

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:
Spalding Hardware 3146SF Store Addition

Project Location (describe, and attach a location map):
215 Davison Rd. & 789 Walnut St. Lockport, NY

Brief Description of Proposed Action:
- 3146 SF Store Addition to existing Ace Hardware Retail Store
- Removal of existing structure on 789 Walnut St.
- Misc. site work (grading).

Name of Applicant or Sponsor:	Telephone: (716) 433-8155
Spalding Hardware	E-Mail: kitty@spaldingacehardware.co

Address:
215 Davison Road

City/PO:	State:	Zip Code:
Lockport	NY	14094

	NO	YES
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.	☑	☐
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:	☐	☑

3.a. Total acreage of the site of the proposed action? 1.018 acres
b. Total acreage to be physically disturbed? 0.10 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.018 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☒ Parkland

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☑	☐
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☑	☐
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: Building Design Systems will comply with current NYSECCC	☐	☑
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: Existing Service to be retained	☑	☐
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: Existing Service to be retained	☑	☐
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?	☑	☐
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: _____	☑	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☒ Suburban

	NO	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?	☑	☐
16. Is the project site located in the 100 year flood plain?	☑	☐
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? ☑ NO ☐ YES	☐	☑
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? ☐ NO ☑ YES If Yes, briefly describe: Roof drainage will be connected to existing Catchbasin on property		

	NO	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:	☑	☐
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:	☑	☐
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:	☑	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Apex Consulting Survey & Engineering Services PC

Applicant/sponsor name: Timothy W. Arlington, PE Date: 6/28/2023

Signature: Timothy W. Arlington

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?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
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?	☐	☐
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?	☐	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	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?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

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.

☐ 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.

☐ 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

PPROVED _____ DISAPPROVED _____

CITY OF LOCKPORT
PLANNING BOARD APPLICATION

POSED REQUEST:

UAW Michael DELUCAS PHONE: _____

: GO NET SPEED PHONE: 315-651-8770

Steve.Reynolds@ottctel.com

ON OF PROPOSAL: 524 WALNUT ST. Lockport

TRUCTURE: 25'x25' Parcel WITH A 10'x15' Pad

CH OF THE FOLLOWING IS BEING APPLIED FOR:

Special Use Permit ____ Home Occupation _____

ling ____ Rezoning ____ Other ____

Building Permit for 10'x15' concrete
A fiber Cabinet and A 20KW

ES:

the City Planning Board with adequate information on which to base
plication will not be heard unless the following information is
lays prior to the meeting by no later than 1 p.m.

escription of proposal.

SEQRA:

This proposal constitutes a: ( )Type I, ( )Type II, ( )Unlisted actic
provisions of the State Environmental Quality Review Act. A detei
environmental significance has been made: ( )yes, ( )no; a copy of
attached ( )yes, ( )no.

PROPERTY OWNER'S SIGNATURE_____

APPLICANT'S SIGNATURE Stephen Rayl
PLEASE NOTE YOU OR A REPRESENTATIVE ARE TO
AT THE MEETING TO PRESENT YOUR PROJECT TO

Fees:

Site Plan review- $25
Special Use Permit- $100 application, $50 yearly renewal
Home Occupation- $100 application, $50 yearly renewal
Alteration to existing building- $25
Rezoning- $100 or $50 per half acre (whichever is greater)
Subdivision request- $200

Francisco Pkwy
Francisco Pkwy
Walnut St
Walnut St
Vine St
Vine St
Remick Pkwy
Remick Pkwy
APPROX AREA
Fuller Cut Barbershop
Walnut St
Walnut St
Google

SITE LOCATION

LOCATION MAP
NOT TO SCALE

LEGEND

MH	MANHOLE
GM	GAS METER
LP	LIGHT STANDARD
SD	DRAINAGE STRUCT.
HYD.	FIRE HYDRANT
WV	WATER VALVE
LP / MOL	LIGHTING MOUNT
UP	UTILITY POLE
	PROPERTY LINE
	UTILITY LINE
	EASEMENT LINE
	CENTERLINE
	SUBLOT LINE
	BOW LINE
	FENCE
	TREE
	EDGE OF WOODS
	STONE LINE

SCALE: 1" = 20'

SITE SURVEY

'LOCKPORT SOUTH'
524 WALNUT STREET
LOCKPORT, NEW YORK 14094
NIAGARA COUNTY

VINE STREET SOUTH
(VARIABLE WIDTH)

REMICK PARKWAY
(VARIABLE WIDTH)

275.00'

292.40'

280.00'

274.12'

EAST LINE OF VINE STREET SOUTH

FENCE CORNER 0.11' S 0.42' E.

FENCE

WEST LINE LANDS NF OF EUNICE S. WHITNEY L. 888 P. 307

EAST LINE OF LOT NO. 8

FENCE END 0.47' E.

WEST LINE OF VINE STREET SOUTH

STONE DRIVE

PARCEL 2

EAST LINE OF LANDS CONVEYED TO PARTIES OF THIS FIRST PART L. 765 P. 256

NF 609 CLUB INC. TAX ID 160.19-1-1.2 INSTRUMENT NO. 2014-2892

PARCEL 1

FENCE END 0.38' E.

GRASS

GUARD RAIL

BRUSH

FENCE

FENCE CORNER 1.42' W.

POINT OF BEGINNING (POB) PROPOSED 20' x 25' EASEMENT AREA

NORTH LINE OF REMICK PARKWAY

FENCE CORNER 1.38' W. ON LINE

2 CICLE 18" TREE

CONC. HEADWALL

TOP SLOPE

FENCE END 1.22' W.

L1 L2 L3 L4

PLANS PREPARED FOR

AIROSMITH DEVELOPMENT
518 West Avenue
Saratoga Springs, New York 12866

SURVEY LICENSE

CONSULTANT
Northeast Tower Surveying, Inc.

DRAWING NOTICE
THESE DOCUMENTS ARE CONFIDENTIAL AND ARE THE SOLE PROPERTY OF AIROSMITH DEVELOPMENT, INC. AND MAY NOT BE REPRODUCED, DISSEMINATED OR REDISTRIBUTED WITHOUT THE EXPRESS WRITTEN CONSENT OF AIROSMITH DEVELOPMENT, INC.

REVISIONS

DESCRIPTION	DATE	BY	REV
ISSUED DRAFT	5/24/21	DSM	NOA

SITE NAME
LOCKPORT SOUTH

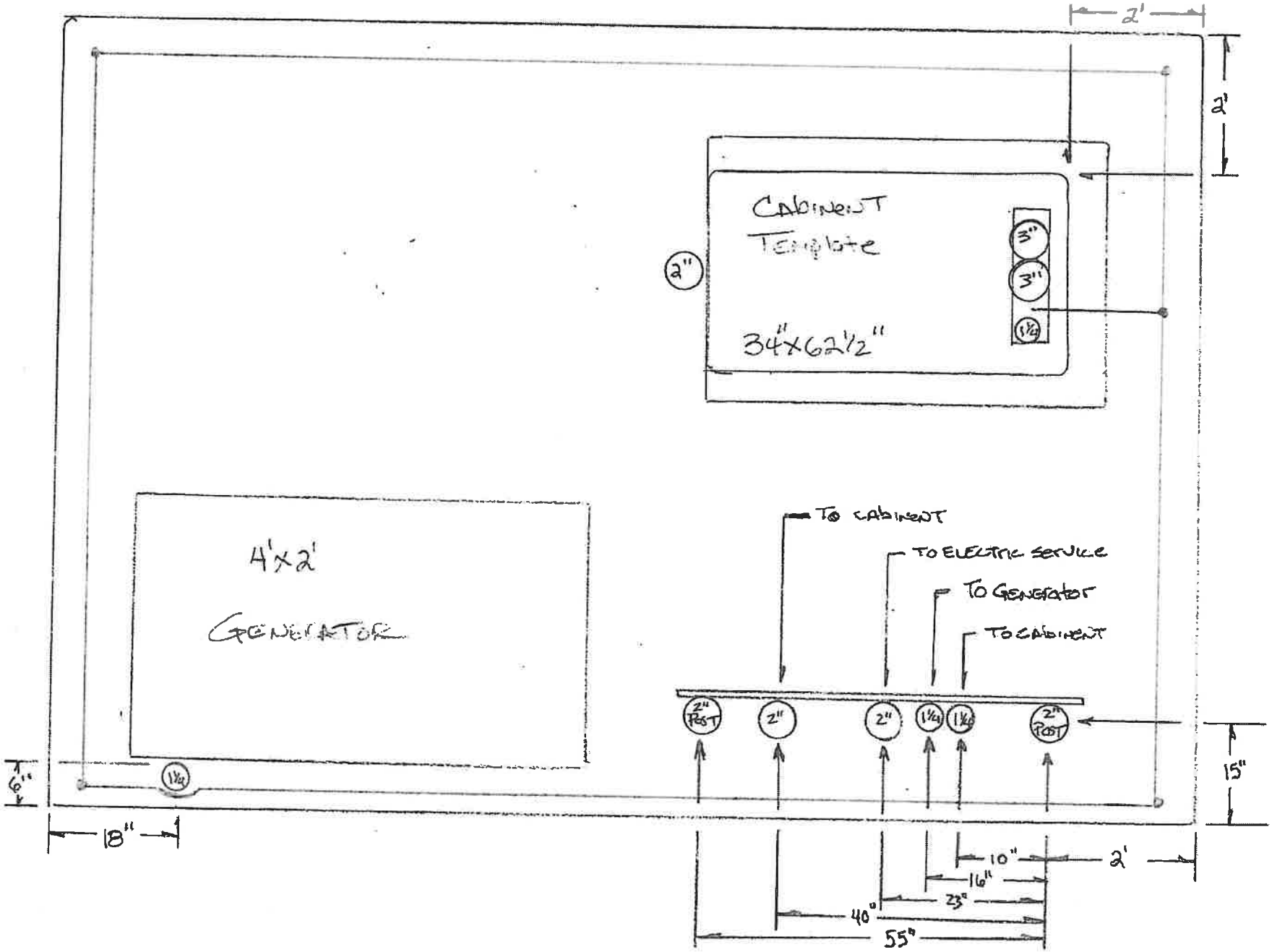
SITE ADDRESS
524 WALNUT STREET
LOCKPORT, NEW YORK
NIAGARA COUNTY

SHEET DESCRIPTION
SITE SURVEY

SHEET NUMBER
C-1

TYPICAL POP SITE

Concrete Pad: 10'X15'x6"



5. **Close the cabinet door.** Once the knock-outs are removed, lock the door using the pin-in-hex wrench, to minimize possible product damage and personal injury.

