

LOCKPORT PLANNING AND ZONING BOARD
LOCKPORT, NEW YORK
SEPTEMBER 9, 2024

PRESENT: JEFF TRACY, CHAIRMAN, MARSHALL ROTH, DON GILL, DEBBIE ALLPORT, TERRY HARMON, DAN WOJEWODA, BUILDING INSPECTOR, CONNOR MCCARTHY, KATHLEEN KUGLER, DEPUTY CORPORATION COUNSEL.

EXCUSED: ROBERT BRAGG, ASHLEY PIETRZYKOWSKI

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

1. Caleb Bell. 181 Oakhurst Street. Request to erect a 96' x 48' storage building situated in an I-2 Zone.

Mr. Bell explained that he would like to build a 96' x 48' x 16' storage building that will have four bays that will be approximately 24' x 48'. He said that he feels there is a need for this, people have to go outside the City for storage. He said that he and his wife mulled this idea over and then went to the bank and got a loan. He said that the building will be used for storage, there will be a man door over each bay. He said that each bay will have a furnace and bathroom in it.

Mr. Bell said that he talked to Building Inspection about the bathrooms. He said that there will be a holding tank for the building. He said that he has spoken to Tom from TNT and a lot of people are installing bathrooms and furnaces in storage buildings. He said that the furnaces will be 60 BTU. He said that having the furnaces and bathrooms will bring in more income.

Commissioner Roth asked what material and what color the building is going to be.

Mr. Bell said it will look the same as the first building but will be a little lower. He said that the other building he has is 25' tall. He said that it is gray with white trim. He said that Charlie Heinrich is doing the same for a different use. He said that Detective Schrader is going to do something similar.

Commissioner Allport asked if each bay is going to have their own bathroom and furnace.

Mr. Bell said that he talked to Tom from TNT and there may be one wall that is collapsible but yes, each bay will have their own furnace and bathroom. He said that he doesn't know what anyone wants to store. He said that it could be a car or boat. He said that the bathrooms will be nice for people that are in the building working on their stuff.

Commissioner Tracy asked if there is going to be 24 hour access to the building or will there be limited hours that people have access.

Mr. Bell said that he plans on putting up a gate because he has had issues on the property and has had to call the police.

Commissioner Gill asked if there is going to be drainage issues.

Mr. Bell said that Clayton Dimmick is working on the drainage issues. He said that he has a problem on the east side of his property now, he can't mow if it rains. He said that the water runs into a holding tank to the Ulrich property, under the road and into wetland.

Commissioner Gill said that they should table this decision until they can figure out what to do with the drainage.

Mr. Bell said that Building Inspection talked to him. He said that he purchased the property a while ago and the connecting property. He said that he purchased it knowing that he might expand.

Commissioner Tracy asked if he is talking about the property along Heath Street.

Mr. Bell said yes. He said that he is happy to move forward. He said that if this is a good venture, he would be looking to do it again with more buildings.

Mr. Bell asked if there is anything the Board can do about the road at the corner that is sinking because of the water main. He said that it keeps getting bigger and bigger. He said that he likes to keep his place looking nice.

Commissioner Tracy said that he will need to contact his Alderman or the Mayor's Office regarding that.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Commissioner Harmon made a motion to table the request and the application return with a drainage plan. Seconded by Commissioner Allport.

Commissioner Tracy-yes
Commissioner Roth-yes
Commissioner Gill-yes
Commissioner Allport-yes
Commissioner Harmon-yes

TABLED

2. Harrison Studio/ R. Charles Bell. 7 Ontario Street. Request to renovate the exterior of the building and install an outdoor seating area situated in a B-2 Zone.

Mr. Tim Arlington, Apex Consulting, 102 East Avenue, Lockport, New York was present with Mr. Bell.

Mr. Arlington stated that they would like to renovate 7 Ontario Street. He said that Chuck Bell is the one that worked on 4 Lock Street. He said that they would like to do extensive work to the outside of the building. He said that the building is currently stucco. He said that they would like it to look more like the deeper red brick.

Mr. Arlington said that they would like to install three apartments on the second floor and use the first floor for food service. He said that they would like to renovate the space for a future restaurant or bar with outdoor seating.