3.6 Mounting the Boxer-30 Plus

The Boxer-30 Plus is typically mounted outdoors, above ground, on an H-frame, a wall, a concrete pad, or a platform. The configuration with an optional second battery box is typically mounted on a concrete pad. Figure 9 shows the clearance needed on each side of the mounted cabinet. Optional mounting kits are available to support pole (8" to 20" diameter), wall, and H-frame mounting. All mounting hardware (not provided) must be capable of supporting the weight of the Boxer-30 Plus and the weight of any equipment and batteries mounted in it. For convenience, lift rings are provided for temporary lifting purposes (do not use lift rings to support the cabinet in permanent installations). Run all cables to the mounting location, perform any trenching, trench cable placements, and backfilling prior to the cabinet mounting, and clear the installation area of any debris, vegetation, and unneeded equipment or obstacles.

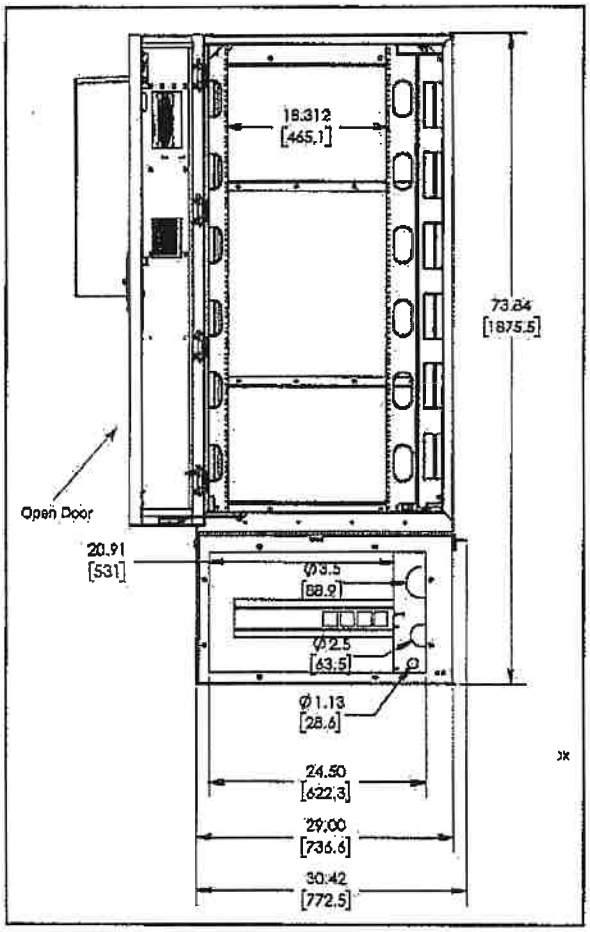


Figure 10. Open Boxer-30 Plus Front View with dimensions

> *- KNOCK-OUT REMOVAL NOTE -*
>
> *Always remove knock-outs where holes are desired before mounting Boxer-30 Plus, regardless of the knock-out type and regardless of the order of the mounting steps. All knock-outs should be knocked out from the inside of the cabinet, except for the small 0.575" knock-outs (which are to be knocked out from the outside of the cabinet).*

> *- WEIGHT NOTE -*
>
> *The Boxer-30 Plus and battery box weigh 225 pounds. The weight of the internal equipment installed in the Boxer-30 Plus equipment chamber should not exceed 130 pounds. The mounting surface, structure, and hardware must be able to support the combined weight.*

3.6.1 Mounting on a Concrete Pad

The Boxer-30 Plus cabinet can be mounted on a precast polymer concrete pad with or without the optional second battery box. This section provides installation information for mounting the Boxer-30 Plus with conjoined battery box. Refer to section 3.6.1.1 below if installing a second battery box. *These instructions are guidelines; you must prepare the site and install the precast pad per local building codes and practices and the instructions provided by the pad manufacturer.*

1. **Select the Precast Pad Site.** Select a mounting location that is dry, grade level or higher, and will support an approximately 5-foot by 4.5-foot concrete pad (minimum).

- If placing the concrete pad next to an adjacent structure, Westell suggests 24" clearance (see Figure 9) between the cable access door panel, rear panel, load center, and any structure to allow for easy cable access, rear access, or access to the load center. Verify the cabinet doors can be fully opened.
- Verify all required cabinet wall, ceiling, and floor cable access knock-outs have been removed prior to mounting.

2. **Prepare the Pad Site.** Follow company practices and instructions provided by the precast pad manufacturer throughout every step of the pad site preparation and installation. Install all cable conduit and duct work to be routed through the concrete which will enter the cable management compartment from the bottom. Level and compact the pad site with gravel. The top surface of the pad must not be below grade level.

3. **Install the Pad.** Lower the pad into place. Make sure to center the opening(s) in the pad over conduits and/or ducts that are to enter the bottom of the cabinet. Backfill the area around the pad and compact soil per applicable local codes or project requirements.

4. **Prepare for cabinet installation.** If the insulating gasket provided with the cabinet is to be used, place it on top of the pad, verifying that it does not cover either opening. Thread steel guide rods into three of the holds in the pad corresponding to the bolt holes in the bottom of the cabinet.

5. **Install the cabinet.** Use power lift equipment and four straps of equal length connected to the four lift rings on top of the cabinet to carefully lift, reposition, and lower the cabinet into place atop the pad. Use the steel guide rods to

After recording, please return to:

GoNetspeed
ATTN: Legal Dept.
396 Griffin Road, Suite 110
Bangor, ME 04401

UTILITY EASEMENT

686 Club, Inc., with a mailing address of 524 Walnut Street Lockport, NY 14094 ("Grantor"), being the owner in fee simple of certain property located in the town of Lockport, County of Niagara, State of New York, more particularly described in Exhibit A attached hereto (the "Property"), for consideration paid, the receipt and sufficiency of which are hereby acknowledged, does hereby grant to **NETSPEED MANAGEMENT, INC D/B/A GONETSPEED,** a New York Corporation, with a mailing address of 75 Main Street, Phelps, New York 14532 ("Grantee"), its successors and assigns, an exclusive, assignable easement and right-of-way in, to, upon, over and under the portion of the Grantor's Property described in Exhibit B attached hereto (the "Easement Area") as follows:

1. Grant of Easement. The rights conveyed within the Easement Area include the right construct, reconstruct, operate, maintain, repair, replace and remove telecommunications facilities including, but not limited to, poles, cabinets, conduit, cables, lines, backup electrical sources and fuel, fencing, concrete pads, wiring, electrical connections and any necessary equipment and appurtenances (the "Communication Facilities"); the right to access, use, construct, maintain, relocate, repair, and replace overhead and underground communication and electrical utilities, including but not limited to conduit, cables, poles, wires and all other equipment necessary for the provision of utilities to the Communications Facilities; the right to transmit data and information to and from said Communication Facilities; and the right, but not the obligation, to clear and dispose of trees and other growth in, on, or around the Easement Area that, in Grantee's sole discretion, may interfere with the access, construction, reconstruction, operation, maintenance, repair, replacement and/or removal of Grantee's Communications Facilities.

2. Access. Grantee shall have the right to enter upon Grantor's Property at any time for the purposes of accessing the Easement Area with all persons, vehicles, machinery, equipment, and tools necessary to construct, maintain, operate, repair, rebuild and remove the Communications Facilities.

3. Restrictions. Grantor covenants and agrees that it will not excavate below the surface of the ground, erect, or maintain or permit the erection or maintenance of any permanent or temporary structure, of any kind or nature, within the Easement Area, any or all of which in the sole opinion of the Grantee would endanger or interfere with the exercise of any of the rights or privileges herein conveyed.

4. Grantee's Property, Removal at End of Term. The Communications Facilities and all other improvements constructed or installed by Grantee shall remain the property of Grantee and

be removable at the option of the Grantee. Upon the expiration or earlier termination of this Utility Easement, or if at such time Grantee becomes insolvent or determines that it no longer needs to maintain the Communications Facilities on the Property, Grantee shall remove the Facilities and shall execute and record a termination of this Utility Easement.

5. Term. The term of this Utility Easement shall be twenty-five (25) years from the date last signed below.

6. Indemnification. Grantee shall indemnify and hold harmless Grantor its heirs, successors and assigns from and against any and all damages, liabilities, losses, expenses, claims, demands and suits incurred or suffered in consequence of either bodily injury to any person or damage to any property arising out of, or in connection with the activities of Grantee or its employees or agents undertaken under this Utility Easement, except to the extent that such damages, liabilities, losses, expenses, or claims are caused by the negligence or willful actions of the Grantor or its heirs, successors, assigns.

7. Assignment. This Utility Easement may be sold, assigned or transferred by the Grantee without any approval or consent of the Grantor to the Grantee's principal, affiliates, subsidiaries of its principal or to any entity which acquires all or substantially all of Grantee's assets.

8. Grantor's Warranty. Grantor hereby represents and warrants to Grantee that Grantor has good title to the Grantor's property. Grantor further represents and warrants that Grantor has the full power and authority to grant the easement rights and privileges granted herein and to execute and deliver this Agreement to Grantee.

9. Binding Effect. This Utility Easement shall at all times be deemed to be and shall be a continuing covenant running with the land and shall inure to and be binding upon the successors, heirs and assigns of the Grantor and Grantee.

IN WITNESS WHEREOF, Grantor and Grantee, intending to be legally bound hereby, have hereunto set their hands on the date first above written.

GRANTOR:

686 CLUB, INC

By: _____

Printed Name: Michael J. DeLucas

Title: President

Date: May 31, 2023

By _____
DANIEL A MULLANE
FINANCIAL SECRETARY
MAY 31 2023

GRANTEE:

NETSPEED MANAGEMENT, INC.
D/B/A GONETSPEED

By: _____

Printed Name: Chris Brooks

Title: SR Director NY Operations

Date: 23 May 2023

STATE OF NEW YORK
COUNTY OF Ontario ss.:

On the 23rd day of May in the year 2023, before me, the undersigned, a notary public in and for said state, personally appeared Chris Brooks, personally known to me, or proved to me on the basis of satisfactory evidence, to be the individual(s), whose name(s) is/are subscribed to the within instrument, and that he/she/they/it acknowledged to me that he/she/they/it executed the same in his/her/their capacity(ies) as set forth thereon, and that by his/her/their/its signature(s) on the instrument, the individual(s), or the person, or the entity upon behalf of which the individual(s) acted, so executed this said instrument.

KELLY MAE MONSON
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01MO644476
Qualified in Ontario County
My Commission Expires: 12/05/2026

Kelly Mae Monson
Notary Public

STATE OF NEW YORK
COUNTY OF Niagara ss.:

On the 31st day of May in the year 2023, before me, the undersigned, a notary public in and for said state, personally appeared Michael J. DeLucas + Daniel A. Mullane, personally known to me, or proved to me on the basis of satisfactory evidence, to be the individual(s), whose name(s) is/are subscribed to the within instrument, and that he/she/they/it acknowledged to me that he/she/they/it executed the same in his/her/their capacity(ies) as set forth thereon, and that by his/her/their/its signature(s) on the instrument, the individual(s), or the person, or the entity upon behalf of which the individual(s) acted, so executed this said instrument.

SUSAN BLOOD
Notary Public, State of New York
No. 4884726
Qualified in Erie County
My Commission Expires February 9, 2027

Susan Blood
Notary Public

Exhibit A

Grantor's Property

PARCEL I

ALL that tract or parcel of land, situate in the City of Lockport, County of Niagara and State of New York and being part of Lot 6, Section 14, Township 14 and Range 6 of the Holland Purchase (so called) and bounded and described as follows:

Beginning at a point in the east line of said Lot 6 which is 7.78 chains north the center line of South Street, said point being the southeast corner of land heretofore conveyed to Elinor G. Whitney by deed recorded in Niagara County Clerk's office in L598 of Deeds at P507 and running thence west along said Whitney's south line 2.62 chains (172.92 feet) to the southwest corner thereof, said southwest corner being on the north line of Remick Parkway and 101.2 feet east of the intersection of the north line of Remick Parkway with the east line of Vine Street South;

Thence north along said Whitney's west line (which is also the east line of land heretofore conveyed to William E. Hamilton and Ruth G. Hamilton, his wife, by deed recorded in Niagara County Clerk's Office in L795 of Deeds at P288) a distance of 284.7 feet;

Thence east on a line drawn at right angles to the east line of Vine Street South, 171.9 feet to the east line of said Lot 6;

Thence south along the east line of said Lot 6 a distance of 292.4 feet to the point of beginning, containing 1.14 acres of land, be the same more or less.

PARCEL II

ALL that tract or parcel of land, situate, in the of City of Lockport, in the County of Niagara, State of New York and being part of Lot 6, Section 14, Township 14 and Range 6 of the Holland Purchase (so called) and bounded and described as follows:

Beginning at the intersection of the north line of Remick Parkway with the east line of Vine Street South, and running thence north along the east line of Vine Street South, 280 feet;

Thence east at right angles to the east line of Vine Street South 103.25 feet to the east line of land heretofore conveyed to the parties of the first part by deed recorded in Niagara County Clerk's Office in L795 of Deeds at page 288; and

Running thence south along said Hamilton's east line (which is also the west line of land heretofore conveyed to Elinor G. Whitney by deed recorded in Niagara County Clerk's Office in L598 of Deeds at P507) a distance of 284.7 feet to the north line of Remick Parkway;

Thence west along the north line of Remick Parkway 101.2 feet to the point of beginning, containing 0.66 acres of land, be the same more or less.

LOCATION MAP
(NOT TO SCALE)

GENERAL NOTES:

1. AS PART OF THIS SURVEY, SUBSURFACE UTILITIES WERE NOT LOCATED NOR SURVEYED BY NORTHEAST TOWER SURVEYING, INC. PERSONS DEPENDING ON THIS DOCUMENT SHOULD CONTACT NEW YORK ONE CALL PRIOR TO COMMENCING ANY EARTH MOVING OPERATIONS OR OTHER NEW CONSTRUCTION ACTIVITIES. CALL 811 OR 1-800-962-7962.
2. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF STATE LAW.
3. SURVEY NOT INTENDED FOR THE CONVEYANCE OF THE SUBJECT PROPERTY (PARCEL SURVEYED). SURVEY ONLY PROVIDED IN CONJUNCTION WITH PLANNING, ZONING AND PERMITTING REQUIREMENTS. USE OF THIS SURVEY BY ANYONE OTHER THAN AIROSMITH DEVELOPMENT, INC. IS STRICTLY PROHIBITED.
4. THIS SURVEY IS SUBJECT TO EASEMENTS AND RIGHT-OF-WAYS OF RECORD, EITHER RECORDED OR UNRECORDED.
5. PROPERTY LINES ESTABLISHED USING A COMBINATION OF EXISTING FIELD MONUMENTATION, PARENT PARCEL DESCRIPTION AND OTHER RECORD DOCUMENTATION. EXISTING SURVEYED SITE CONDITIONS IS BASED ON FIELD DATA COLLECTED ON APRIL 28, 2023.
6. ADDITIONAL BOUNDARY INFORMATION SHOWN HEREON MAP IS BASED ON NIAGARA COUNTY GIS DATA AS OF MAY 8, 2023 AND IS NOT INTENDED TO BE CONSTRUED AS HAVING BEEN OBTAINED AS THE RESULT OF A FIELD BOUNDARY SURVEY OF LOTS SHOWN OUTSIDE OF THE SUBJECT PARCEL.

PARCEL I

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE CITY OF LOCKPORT, COUNTY OF NIAGARA AND STATE OF NEW YORK AND BEING PART OF LOT 6, SECTION 14, TOWNSHIP 14 AND RANGE 6 OF THE HOLLAND PURCHASE (SO CALLED) AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF SAID LOT 6 WHICH IS 7.78 CHAINS NORTH THE CENTER LINE OF SOUTH STREET, SAID POINT BEING THE SOUTHEAST CORNER OF LAND HERETOFORE CONVEYED TO ELINOR G. WHITNEY BY DEED RECORDED IN NIAGARA COUNTY CLERK'S OFFICE IN LIBER OF DEEDS AT PAGE AND RUNNING THENCE WEST ALONG SAID WHITNEY'S SOUTH LINE 3.82 CHAINS (275.32 FEET) TO THE SOUTHWEST CORNER THEREOF, SAID SOUTHWEST CORNER BEING ON THE NORTH LINE OF REMICK PARKWAY AND 101.2 FEET EAST OF THE INTERSECTION OF THE NORTH LINE OF REMICK PARKWAY WITH THE EAST LINE OF VINE STREET SOUTH;

THENCE NORTH ALONG SAID WHITNEY'S WEST LINE (WHICH IS ALSO THE EAST LINE OF LAND HERETOFORE CONVEYED TO WILLIAM E. HAMILTON AND RUTH G. HAMILTON, HIS WIFE, BY DEED RECORDED IN NIAGARA COUNTY CLERK'S OFFICE IN LIBER OF DEEDS AT PAGE) A DISTANCE OF 384.7 FEET;

THENCE EAST ON A LINE DRAWN AT RIGHT ANGLES TO THE EAST LINE OF VINE STREET SOUTH, 275.15 FEET TO THE EAST LINE OF SAID LOT 6;

THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 6 A DISTANCE OF 292.4 FEET TO THE POINT OF BEGINNING, CONTAINING 1.14 ACRES OF LAND, BE THE SAME MORE OR LESS

PARCEL II

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE CITY OF LOCKPORT, COUNTY OF NIAGARA AND STATE OF NEW YORK AND BEING PART OF LOT 6, SECTION 14, TOWNSHIP 14 AND RANGE 6 OF THE HOLLAND PURCHASE (SO CALLED) AND BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF REMICK PARKWAY WITH THE EAST LINE OF VINE STREET SOUTH, 280 FEET;

THENCE EAST AT RIGHT ANGLES TO THE EAST LINE OF VINE STREET SOUTH 292.25 FEET TO THE EAST LINE OF LAND HERETOFORE CONVEYED TO THE PARTIES OF THE FIRST PART BY DEED RECORDED IN NIAGARA COUNTY CLERK'S OFFICE IN LIBER OF DEEDS AT PAGE 288, AND

RUNNING THENCE SOUTH ALONG SAID HAMILTON'S EAST LINE (WHICH IS ALSO THE WEST LINE OF LAND HERETOFORE CONVEYED TO ELINOR G. WHITNEY BY DEED RECORDED IN NIAGARA COUNTY CLERK'S OFFICE IN LIBER OF DEEDS AT PAGE A DISTANCE OF 284.7 FEET TO THE NORTH LINE OF REMICK PARKWAY;

THENCE WEST ALONG THE NORTH LINE OF REMICK PARKWAY 101.2 FEET TO THE POINT OF BEGINNING, CONTAINING 0.66 ACRES OF LAND, BE THE SAME MORE OR LESS

PROPOSED 25' X 25' EASEMENT AREA

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE CITY OF LOCKPORT, COUNTY OF NIAGARA AND STATE OF NEW YORK AND BEING PART OF LOT 6, SECTION 14, TOWNSHIP 14 AND RANGE 6 OF THE HOLLAND PURCHASE (SO CALLED) AND BEING A PORTION OF LAND CONVEYED TO 686 CLUB, INC. BY INSTRUMENT NO. 2014 - 21692 AS RECORDED IN THE NIAGARA COUNTY CLERK'S OFFICE BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT, SAID POINT BEING LOCATED AT THE INTERSECTION OF NORTH LINE OF REMICK PARKWAY AND THE EAST LINE OF VINE STREET SOUTH, THENCE FROM SAID POINT OF COMMENCEMENT, N. 45° 44' 01" E., 41.57' TO THE POINT AND PLACE OF BEGINNING, THENCE

FROM SAID POINT AND PLACE OF BEGINNING CONTINUING THROUGH THE SAID LANDS NOW OR FORMERLY OF 686 CLUB, INC., THE FOLLOWING FOUR (4) COURSES AND DISTANCES;

L1) N. 00° 00' 00" E., 25.00', THENCE;
L2) PARALLEL WITH THE NORTH LINE OF REMICK PARKWAY, S. 87° 37' 48" E., 25.00' TO A POINT, THENCE;
L3) S. 00° 00' 00" W., 25.00', THENCE;
L4) N. 87° 37' 48" W., 25.00' TO THE POINT OR PLACE OF BEGINNING CONTAINING 625 SQ. FEET, MORE OR LESS