Mr. Arlington said that they will enclose the outdoor seating with fencing. He said that they will move the current sidewalk to run along the curb closer to the street. He said that they would tie that sidewalk into the one on Lock Street. He said that the outdoor seating area will be small, maybe five tables of four. He said that they will redo the landing that is there now and renovate the current steps and ramp the best they can.

Mr. Arlington said that there will be three apartments on the second floor, a future bar/restaurant on the first floor with outdoor seating as well as extensive exterior renovations. He said that they have to go to the Niagara County Planning Board, Common Council for the outdoor seating and the Zoning Board for two variance. He said that they were hoping the new Zoning Ordinance was finished but it is not. He said that two of the apartments will be under 600 square feet.

Mr. Arlington said that Mr. Bell currently has an agreements with the Dale Association to utilize their parking lot for 4 Lock Street, he will be doing the same with this building.

Mr. Arlington said that this will be a significant improvement to the building.

Commissioner Gill said that he is concerned about people being able to get around the awning if it is installed.

Mr. Arlington said that the awning will be attached to the building, not projecting. He said that the entrance will be on Lock Street and will be ADA accessible.

Mr. Bell said that this is a corner lot, it has a lot of space. He said that the outdoor seating will be about 6' and they still have 6' from the sidewalk.

Megan Brewer asked if the public sidewalk will still remain 6' wide and accessible.

Mr. Arlington said yes, it will be 6' wide.

Mr. Bell said that they will need Council approval.

Mr. Arlington said that it will be along the curb line.

Commissioner Tracy asked if the new sidewalk will be ADA compliant.

Mr. Arlington said yes, they will make sure it is. He said that the entrance will be on Lock Street as well. He said there is a ramp on the west side of the building they will try and make ADA complaint as well.

Commissioner Tracy asked where the apartment entrance is.

Mr. Arlington said the south side of the building.

The meeting was opened to the public.

Commissioner Allport asked if the entire building will be brick.

Mr. Bell said that they are trying to figure out how much damage there is to the brick.

Mr. Arlington said that it was the same thing with 4 Lock Street. He said that they have to take it apart and assess the damage, if it can be saved they will try and keep it, if not they will repair it and create a finish to blend it in. He said that all of it may not be actual brick.

The meeting was closed to the public.

It was questioned what endangered species of bird was identified on the SEQR.

Mr. Arlington said that the form is fillable on the DEC website and they have identified that. He said there is no actual endangered birds on the site.

Commissioner Roth made a motion to accept the SEQR as submitted. Seconded by Commissioner Harmon.

Commissioner Tracy-yes
Commissioner Roth-yes
Commissioner Gill-yes
Commissioner Allport-yes
Commissioner Harmon-yes

SEQR ADOPTED

Commissioner Roth made a motion to approve the request to renovate the exterior of the building and install an outdoor seating area. Seconded by Commissioner Allport.

Commissioner Tracy-yes
Commissioner Roth-yes
Commissioner Gill-yes
Commissioner Allport-yes
Commissioner Harmon-yes

APPROVED

3. Iskalo Development. 1 East Avenue. Request to construct a 4' extension to the existing building dock to be utilized as outdoor seating situated in a B-2 Zone.

Mr. David Chiazza and Mr. Nick Dolpp were present from Iskalo Development.

Mr. Chiazza said that the original building was built in 1904 and in 1932 they built the annex with a dock. He said that now the building space is going to be Big Ditch Brewery and they would like to have outdoor seating. He said that currently the dock is 12' in depth, they would like to extend it 4' to give them another 4-5 tables. He said that the patio will abut the alley.

Commissioner Gill asked if it will be the same size.

Mr. Chiazza said that it will be the same width, just 4' deeper.

Commissioner Harmon asked if it is going to be used for dining.

Mr. Chiazza said yes.

Commissioner Tracy asked there is going to be a wall around the patio.

Mr. Chiazza said that it will be trex decking with a railing. He said that they are going to move it out 4' on the existing brick pavers.

Mr. Chiazza showed the Board the location and railing on the drawing.

The meeting was opened to the public.

Alderman Craig asked if there is going to be a wall built surrounding the patio or if it will be open to the alley.

Mr. Dolpp said that it will be open to the alley.

The meeting was closed to the public.

Commissioner Tracy said that this will look nice.