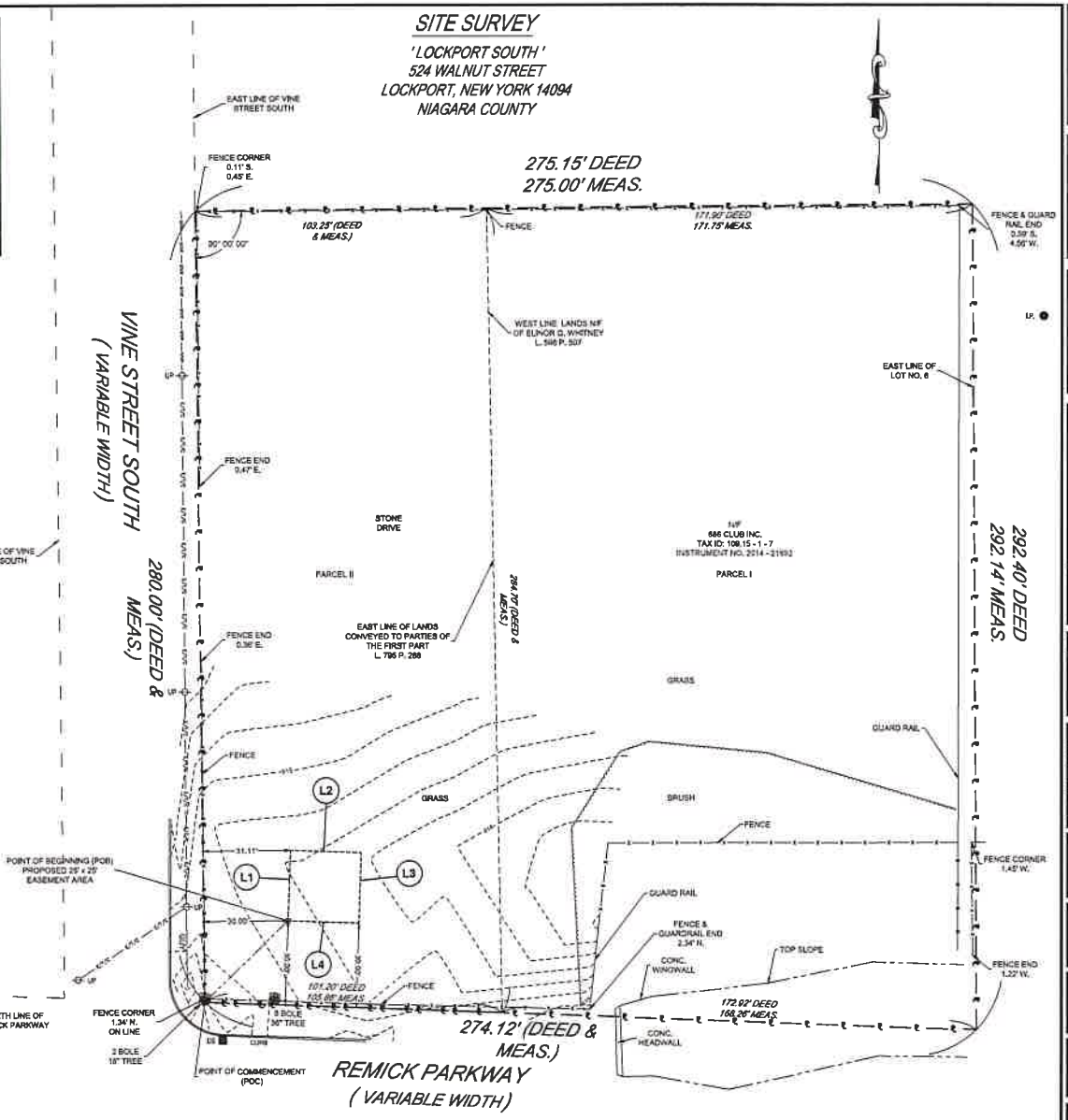
LEGEND

MH	MANHOLE
GM	GAS METER
LP	LIGHT STANDARD
DS	DRAINAGE STRUCT.
HYD.	FIRE HYDRANT
WV	WATER VALVE
LP, I MON.	EXISTING IRON PIPE
UP	UTILITY POLE
	PROPERTY LINE
	UTILITY LINE
	EASEMENT LINE
	CENTERLINE
	SUBLOT LINE
	ROW LINE
	FENCE
	TREE
	EDGE OF WOODS
	BRUSH LINE

20' 10' 0 20' 40'
SCALE: 1" = 20'

SITE SURVEY

'LOCKPORT SOUTH'
524 WALNUT STREET
LOCKPORT, NEW YORK 14094
NIAGARA COUNTY



PLANS PREPARED FOR:

PLANS PREPARED FOR:

AIROSMITH DEVELOPMENT
318 West Avenue
Saratoga Springs, New York 12866

SURVEY LICENSE:

MICHAEL D. ROZEBIK, L.S. - LIC. NO. 050923

CONSULTANT:

Northeast Tower Surveying, Inc.
140 West Maplewood Road Williamsville, New York 14221
(716) 549-2684
Northeast Tower Surveying, Inc. Project #23-080

DRAWING NOTICE

THESE DOCUMENTS ARE CONFIDENTIAL AND ARE THE SOLE PROPERTY OF AIROSMITH DEVELOPMENT, INC. AND MAY NOT BE REPRODUCED, DISSEMINATED OR REDISTRIBUTED WITHOUT THE EXPRESS WRITTEN CONSENT OF AIROSMITH DEVELOPMENT, INC.

REVISIONS

DESCRIPTION	DATE	BY	REV
REVISED - NEW COMPOUND OFFSETS	8/24/23	DSA	MDR
ISSUED FINAL	5/07/23	DSA	MDR

SITE NAME

LOCKPORT SOUTH

SITE ADDRESS

524 WALNUT STREET
LOCKPORT, NEW YORK
NIAGARA COUNTY

SHEET DESCRIPTION

SITE SURVEY

SHEET NUMBER

C-1

APPLICATION: APPROVED _____ DISAPPROVED _____

CITY OF LOCKPORT
PLANNING BOARD APPLICATION

DESCRIPTION OF PROPOSED REQUEST:

NAME OF PROPERTY: WLVL Radio PHONE: _____

NAME OF APPLICANT: GO NET SPEED PHONE: 315-651-8770

EMAIL ADDRESS: Steve.reynolds@ottctel.com

ADDRESS OR LOCATION OF PROPOSAL: 320 Michigan ST Lockport, 14094

SIZE OF PARCEL OR STRUCTURE: 10'x 15'

EXISTING ZONING: _____

PLEASE CHECK WHICH OF THE FOLLOWING IS BEING APPLIED FOR:

Site Plan Review X Special Use Permit ____ Home Occupation____

Alteration to existing building ____ Rezoning ____ Other ____

PROPOSED REQUEST

INSTALLING A 10'x 15' x 6" concrete pad to Hold A fiber cabinet And A 20KW Generator. cabinet size 6'x 3' And Generator size 2'x 4'

REQUIRED ENCLOSURES:

In order to provide the City Planning Board with adequate information on which to base its decision, this application will not be heard unless the following information is submitted ten (10) days prior to the meeting by no later than 1 p.m.

1. Adequate description of proposal.

2. Survey of property affected, together with a Plot Plan which shows the distance to nearest intersection, proposed physical layout of the property including any existing or proposed structures, traffic access patterns, parking arrangements, walls, fences or other buffers and signs.

SEQRA:

This proposal constitutes a: ( )Type I, ( )Type II, ( )Unlisted action as per the provisions of the State Environmental Quality Review Act. A determination of environmental significance has been made: ( )yes, ( )no; a copy of this determination is attached ( )yes, ( )no.

PROPERTY OWNER'S SIGNATURE_____

APPLICANT'S SIGNATURE_____

PLEASE NOTE YOU OR A REPRESENTATIVE ARE TO BE PRESENT AT THE MEETING TO PRESENT YOUR PROJECT TO THE BOARD.

Fees:

Site Plan review- $25
Special Use Permit- $100 application, $50 yearly renewal
Home Occupation- $100 application, $50 yearly renewal
Alteration to existing building- $25
Rezoning- $100 or $50 per half acre (whichever is greater)
Subdivision request- $200

mbrewer@lockportny.gov

From: Mason Jones <mason.jones@ottctel.com>
Sent: Thursday, August 31, 2023 2:10 PM
To: Lauren Olschewske
Subject: Fwd: Representation for WLVL

Get Outlook for iOS

From: bill . <bill@wlvl.com>
Sent: Thursday, August 31, 2023 2:08 PM
To: Mason Jones <mason.jones@ottctel.com>
Subject: Representation for WLVL

Go Net Speed is authorized to represent myself, William Yuhnke, and WLVL Radio, at the Planning Board Meeting, which is on September 11th, 2023.

Bill Yuhnke Pres.
WEBR RADIO
1580 Kenmore Ave.
Buffalo,New York 14216
1440 am Niagara Falls/Buffalo
Stream WEBRRADIO.COM
WLVL RADIO
320 Michigan St.
Lockport, NY 14094
1340 am Lockport/Buffalo
Stream WLVL Radio
CEO, Liberty Yellow Cab / Liberty Communications
Cell: 716-867-1700
Fax: 716-874-1178
Web: www.LibertyCab.com
WEBR RADIO web. www.webr1440.com
WLVL Radio web. www.wlvl.com

SITE SURVEY

'LOCKPORT NORTH'
320 MICHIGAN STREET
LOCKPORT, NEW YORK 14094
NIAGARA COUNTY

1. AS PER [illegible] SHOWN HEREON WERE NOT LOCATED NOR SURVEYED BY NORTHEAST TOWER SURVEYING. NO REPORT OF UNDERGROUND UTILITIES WERE OBTAINED. CONTACT NEW YORK ONE CALL FROM 72 HOURS PRIOR TO ANY EXCAVATION, DEMOLITION OR OTHER NEW CONSTRUCTION ACTIVITIES. CALL 811 OR 1-800-962-7962.

2. [illegible] DIRECTION OF BASIS OF BEARING IS ASSUMED BY A LICENSED LAND SURVEYOR'S SCALE AND NOT ON STATE LAW.

3. [illegible] NOT INTENDED FOR THE CONVEYANCE OF THE SUBJECT PROPERTY/PARCEL. SURVEYED ONLY FOR PURPOSES OF CONSTRUCTION OF THE [illegible] AND PERMITTING REQUIREMENTS. USE OF THIS SURVEY BY ANYONE OTHER THAN ABOVE NOTED IS PROHIBITED.

4. THIS SURVEY IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAYS OF RECORD, EITHER RECORDED OR UNRECORDED.

5. [illegible] DESCRIPTION AND OTHER RECORD DOCUMENTATION, EXISTING CONDITIONS AS PER FIELD DATA COLLECTED DURING 2024.

6. [illegible] BOUNDARY [illegible] SHOWN HEREON [illegible] AND NOT INTENDED TO BE CONSTRUED AS HAVING BEEN DERIVED AT THE RESULT OF A BOUNDARY SURVEY OF LOTS SHOWN OUTSIDE OF THE SUBJECT PARCEL.

[illegible] EAST OF THE CENTER OF TROWBRIDGE STREET, [illegible] TOWNSHIP 13 NORTH, RANGE 7 EAST, [illegible] COUNTY, NEW YORK [illegible]

[illegible] 265 FEET SOUTH OF THE NORTH LINE OF LOT NO. 58 [illegible] INTERSECTS THE CENTER LINE OF MICHIGAN STREET [illegible] THE CENTER LINE OF TROWBRIDGE STREET, THENCE [illegible] SOUTH LINE OF LAND CONVEYED BY [illegible] TO THE SOUTHEAST CORNER OF LAND CONVEYED BY [illegible] SOUTH LINE OF MICHIGAN STREET, THENCE NORTHERLY ALONG THE [illegible] TO THE PLACE OF THE BEGINNING.

"ACCESSED 25 [illegible] FT. IN EASEMENT"

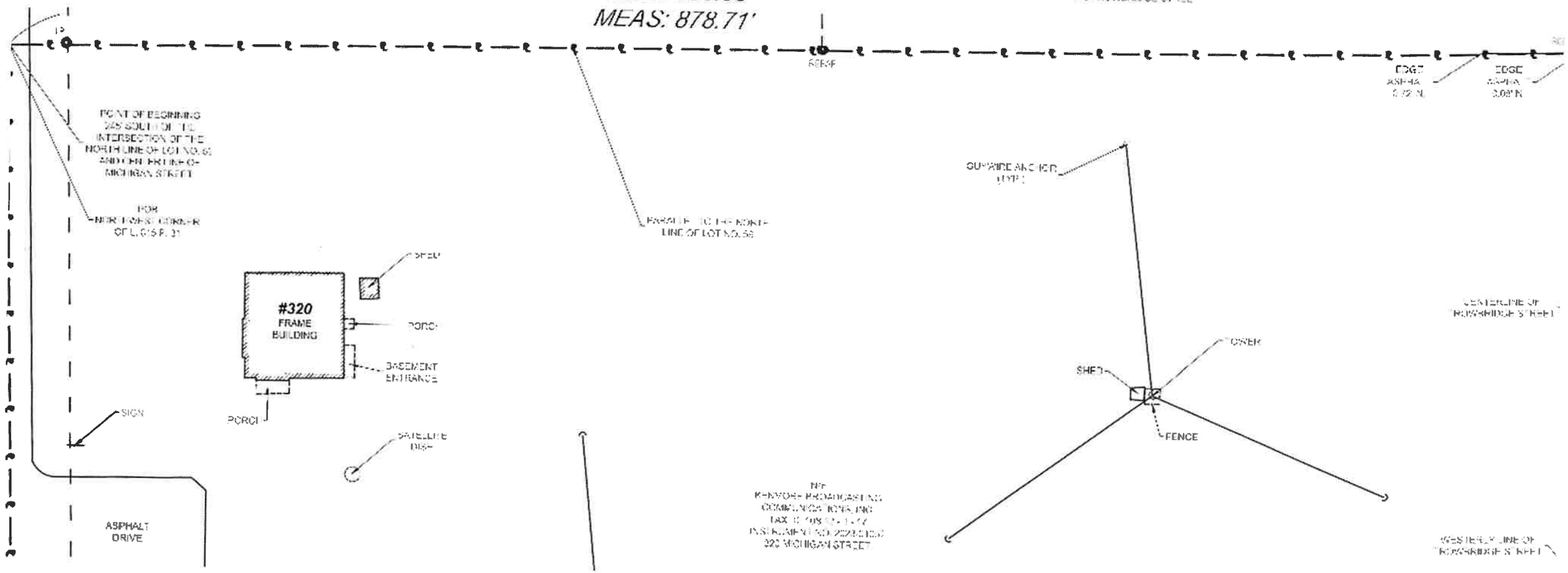
[illegible] LAND LOCATED IN THE CITY OF LOCKPORT, COUNTY OF NIAGARA, PART OF LOTS 58, 59 [illegible] TOWNSHIP 13 AND RANGE 7 [illegible] LAND CONVEYED [illegible]

[illegible] AS EXISTING HERE AS IT EXISTS LOCATED ON THE SOUTH LINE OF [illegible] FOUNDATION SINC, THENCE FROM SAID POINT OF COMMENCEMENT [illegible] TO THE POINT AND PLACE OF BEGINNING. [illegible]

[illegible] EAST OF THE CENTER LINE OF TROWBRIDGE STREET [illegible]
[illegible] FROM THE CENTER LINE OF TROWBRIDGE STREET [illegible]
[illegible] THE CENTER LINE OF SAID TROWBRIDGE STREET [illegible] OF 322 FEET, MORE OR LESS, TO THE [illegible]

LOCATION MAP

(NOT TO SCALE)



APPLICATION: APPROVED_____DISAPPROVED _____

CITY OF LOCKPORT
PLANNING BOARD APPLICATION

DESCRIPTION OF PROPOSED REQUEST:

NAME OF PROPERTY: Zeton US Properties, Inc. PHONE: 905.632.3123

NAME OF APPLICANT: Nussbaumer & Clarke, Inc. PHONE: 716.827.8000

EMAIL ADDRESS: rpidanick@nussclarke.com

ADDRESS OR LOCATION OF PROPOSAL: 115 Oakhurst Street, Lockport, NY 14094

SIZE OF PARCEL OR STRUCTURE: 7.24 +/- acres

EXISTING ZONING: I-2 Light Industrial / I-3 Heavy Industrial

PLEASE CHECK WHICH OF THE FOLLOWING IS BEING APPLIED FOR:

Site Plan Review X Special Use Permit ____ Home Occupation_____

Alteration to existing building ____ Rezoning ____ Other ____

PROPOSED REQUEST

Zeton US Properties, Inc. is seeking Site Plan approval to construct a 16,000-sf industrial warehouse / office building on a 7.24± acre parcel. Other site improvements include proposed driveways and parking lot, storm water detention facility, potable and fire protection water, sanitary sewer facilities, landscaping, and dark-sky compliant lighting. Future building expansion is contemplated.

REQUIRED ENCLOSURES:

In order to provide the City Planning Board with adequate information on which to base its decision, this application will not be heard unless the following information is submitted ten (10) days prior to the meeting by no later than 1 p.m.

1. Adequate description of proposal.

2. Survey of property affected, together with a Plot Plan which shows the distance to nearest intersection, proposed physical layout of the property including any existing or proposed structures, traffic access patterns, parking arrangements, walls, fences or other buffers and signs.

SEQRA:

This proposal constitutes a: ( ) Type I, ( )Type II, (X)Unlisted action as per the provisions of the State Environmental Quality Review Act. A determination of environmental significance has been made: ( ) yes, (X)no; a copy of this determination is attached ( )yes, (X)no.

PROPERTY OWNER'S SIGNATURE Laid Andreali-Falla

APPLICANT'S SIGNATURE Robert J. Pidamo

PLEASE NOTE YOU OR A REPRESENTATIVE ARE TO BE PRESENT AT THE MEETING TO PRESENT YOUR PROJECT TO THE BOARD.

Fees:

Site Plan review- $25
Special Use Permit- $100 application, $50 yearly renewal
Home Occupation- $100 application, $50 yearly renewal
Alteration to existing building- $25
Rezoning- $100 or $50 per half acre (whichever is greater)
Subdivision request- $200

Short Environmental Assessment Form
Part 1 - Project Information

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

Zeton US Properties Inc.

Name of Action or Project:

Lockport Facility Development

Project Location (describe, and attach a location map):

115 Oakhurst Street, City of Lockport, Niagara County, NY

Brief Description of Proposed Action:

The Applicant is proposing to build a 16,000-sf industrial warehouse / office building on a 7.24± acre parcel. Other site improvements will include proposed driveways and parking lot, storm water detention facility, potable and fire protection water, sanitary sewer facilities, landscaping, and dark-sky compliant lighting. Future building expansion is contemplated. The proposed action has been defined broadly to include all proposed improvements to the Project Site as well as required approvals and permits from the municipal boards of the City of Lockport and involved agencies. The project is an Unlisted Action pursuant to SEQRA since none of the impact cross the thresholds for a Type I action contained in 6 NYCRR Part 617.4 of the SEQRA Regulations.

Name of Applicant or Sponsor:	Telephone: 716-827-8000
Nussbaumer & Clarke, Inc.	E-Mail: rpidanick@nussclarke.com

Address:		
3556 Lake Shore Road		
City/PO: Buffalo	State: NY	Zip Code: 14219-1494

	NO	YES
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.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: City Planning Board / Niagara County Planning Board / Niagara Co. Sewer District. / Niagara County DOH	☐	☑

3. a. Total acreage of the site of the proposed action? 7.24 acres
   b. Total acreage to be physically disturbed? 2.5 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 7.24 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☑ Urban ☐ Rural (non-agriculture) ☑ Industrial ☐ Commercial ☐ Residential (suburban)
   ☐ Forest ☑ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	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	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation services available at or near the site of the proposed action?	☑	☐
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☑	☐

	NO	YES
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: project will meet state energy code requirements	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☑

	NO	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☑

	NO	YES
12. a. 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?	☑	☐
b. 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?	☑	☐

	NO	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: _____		

hat occur on, or are likely to be found on the project site. Check all that apply:

icultural/grasslands ☐ Early mid-successional

urban

	NO	YES
on contain any species of animal, or associated habitats, listed by the State or or endangered?	✓	
00-year flood plan?	✓	
orm water discharge, either from point or non-point sources?		✓
ges flow to adjacent properties?	✓	
ges be directed to established conveyance systems (runoff and storm drains)?		✓
n basin where it will then eventually flow out through a controlled outflow structure into an		
onstruction or other activities that would result in the impoundment of water waste lagoon, dam)? the impoundment: llected storm water through a controlled outlet structure		✓
or an adjoining property been the location of an active or closed solid waste	✓	
or an adjoining property been the subject of remediation (ongoing or e superfund program - classification: 04		✓