There being nothing further Commissioner Allport made a motion to approve the request to erect a 4' extension to the existing building dock to be utilized as outdoor seating. Seconded by Commissioner Roth.

Commissioner Tracy-yes
Commissioner Roth-yes
Commissioner Gill-yes
Commissioner Allport-yes
Commissioner Harmon-yes

APPROVED

4. Iskalo Development. 35 Chestnut Street. Request to erect a sign over the stairwell of the municipal lot and install a dumpster enclosure in the northwest corner of the municipal lot situated in a B-2 Zone.

Mr. David Chiazza and Mr. Nick Dolpp were present from Iskalo Development.

Mr. Chiazza said that this was controversial with the project. He said that they will need more trash removal than they can handle on the site. He said that they are requesting to utilize the corner of the parking lot to house their dumpster. He said that it will be 11' x 22' and most of it will be below the retaining wall. He said that most of the dumpster corral will be undetectable. He said that on the parking lot side, they will install fencing and screening.

Mr. Chiazza said that they would like to install a sign over the stairwell. He said that originally they were going to attach the sign to the retaining wall but after further consideration it will be free standing. He said that one side of the sign will say Big Ditch Brewery and the other side will say municipal lot.

Commissioner Gill asked what type of fencing will be around the dumpster.

Mr. Chiazza said that it will be fenced with privacy slates. He said that they have to go to the Council for approval. He said that they go on Wednesday.

Commissioner Harmon asked if the sign is going to have any lighting.

Mr. Chiazza said that it will be internally illuminated.

Commissioner Harmon asked if the sign will be on a timer.

Mr. Chiazza said yes.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Commissioner Allport made a motion to approve the request to erect a sign over the stairwell of the municipal lot and install a dumpster enclosure in the northwest corner of the building. Seconded by Commissioner Harmon.

Commissioner Tracy-yes
Commissioner Roth-yes
Commissioner Gill-yes
Commissioner Allport-yes
Commissioner Harmon-yes

APPROVED

- 5. LCTV. 271 Niagara Street. Request to erect a 5' x 6' enclosed entryway on the east side of the building situated in R-2 Zone.

Mr. Mark Williams was present from LCTV.

Mr. Williams stated that they want this to cover the man door because of snow drifts. He said that there are two walls and the roof is at a 4/12 pitch. He said that they didn't know they needed a permit. He said that here are no windows or doors on the enclosure. He said that it is 4' x 6'.

Commissioner Harmon asked if they planned on putting a man door on the enclosure.

Mr. Williams said no.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Commissioner Roth made a motion to approve the request to erect an enclosed entryway. Seconded by Commissioner Harmon.

Commissioner Tracy-yes
Commissioner Roth-yes
Commissioner Gill-yes
Commissioner Allport-yes
Commissioner Harmon-yes

APPROVED

- 6. Jason Gough. 136 Walnut Street. Request to change the existing roof line situated in a B-2 Zone.

Mr. Gough stated that he wants to put a roof on his building.

Commissioner Tracy asked what material and color the roof will be.

Mr. Gough said that it will be a metal burgundy roof to match his logo.

The meeting was opened to the public.

The meeting was closed to the public.

Commissioner Harmon asked if there are going to be gutters on the building for drainage.

Mr. Gough said that there are drains that go below ground there now.

Commissioner Roth asked if it is a flat roof currently.

Mr. Gough said yes, there are four drains in the roof now that go underground.

There being nothing further Commissioner Roth made a motion to approve the request to change the existing roof line with the condition that approval from the Niagara County Planning Board is obtained. Seconded by Commissioner Harmon.

Commissioner Tracy-yes
Commissioner Roth-yes
Commissioner Gill-yes
Commissioner Allport-yes
Commissioner Harmon-yes

APPROVED

Commissioner Roth made a motion to approve the minutes from the July 1, 2024 meeting. Seconded Commissioner Harmon. Ayes-5 Noes-0

Commissioner Roth made a motion to adjourn the meeting. Seconded by Commissioner Harmon. Ayes-5. Noes-0

THE NEXT REGULARLY SCHEDULED MEETING WILL BE OCTOBER 7, 2024. IF YOU CANNOT ATTEND, PLEASE CONTACT MEGAN AT 439-6754 OR mbrewer@lockportny.gov.