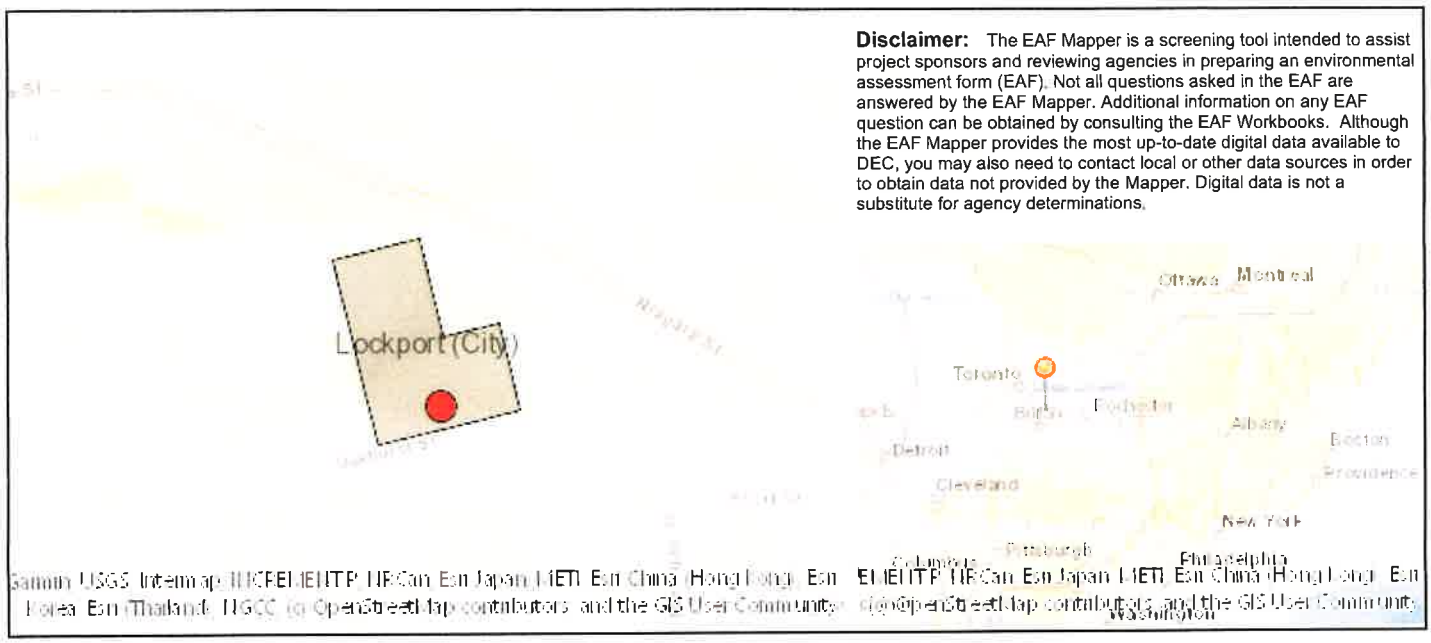
MATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF

mer & Clarke, Inc. (As Agent for Owner) Date: 7/27/2023

Tidarick Title: Associate / Manager of Land Development

EAF Mapper Summary Report

Tuesday, November 29, 2022 1:32 PM



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.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

July 27, 2023

Megan Brewer
Inspection Data Coordinator / Zoning Officer
City of Lockport
Lockport Municipal Building
One Locks Plaza
Lockport, New York 14094

Re: Site Plan Application
Zeton US Properties, Inc., Applicant
115 Oakhurst Street
City of Lockport, New York
NCI Prop. No. 22J1-0106

Dear Ms. Brewer:

The attached Site Plan Application is being submitted on behalf of Zeton US Properties, Inc.

1. Ten (10) copies of the City of Lockport Site Plan Application.
2. Ten (10) copies of the Environmental Assessment Form, Part 1.
3. Ten (10) copies of the boundary survey of the overall property.
4. One (1) $25.00 check for the Site Plan application fee.
5. Site Plan Drawings G-100 – C-110.
6. Architectural floor plan and building renderings P01 – P04.

The Applicant is proposing to build a 16,000-sf industrial warehouse / office building on a 7.24± acre parcel. Other site improvements include proposed driveways and parking lot, stormwater detention facility, potable and fire protection water, sanitary sewer facilities, landscaping, and dark-sky compliant lighting. Future building expansion is contemplated.

Your cooperation is greatly appreciated.

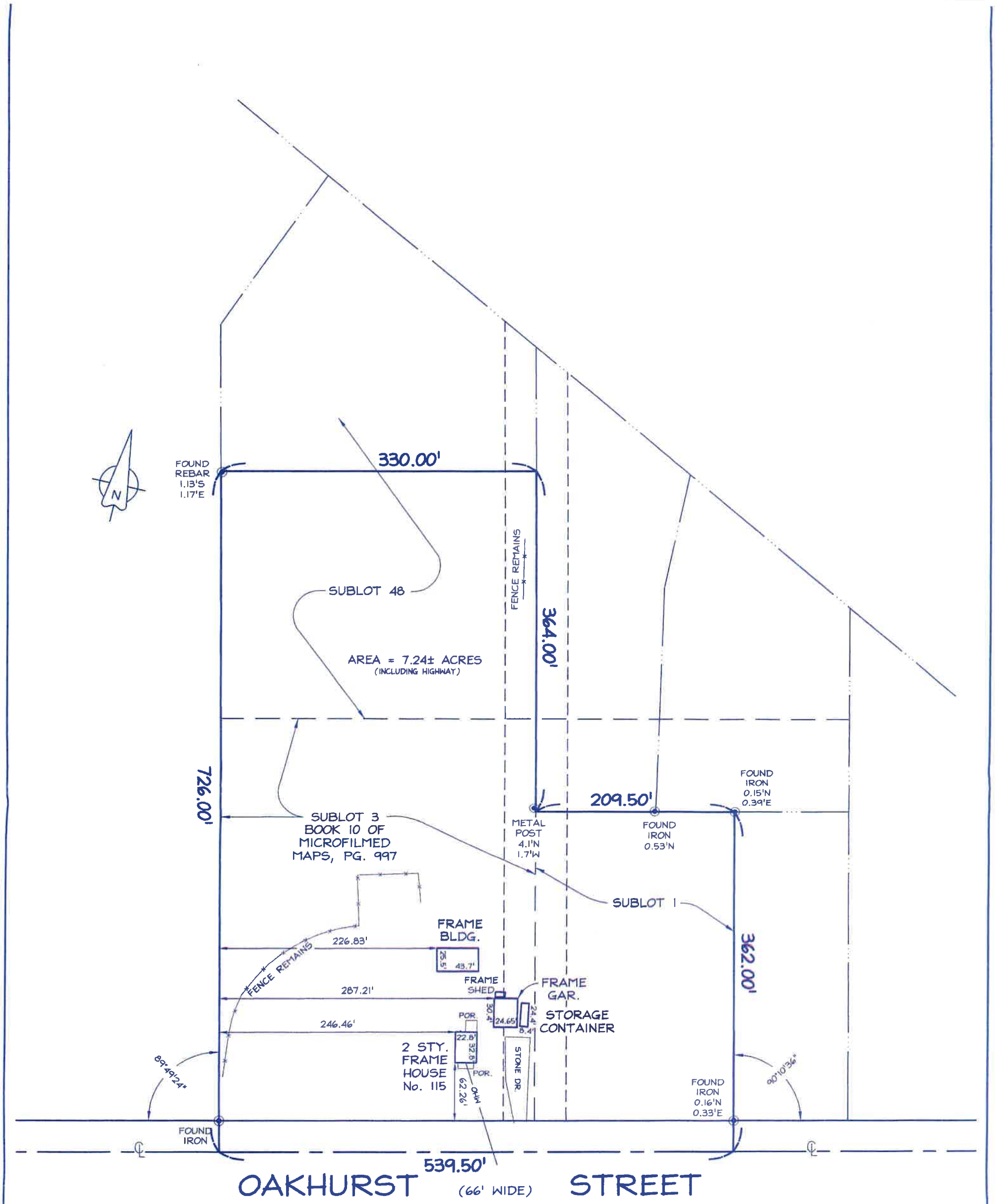
Please contact me if you have any questions at 716-827-8100 x 230 or by email at rjpidanick@nussclarke.com.

Sincerely,

NUSSBAUMER & CLARKE, INC.

Robert J. Pidanick
Associate / Manager of Land Development

Encl.: As outlined



3556 Lake Shore Road, Suite 500, Buffalo, NY 14219
p (716) 827-8000 f (716) 270-6091 www.nussclarke.com

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 alterations or additions to any survey, drawing, design, specification, plan or report is a violation of section 7209, provision 2 of the New York State Education Law.

NUSSBAUMER & CLARKE, INC.
EST. 1933
ENGINEERS AND SURVEYORS

BOUNDARY SURVEY
115 Oakhurst Street
Part of Lot 70, Township 14, Range 7
Holland Land Company's Survey
City of Lockport
County of Erie, State of New York

Date of Survey: 11/22/22 Scale : 1" = 100' Project No. : 22J2-1432

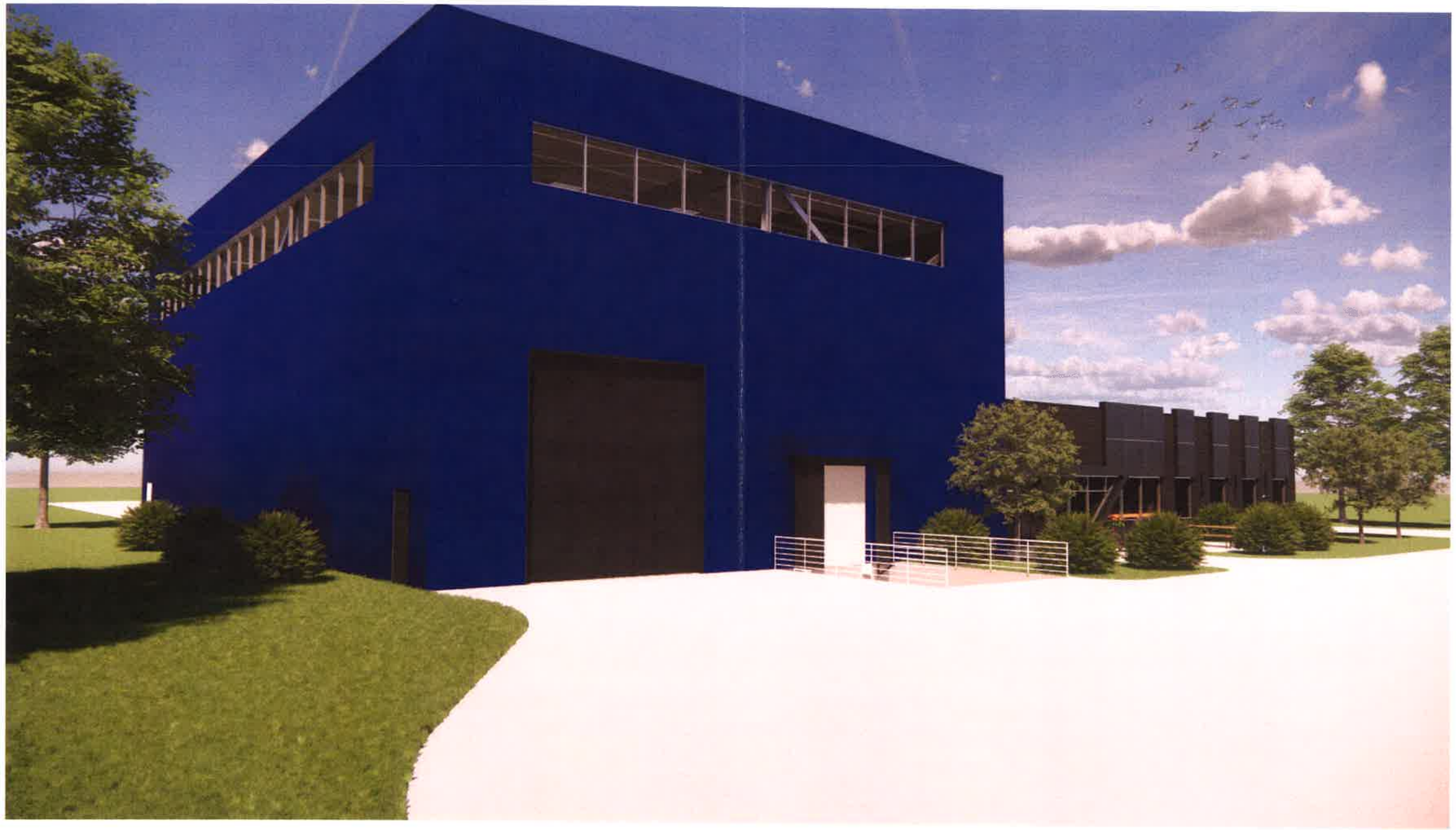
1 **First Floor Plan**
1/8" = 1'-0"

ELEV8 ARCHITECTURE

ZETON

HUSSBAUMER & CLARKE, INC.

Zeton | P01
182.01
06.08.2023 | FLOOR PLAN



ELEV8 ARCHITECTURE

ZETON

HUSSBAUMER & CLARKE, INC.

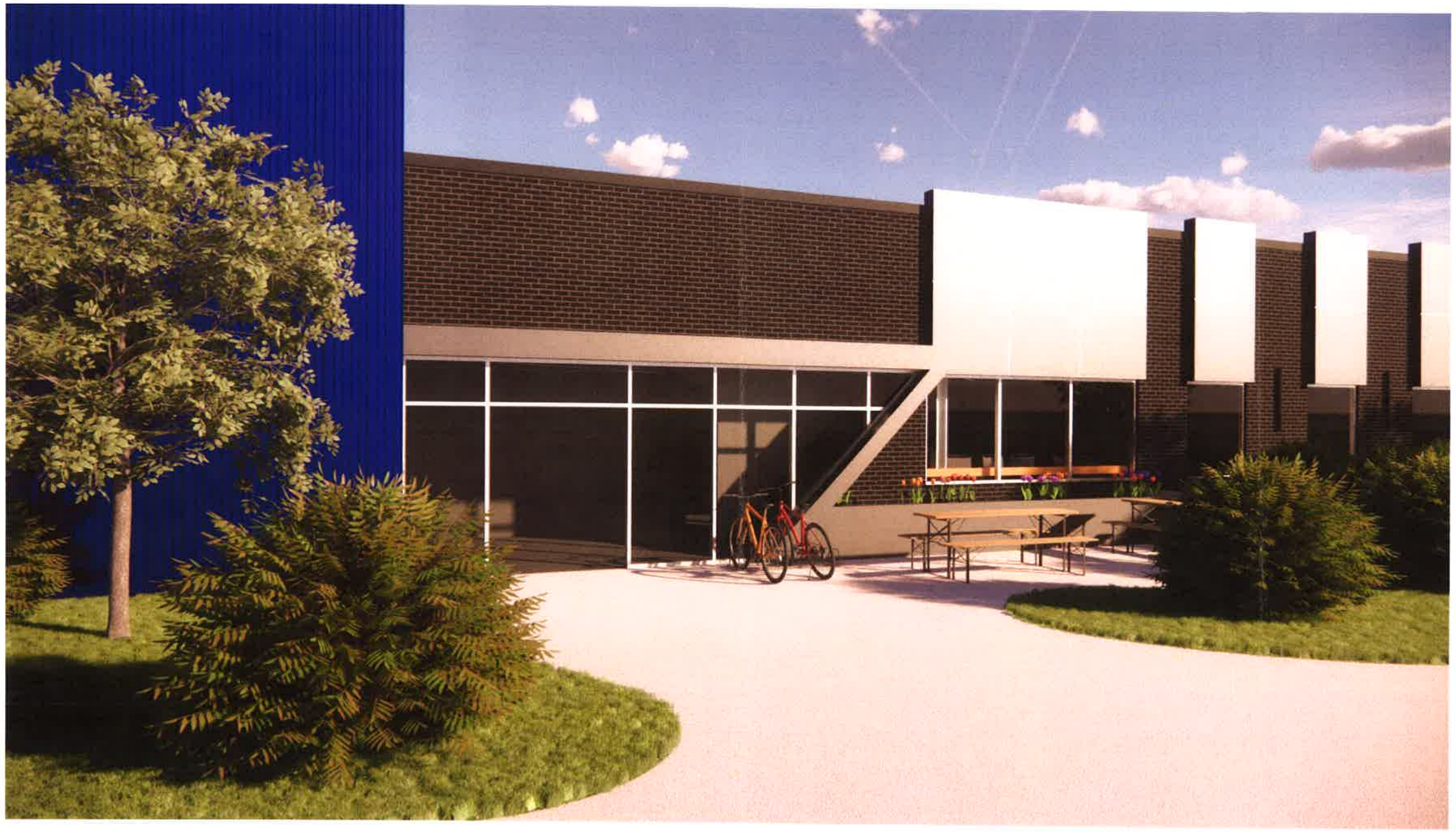
Zeton | P02
182.01
06.09.2023 | RENDERING

ELEV8 ARCHITECTURE

ZETON

NUSSBAUMER & CLARKE, INC.

Zeton | P03
RENDERING



ELEV8 ARCHITECTURE

ZETON

HUSSBAUMER & CLARKE, INC.

Zeton | P04
18.001
01.08.2023 | RENDERING

APPLICATION: APPROVED _____ DISAPPROVED _____

CITY OF LOCKPORT
PLANNING BOARD APPLICATION

DESCRIPTION OF PROPOSED REQUEST:

NAME OF PROPERTY: 133 MAIN Street PHONE: 716-881-7221

NAME OF APPLICANT: 116-120 MAIN LLC PHONE: 716-881-7221

EMAIL ADDRESS: AFTRusso@Roadrunner.Com.

ADDRESS OR LOCATION OF PROPOSAL: 133 MAIN St, Lockport

SIZE OF PARCEL OR STRUCTURE: _____

EXISTING ZONING: Parking Lot

PLEASE CHECK WHICH OF THE FOLLOWING IS BEING APPLIED FOR:

Site Plan Review ____ Special Use Permit ____ Home Occupation_____

Alteration to existing building ____ Rezoning ____ Other ____

PROPOSED REQUEST
Remove old Non functioning Drive thru Lanes Repair and Re pave that Area + Strip for Parking. Plan Attchd.

REQUIRED ENCLOSURES:

In order to provide the City Planning Board with adequate information on which to base its decision, this application will not be heard unless the following information is submitted ten (10) days prior to the meeting by no later than 1 p.m.

1. Adequate description of proposal.

2. Survey of property affected, together with a Plot Plan which shows the distance to nearest intersection, proposed physical layout of the property including any existing or proposed structures, traffic access patterns, parking arrangements, walls, fences or other buffers and signs.

SEQRA:

This proposal constitutes a: ( )Type I, ( )Type II, ( )Unlisted action as per the provisions of the State Environmental Quality Review Act. A determination of environmental significance has been made: ( )yes, ( )no; a copy of this determination is attached ( )yes, ( )no.

PROPERTY OWNER'S SIGNATURE_____

APPLICANT'S SIGNATURE_____

PLEASE NOTE YOU OR A REPRESENTATIVE ARE TO BE PRESENT AT THE MEETING TO PRESENT YOUR PROJECT TO THE BOARD.

Fees:

Site Plan review- $25
Special Use Permit- $100 application, $50 yearly renewal
Home Occupation- $100 application, $50 yearly renewal
Alteration to existing building- $25
Rezoning- $100 or $50 per half acre (whichever is greater)
Subdivision request- $200

CITY OF LOCKPORT
BUILDING INSPECTION DEPARTMENT

ONE LOCKS PLAZA PHONE-439-6754 EMAIL-mbrewer@lockportny.gov

BUILDING PERMIT APPLICATION FOR GENERAL CONSTRUCTION

Job Location: 133 MAIN Date: 8/22/23

Owner: 116-120 MAIN LLC Address (if different): 140 North St, Buffalo 14201

Phone: 1 City: Buffalo Zip: 14201

Construction Cost: 25,000 (Including Demo

Description of work: Demolish Drive through and remove Separation Curb (To Be Done under Separate Demo Permit). - Fix Demolished Area with Blacktop + Re Strip, - Put Curb Bumpers In. Plow Attach!

Contractor(s): Will Be Bid out to Thomas Asphalt
Autemp Paving
Toro Blacktop + Paving

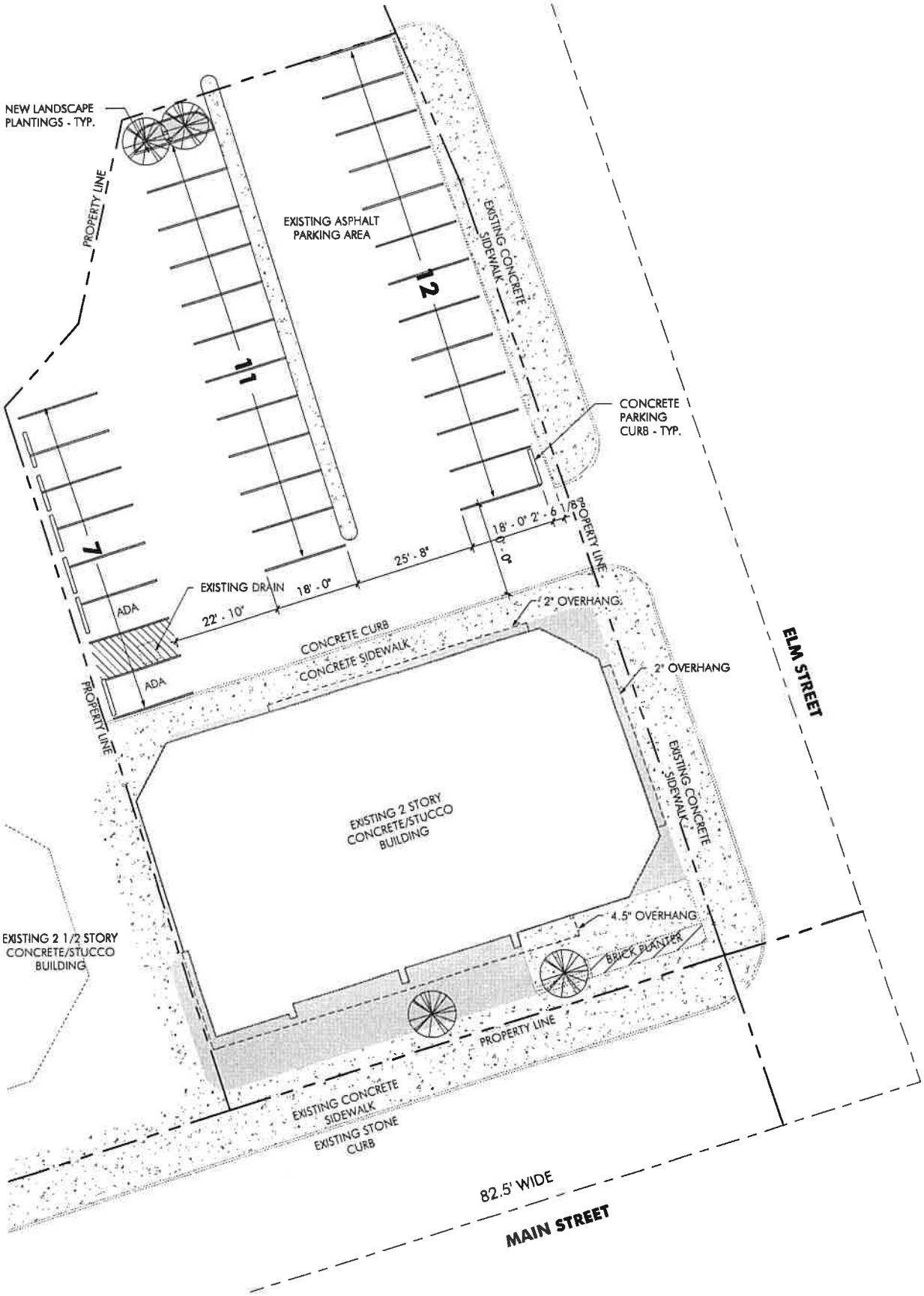
Please Attach the Following:
(New Construction only)

X Property survey that is current and accurate
X 2 sets of plans for new construction
N/A Setback dimensions (front, rear and all sides)
N/A Sketch if altering interior dimensions
N/A Locations of the proposed structures

The Owner/ Applicant agrees to conform to all applicable laws of this jurisdiction, adhere to the plans and specifications affixed hereto and permit Building Department personnel to perform required inspections.

Applicant's Name:(if different than owner)_____(attach letter of agency)

Owner/ Applicant Signature: _____ Date: _____


NEW LANDSCAPE PLANTINGS - TYP.
PROPERTY LINE
EXISTING ASPHALT PARKING AREA
EXISTING CONCRETE SIDEWALK
12
11
7
CONCRETE PARKING CURB - TYP.
18' - 0"
2' - 6 1/8"
PROPERTY LINE
25' - 8"
18' - 0"
0' - 0"
EXISTING DRAIN
18' - 0"
22' - 10"
ADA
ADA
2' OVERHANG
CONCRETE CURB
CONCRETE SIDEWALK
2' OVERHANG
PROPERTY LINE
ELM STREET
EXISTING CONCRETE SIDEWALK
EXISTING 2 STORY CONCRETE/STUCCO BUILDING
4.5" OVERHANG
BRICK PLANTER
EXISTING 2 1/2 STORY CONCRETE/STUCCO BUILDING
PROPERTY LINE
EXISTING CONCRETE SIDEWALK
EXISTING STONE CURB
82.5' WIDE
MAIN STREET

Authentisign ID: 61FF214C-9337-EE11-A3F1-6045BDED1B5F

APPLICATION: APPROVED _____ DISAPPROVED _____

CITY OF LOCKPORT
PLANNING BOARD APPLICATION

DESCRIPTION OF PROPOSED REQUEST:

NAME OF PROPERTY: Self Storage Facility PHONE: 716-553-2086

NAME OF APPLICANT: Richard Ries (e2i) PHONE: 716-930-0135

EMAIL ADDRESS: Richard.Ries@e2i.co

ADDRESS OR LOCATION OF PROPOSAL: 616 West Ave. Lockport NY 14094

SIZE OF PARCEL OR STRUCTURE: 8.8 acres

EXISTING ZONING: I-3 Heavy Industrial district

PLEASE CHECK WHICH OF THE FOLLOWING IS BEING APPLIED FOR:

Site Plan Review x Special Use Permit ____ Home Occupation____

Alteration to existing building x Rezoning ____ Other ____

PROPOSED REQUEST
We are requesting the ability to construct a 705.6kwDC solar project. The solar project would include 360kw of roof mounted solar and 345.6 ground mounted solar. Power generated on site would then be used to offset on-site power requirements through remote crediting.

REQUIRED ENCLOSURES:

In order to provide the City Planning Board with adequate information on which to base its decision, this application will not be heard unless the following information is submitted ten (10) days prior to the meeting by no later than 1 p.m.

1. Adequate description of proposal.

2. Survey of property affected, together with a Plot Plan which shows the distance to nearest intersection, proposed physical layout of the property including any existing or proposed structures, traffic access patterns, parking arrangements, walls, fences or other buffers and signs.

Authentisign ID: 61FF214C-9337-EE11-A3F1-6045BDED1B5F

SEQRA:

This proposal constitutes a: ( )Type I, ( )Type II, (X)Unlisted action as per the provisions of the State Environmental Quality Review Act. A determination of environmental significance has been made: ( )yes, (X)no; a copy of this determination is attached ( )yes, (X)no.

PROPERTY OWNER'S SIGNATURE David Paul 08/10/23

APPLICANT'S SIGNATURE

PLEASE NOTE YOU OR A REPRESENTATIVE ARE TO BE PRESENT AT THE MEETING TO PRESENT YOUR PROJECT TO THE BOARD.

Fees:

Site Plan review- $25
Special Use Permit- $100 application, $50 yearly renewal
Home Occupation- $100 application, $50 yearly renewal
Alteration to existing building- $25
Rezoning- $100 or $50 per half acre (whichever is greater)
Subdivision request- $200

Short Environmental Assessment Form
Part 1 - Project Information

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

Second Niagara Solar

Name of Action or Project:

705.6KwDC solar project Combination roof and ground mount

Project Location (describe, and attach a location map):

616 West Ave. Lockport NY 14094

Brief Description of Proposed Action:

Construct 10 rows of Fixed tilt ground mounted solar panels and roof mounted solar panels on 8 existing buidlings. These panels will provide clean energy to the existing buildings onsite through remote crediting and remaining power will feed into the local utitlity grid.

Name of Applicant or Sponsor:	Telephone: 716-930-0135
Sponsor: Richard W Ries III	E-Mail: Richard.Ries@e2i.co

Address:

75 Bird ave. Ste 2

City/PO:	State:	Zip Code:
Buffalo	NY	14213

	NO	YES
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.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYSERDA	☐	☑

3. a. Total acreage of the site of the proposed action? 8.8 acres
   b. Total acreage to be physically disturbed? .36 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 8.8 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☐ Urban ☐ Rural (non-agriculture) ☑ Industrial ☑ Commercial ☐ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☑
b. Consistent with the adopted comprehensive plan?	☐	☐	☑

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	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	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation services available at or near the site of the proposed action?	☑	☐
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☑

	NO	YES
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: _____	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☑	☐

	NO	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☑	☐

	NO	YES
12. a. 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?	☑	☐
b. 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?	☐	☑

	NO	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: _____		

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☑ Urban ☐ Suburban

	NO	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?	☑	☐
16. Is the project site located in the 100-year flood plan?	☑	☐
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?	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☑
If Yes, briefly describe: The ground mounted portion of the solar project will have a very small area of disturbance and we will maintain all existing drainage patterns.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	☑	☐
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:	☑	☐
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: Old Upper Mountain Road Site super fund site to the North, Niagara Co. Refuse Disp. District to the south, Guteri Specialty Steel Corp. South east	☐	☑

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

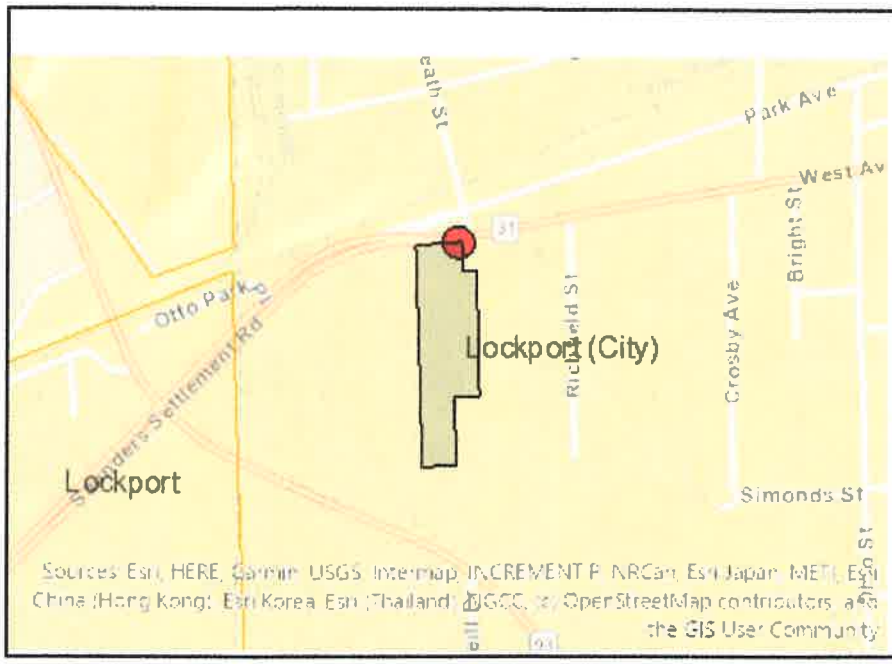
Applicant/sponsor/name: Richard W Ries III Date: 8.3.2023

Signature: _____ Title: Architect

PRINT FORM

EAF Mapper Summary Report

Thursday, July 27, 2023 9:58 PM



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.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes