

LOCKPORT PLANNING AND ZONING BOARD
LOCKPORT, NEW YORK
OCTOBER 7, 2024

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

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

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

Mr. Bell stated that he would like to build a storage facility. He said that each stall will have a furnace and bathroom. He said that the building will be fenced and closed off.

Mr. Bell said that they have a problem with the retention pond. He said that he talked to Clayton Dimmick two weeks ago about the drainage. He said that his land is so high the water will come off the gutter and go into the ditch on Heath Street. He said that it will not be that much water. He said that he doesn't have water issues because his land is so high, the real water issue is the property to the east of him.

Commissioner Gill asked if Mr. Bell has spoken to the engineer about the drainage.

Jason Dool explained that the City does not have an engineer at this time. He said that he has spoken to Clayton and they think they have it worked out.

Commissioner Harmon asked what color the building will be.

Mr. Bell said that it will be the same as his existing building, grey with white trim. He said that it is the same as Heinrich.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Commissioner Allport made a motion to accept the SQRA as presented. Seconded by Commissioner Roth.

Commissioner Tracy-yes
Commissioner Roth-yes
Commissioner Gill-yes

Commissioner Allport-yes
Commissioner Harmon-yes
Commissioner Bragg-yes
Commissioner Pietrzykowski-yes

SQRA ADOPTED

Commissioner Allport made a motion to approve the site plan for a 96' x 48' x 18' storage building situated in an I-2 Zone with the stipulation that the drainage plan be approved by the City. Seconded by Commissioner Harmon

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

APPROVED

2. Redline Resale Center, Inc. 397 West Avenue. Request to install a vinyl coated chain link fence with slats on the west side of the property from the southeast corner of the neighboring garage to West Ave situated in a B-3 Zone.

Mr. Aaron McMichael, owner of Redline was present.

Mr. McMichael stated that he would like to install a black vinyl fence, 8' tall with slats.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Commissioner Bragg made a motion to approve the request to install a vinyl coated chain link fence. Seconded by Commissioner Roth.

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

APPROVED

3. 33 Ontario Street & 20 Lock St. Request to erect an ADA ramp and a new entrance on the north side of 20 Lock Street situated in a B-2 Zone.

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

Mr. Arlington stated that they would like to make improvements to the north side entrance. He said that there is an entrance there now but it is not ADA compliant. He said there is currently a set of stairs that go down. He said that they would like to install a new door and vestibule. He said that the ADA ramp will be on 20 Lock Street so that people don't have to go all the way around to the front of the building. He said that a lot of the older generations use this facility.

Commissioner Harmon asked if the ramp is going to be concrete.

Mr. Arlington said yes, concrete pads and ramp will be concrete. He said that the alley is blacktop and the stairs will be concrete.

Commissioner Harmon asked if the alley is going to be stripped.

Mr. Arlington said yes, he contacted the City about maybe installing a stop sign also.

Commissioner Harmon asked what the railing material will be.

Mr. Arlington said it will be steel, probably black.

Commissioner Roth asked if there is going to be any additional lighting installed.

Mr. Arlington said there are parking lot lights and some on the building. He said there are two on the building.

Commissioner Roth asked if they are going to be adding anymore.

Mr. Arlington said no, not now.

The meeting was opened to the public.

The meeting was closed to the public.

Commissioner Roth made a motion to accept the SQRA as presented. Seconded by Commissioner Harmon.

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

SQRA ADOPTED

There being nothing further Commissioner Roth made a motion to approve the request to erect an ADA ramp and new entrance on the north side of 20 Lock St. Seconded by Commissioner Harmon.

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

APPROVED

4. BMBM, LLC. 55 Stevens Street. Request for Special Use Permit to utilize the property for business offices for Niagara County Health Department situated in an R-2 Zone.

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

Mr. Arlington stated that he is with Mr. Tim Baker one the four partners, two Bakers, a Mulvey and a Martin.

Mr. Arlington said that they purchased the old Cornerstone Credit Union in the spring. He said that this is actually three parcels. He said that they own 55 Stevens the lot north of that and the adjacent lot. He said that nothing is going to change with the parking. He said that they have 115 parking spaces on the property.

Commissioner Tracy stated that they need do the Special Use Permit application before the site plan.

Mr. Arlington said that as for the use, the Niagara County Health Department would like to move into this building from their current location on Upper Mountain Rd. He said that once the existing building is remodeled and the addition is built they will move. He said that he is not sure which parts of the department will be moving in. He said that they will be moving their business office that is currently on Upper Mountain.

Commissioner Harmon asked if it is just the business office or the clerical staff as well.

Mr. Arlington said all of the facilities at Upper Mountain will be moving here.

Commissioner Roth asked how much traffic there will be there day to day.

Mr. Arlington said that they have 70 employees, they have plenty of parking for the public to handle their daily business.

Commissioner Harmon asked what the hours of operation are going to be.

Mr. Arlington said he thinks they are open 8 am to 5 pm. He said he doesn't think they are open on Saturday or Sunday. He said that the administrative staff may work on Saturday or Sunday but normal hours are Monday thru Friday, 8 am to 5 pm.

The meeting was opened to the public.

Mr. Charles Morello, 643 Market Street, Lockport, New York asked if this is going to be another untaxable property.

Mr. Arlington said that the corporation owns the building and pays the taxes.

Mr. Morello said that if there is one more county building in the City not paying taxes we all may as well leave.

The meeting was closed to the public.

There being nothing further Commissioner Allport made a motion to recommend the Special Use Permit to utilize the existing property as offices for Niagara County Health Department. Seconded by Commissioner Harmon.

5. BMBM, LLC. 55 Steven Street. Request for site plan approval for a 5,000 s.f. addition situated in an R-2 Zone.

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

Mr. Arlington stated that they are maintaining all of the parking on the north side. He said that they would like to build an addition at 55 Stevens Street in the same area that the drive-thru is now. He said that they will remove the drive-thru.

Mr. Arlington said that they are going to raise the grade some. He said that all of the parking on the west side of the property will be retained. He said that they are going to close off the entrance on the north side. He said that they are going to add some handicap parking.

Mr. Arlington said that there will be a public office entrance and they will be adding two entrances on the east side. He said that an ADA ramp will be installed because of the grade change.

Mr. Arlington said that they are going to raise the floor level and add a ramp. He said that they are going to close off the parking lot entrance because you don't need two.

Mr. Arlington said that they have to raise the grade to accommodate the new floor level. He said that they will be adding some curbing and raising the grade, some toward Stevens Street and some to Windsor. He said that there is a grass area to the east. He said that there is a swale that will allow the water to stay in their own parking lot.

Mr. Arlington said that some areas will be raised and inch or two. He said that they will be making sidewalk improvements.

Mr. Arlington said that the existing building will be where the public comes in and the addition will be used for other administrative offices.

Mr. Arlington said that they have two different color schemes. He said that one is grey tones with steel wall panels and the other is brick with cream steel panels.

Commissioner Roth asked what signage they will be installing.

Mr. Arlington said that they will use the monument sign that is out front and change it to Niagara County Health Department.

Commissioner Roth asked if they are just going to rework the existing.

Mr. Arlington said yes.

Commissioner Harmon asked if they are going to change the lighting arrangement or add any lighting.

Mr. Arlington said they will add lighting to the two new entrances.

Commissioner Bragg asked if closing the northerly entrance with interfere with the public walking with the new traffic pattern.

Mr. Arlington said they are adding more parking where the closed entrance is.

Commissioner Bragg asked how someone that his crossing from the other lot gets to the building with the new configuration.

Mr. Arlington said there will be no change from what it is now.

Commissioner Bragg asked if there is going to be a traffic pattern change.

Mr. Arlington said no, it will be resurfaces and restriped.

Commissioner Bragg asked how much of the new addition foundation will be exposed.

Mr. Arlington said that some of it will be landscaped. He said that the two new entrances will be landscaped.

Commissioner Bragg asked how much of it will be covered.

Mr. Arlington said that the northerly third or in that area.

The meeting was opened to the public.

The meeting was closed to the public.

There being nothing further Commissioner Roth made a motion to accept the SQRA as submitted. Seconded by Commissioner Harmon.

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

SQRA ADOPTED

Commissioner Roth made a motion to approve to site plan to erect a 5,000 s.f. addition to the building with the grey tone color scheme. Seconded by Commissioner Harmon.

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

APPROVED

6. Nicholas Pasceri. 755 Market Street. Request for a Special Use Permit to utilize a portion of the building as retail space situated in an R-2 Zone.

Ms. Radwanski and Ms. Jordan, owners of Willow and Layne were present at the meeting.

Ms. Radwanski stated that she is going to read aloud a statement prepared by Mr. Pasceri.

Ms. Radwanski stated that Willow and Layne is a small business. She said that in 1966, 755 Market Street was granted a variance for a boat sale and repair business, in 1993 Hildreth Electric was granted a variance for their electrical business and house their service vans and in 1999 Nicholas Pasceri was granted a variance for Fleet Wash with two apartments and a commercial use. She said that he also added a three car garage under the apartments for tenant parking.

Ms. Radwanski said that the Fleet Wash business is no longer in business so the commercial space is no longer needed.

Ms. Radwanski said that in 2010 a variance was requested to convert the space into a third apartment and the request was denied by the Zoning Board. She said that after a decade of using the front garage as personal storage with no income coming yet still paying taxes, utilities and landscaping fees.

Ms. Radwanski said that Nicholas Pasceri asked to renovate and utilize the front garage space into a small retail space to house small apparel store and workspace. She said that the Zoning Board denied the request with no reason given although all criteria had been met to grant the variance.

Ms. Radwanski said that Mr. Pasceri would like to convert the front garage into a small retail/ workspace for a local apparel company Willow and Layne. She said that the retail space will allow customers to pick up their order from the online store while allowing the business to have inventory for a grab and go style retail. She said they plan to have two employees. She said that the hours of operation would be flexible but they were thinking 10 am to 7 pm, Monday through Friday and Saturday 10 am to 2 pm.

Ms. Radwanski said that the small company Willow and Layne would also like to add a sign off the front of the building. She said that it will not be illuminated. She said that it will be 40" x 26" visible from the road but attached to the property.

Ms. Radwanski said that there is enough parking to accommodate the tenants of the apartments as well as the shop employees and customers. She said that 755 Market Street sits across the street from the park, Wide Waters Marina and two parcels down from Wide Waters Restaurant. She said that there are no neighbors across the street and the properties on both sides of the building are used as property frontage for the homes on the parcels.

Ms. Radwanski said that there are many events that are held at the pavilion across the street at Wide Waters Marina that attract a lot more visitors and traffic than this small retail space would attract. She said in addition the City has sponsored a tourist attraction the Riviera Erie at the marina that is meant to draw in tourists and traffic. She said that events at Wide Waters Restaurant such as concert series, car shows and flea markets which advertise on multiple platforms have a much great impact on traffic than this small retail business will.

Ms. Radwanski said that now she would like to speak on behalf of herself.

Ms. Radwanski said that she would like to discuss the application for the special use permit for her business Willow and Layne. She said that as a lifelong resident of Lockport and teacher in the Lockport School District, Patty and she would like to open a small workspace and storefront at 755 Market Street. She said that there will be no visible change to outside appearance of the building, unless it is an upgrade to the current façade that is already there.

Ms. Radwanski said that the only difference will be a modest, non-illuminated blade sign, 40" x 26" on the corner of the building. She said that their intention is to blend seamlessly with the neighborhood. She said that their small workspace around 600 square

feet will not contribute any noise pollution. She said that they do not operate any loud machinery. She said that they use a printer and two small heat presses. She said the storage area will house material for work, maintaining a quite atmosphere and will not be seen from the outside.

Ms. Radwanski said they do not anticipate any significant increase in traffic. She said that recently they held a fundraiser for the Lockport football booster club. She said they had about 50 orders and 1 person picked them all up.

Ms. Radwanski said that they meet people at other locations or drop off orders to people at other convenient locations. She said that they anticipate 2-5 visitors a day. She said that most of their business is inside sales, they aim to attract foot traffic from local events in that area.

Ms. Radwanski said that most of the delivers will be at either her or her partner's homes via UPS or an Amazon truck, delivering on Market Street once or twice a week for any additional supplies needed. She said that no semi-truck will be delivering and there will be no outdoor storage.

Ms. Radwanski said that they are deeply involved in the community. She said that they help create fan wear and uniforms for local sports teams and organizations that include the Lockport City School District. She said recent projects, they finished printing apparel for Lockport's homecoming and the parade. She said that the list is long of who they work with, but a few examples are Molinaro's restaurant and DeSales Catholic School. She said that they do all of their uniforms and have an online store for them.

Ms. Radwanski said that they contribute to fundraisers and set affordable prices for their customers. She said that the main benefit of what they bring lies in contributing to sales tax dollars and to the local economy. She said that they love the City of Lockport and want to positively impact this community which she has lived and worked in her entire life.

Commissioner Harmon asked if they have a rendering of the proposed sign.

Ms. Radwanski said that she doesn't have it on her but it will be a 40" x 26" blade sign.

Jason Dool retrieved the rendering from Building Inspection's office.

Commissioner Harmon asked if the sign is non-illuminated.

Ms. Radwanski said yes.

Commissioner Bragg asked if there will be any smells, fumes or any toxic materials during production. He also asked what they plan on doing with their cardboard or garbage from the production.

Ms. Radwanski said there will be no smell. She said that the cardboard will go into the normal City issued bins.

Commissioner Tracy asked what they anticipate for foot traffic, what would someone see when they walk into the store.

Ms. Radwanski said that they would see a display of DeSales apparel. She said that they would like to have a place for people to stop and try stuff on. She said that one of the problems they have right now is they don't have an area for that. She said that they are just an online store right now, when people need a new pair of pants or a shirt they would like to have somewhere for people to try the cloths on to make sure they fit.

Ms. Radwanski said that they do all of the local sports team's uniforms, soccer, baseball, football and volleyball. She said that they just finished them and do all of them as fundraisers. She said that they purchase apparel for unified sports in the Lockport School District and make no profit off of that. She said that they are currently working with Western New York Hero's where they donate \$7.16 for every shirt sold.

Ms. Radwanski that they create shirts and images for Aaron Mossell and Emmett Belknap drama club. She said that they don't make very much money off of them. She said that she is very aware of what our community can and cannot afford so they lower their prices for them.

Commissioner Tracy said that this is not going to be a major retail space where there is racks and racks of apparel.

Ms. Radwanski said no, they will have products. She said they will have gifts, candles, sports apparel, and Buffalo Bills items. She said that it is a small space, maybe not even 600 square feet.

Commissioner Harmon asked if everything will be displayed inside the facility not outside.

Ms. Radwanski said that nothing will be displayed outside. She said that the majority of the space will be used for all of the shirts they have to have in stock for orders for DeSales. She said they need a spot to house all of their items. She said that is there goal here, is to have a place to do their work.

Commissioner Harmon asked if there will be any change to the appearance of the building.

Ms. Radwanski said windows will be put in the front of the space because there are not currently any there.

Commissioner Harmon asked what type of windows.

Ms. Radwanski said they are 40" windows with grids.

Commissioner Bragg asked if they will match the house.

Ms. Radwanski said that there were windows there before that someone closed up, they are just opening them.

Commissioner Tracy asked if the picture shown is the color of the sign, earth tone.

Ms. Radwanski said yes.

Commissioner Allport stated that being as they knew this property is zoned R-2, is this the only place they have looked to move their business into.

Ms. Radwanski said yes it is the only place they looked. She said that there are many business in R-2 Zones in the City of Lockport. One was just approved tonight. She said that that this property was zoned commercially at one point and they have a list of what was approved to be there.

Commissioner Allport again asked if they looked at any other space.

Ms. Radwanski said that the space was offered to them.

The meeting was opened to the public.

Mr. Charlie Morello, 643 Market Street, stated that he is lived on Market Street for 80 plus years. He said that at one time all of the property in that area was owned by his grandmother including across the street which was a horse pasture. He said that through the years the City of Lockport and the residents in the area have come together to make that picturesque piece for the City. She said that it complements the Erie Canal. He said that he questions one thing. He said that she stated that she has a lot of customers. He asked where she has been doing business out of and has she had a permit for that.

Commissioner Tracy said that is not on the agenda right now, we are talking about the Special Use Permit.

Mr. Morello said that he is putting in on the agenda right now.

Commissioner Tracy said that the Board is not entertaining that right now, that is not what this meeting is right now.

Mr. Morello said that the work has been started inside that building without a permit and they can't say they were granted a permit.

Commissioner Tracy said that is not on the agenda.

Mr. Morello said that it is on the agenda, its part of the problem. He said they are trying to buck the rules and regulations and laws of the City.

Commissioner Tracy said that as a resident if he feels that work is being done without a building permit, contact the building inspectors and they can make sure that is being done properly.

Mr. Morello stated that the Building Inspector is the guy that is pushing all of this thing. He said that he believes that Tom Callahan is probably right.

Deputy Corporation Counsel Kugler asked if there is anything that Mr. Morello would like to address and appropriate pertaining to the Special Use Permit.

Commissioner Tracy address Jason Dool regarding the work being done at the building without a building permit.

Jason Dool, Chief Building Inspector said that he is well aware of the work being done down there. He said as far as he is aware nothing being done down there right now requires a building permit. He said that if somebody wanted to make an alteration to a building, regardless of how this outcome turns out or from the Zoning Board, we can certainly issue that permit to do whatever somebody wanted to do inside, whether it was frame a wall, put a bathroom in, it wouldn't take this board's approval to do. He said certainly, if Mr. Morello wants to make some accusations.

Mr. Morello said that he is not making accusations, he is stating fact.

Mr. Dool stated that this is not the correct agenda to bring this up, if he would like to have a conversation regarding this, he knows where the office is.

Mr. Morello said that he knows where Mr. Dool's office is, it's on Market Street.

Megan Brewer told Mr. Morello that if he wanted to continue to speak about the Special Use Permit to please continue.

Mr. Morello asked Ms. Brewer if she was running the meeting. He said she was just the secretary.

Ms. Brewer stated that making accusations is not appropriate.

Mr. Morello said that she is part of the problem.

Commissioner Tracy stated that if Mr. Morello doesn't have anything further regarding the Special Use Permit to please step aside. He said that he will not allow anyone to insult the employees. He said that Megan Brewer works in the Building Inspection Department, and is qualified to do her job.

Mr. Morello said that he knows where she works, after 80 years he knows where everyone works.

Mr. Morello stated that the property is zoned residential and should remain residential. He said that doing what the board is prepared to do, issue her a permit is referred to as spot zoning. He said that if you want to see everyone with a garage flip their doors open and start a business, this shouldn't go.

Mr. Steve Quast, 715 Market Street stated that this was turned down by the Zoning Board with a 5 to 2 vote for a business in a residential area. He stated that the neighbors are here on Market Street and they are opposed to this.

Ms. Patricia Quast, 715 Market Street stated that she has learned a lot about City government over the last few months which was not on her bucket list for retirement. She said that not two weeks ago, the Zoning Board denied with a vote of 5-2, the rezoning of 755 Market Street and now they are applying for a Special Use Permit. She said that for the record they do not wish this business to fail or have ill will toward anyone involved, they just don't feel this is appropriate for their neighborhood.

Ms. Quast stated that in this instance, we cannot see any benefit from the sales of novelties, crafts and graphic clothing to property values or to fulfill a need or service to their neighborhood. She said that as one of the property owners who can see this business from inside and outside their home.

Ms. Quast said that she may be incorrect, but the neighbors on Willow Street, where Ms. Radwanski claims she is running her business, would not want to open up in front of her property as a retail shop with a sign within their view.

Ms. Quast said that the City has an art gallery in downtown business area currently zoned for this type of business. She said that some neighbors have spent their whole lives on Market Street while other such as her family chose this location for its rich history and sense of community. She said that they respectfully ask that the Board oppose this special permit.

Ms. Quast stated that she did submit a letter with concerns about parking and the expansion of the business. She said that there are two big windows on the front of the building that are closed now. She said that she heard tonight that they will be opened. She said with that, she pictures retail hanging like in businesses on Main Street. She said that she feels that there are other areas that could be used for this business.

Ms. Quast said that when she bought her house, it was taken into consideration the history and everything. That is why she bought it, not thinking they would be looking at a retail shop.

Mr. Quest said that there used to be a large row of arborvitaes or greenery that went north to south. He said that his house is directly in front of that building and he purchased his home the hedgerow was there. He said that it has since been taken down. He said that he now can see that building from inside his house.

Commissioner Tracy read aloud the letter that was sent to the Board from Ms. Quast.

Mr. Nick Conley, 681 Market Street stated that he just wanted to reiterate that area's parking situation. He said that he drives by that property everyday on the way to work early in the morning. He said that there are 4 to 5 cars in the lot. He said that if they are not working on anything at that time, it is just the tenants. He said that there is no stripping, how are they going to fit more cars. He said that if they have two employees

there isn't going to be room for anybody else. He said that Fleet Wash used to park in the designated spots for the pavilion in the park. He said that he stands behind all of his neighbors, they are a very tight community. He said that they help each other out. He said that it is not that they are opposed to this specific business but everyone knows there are plenty of spots on Main Street available. He said that there is vacancy in the building next to the Towers right on the corner of Market and Main.

Mr. Conley stated that he is confused that an area that is more geared toward nature, geared more toward residential would be the spot to open up for foot traffic. He said that there are events held in that area one or two weeks in the summer, nothing in the winter.

Mr. Conley stated that there are problems with people plowing sidewalks down there in the winter. He said that he himself plows a lot of sidewalk for properties. He said that he sees this property isn't done, he isn't sure who is responsible for it, the landlord or the tenants. He said that if there was a business there, he worries that someone might slip and fall on the City sidewalk.

Mr. Conley said that they all have concerns on what is going on down there, especially with the construction that is already happening. He said there were dumpster signs put down there while they were cleaning up that were abruptly taken away. He said that he assumes that the business put them up there and took them down to try and hide what they are doing.

Ms. Radwanski stated that the apartment building has a three bay parking garage and the tenants will park in the garage. She said there are not 4 cars, there is a couple in one unit that has two cars and another tenant with one car. She said that they did address that situation, they can open up six spots to be stripped. She said that they will not both be working at the same time. She said that she works during the day. Patty works a full time job, so she works full time until 4 pm then at night with their business.

Commissioner Allport asked if they have ever discussed with the owner about replacing the arborvitaes that were removed.

Ms. Radwanski said that the deer ate the arborvitaes. She said they were not removed, but they can be replaced if that is what is necessary.

Commissioner Allport said that they take time to grow.

Ms. Radwanski said that she is not sure how large they were. She said that most of the residents are down the street. She said that there is nothing on either side of the garage space.

Commissioner Allport asked if Mr. Pasceri will entertain replacing the arborvitaes.

Ms. Radwanski said yes, he is on with her now.

Ms. Radwanski said that the dumpster was out there. She said that the garage was used as storage space, he had a boat and he all of his tenants things in there. She said the

dumpster was there to clean the garage out, it was not Willow and Layne's dumpster. She said that the whole garage will filled with his family's items, a boat, desks and tables. She said that was all cleaned out.

Commissioner Harmon asked if they planned on stripping the parking lot.

Ms. Radwanski said yes.

Commissioner Harmon asked if they were going to make sure the snow removal was taken care of.

Ms. Radwanski said yes.

Commissioner Allport asked if they have shown the sign to the neighborhood.

Ms. Radwanski said they tried, but the neighbors wouldn't talk to them.

Commissioner Tracy showed the sign and the rendering with the windows.

Ms. Marnie Morello, 653 Market Street, the daughter in-law of Charlie Morello. She said that she does share the same sentiment as all of her neighbors. She said that she especially agrees with what Ms. Allport brought up at the beginning, that no other locations were considered by Willow and Layne. She said that her son is at DeSales and is familiar with their product line and very appreciative of the business, but she sees so much vacancy in the City. She said that she does appreciate the picturesque aspect of Wide Waters and it just takes a gentle nudge in the wrong direction for thing to start to go downhill in the neighborhood.

Ms. Morello said that this is a residential neighborhood, and they would like to keep it residential. She said that the way the message was delivered may have been harsh earlier. However, our sentiment is all there and she stands behind both her family and her neighbors. She said that maybe the suggestion would be to ask Willow and Layne to consider locating a few other options before this is decided.

Ms. Morello said that perhaps the vote should be tabled.

Ms. Radwanski said that Willow and Layne is not very profitable. She said that this is a hobby that they enjoy. She said that she retired so that she could give back to the community. She said that she was a teacher for 34 years.

Ms. Radwanski said that they couldn't afford space on Main Street or in the Art gallery. She said that they are not getting rich. She said that they do this for the community, to give back to the community of Lockport that she has already given to for 34 years. She said that she actually worked at DeSales last year, after she retired to continue to give back.

Ms. Radwanski said that they are just looking for a space to continue doing what they are doing to give back to Lockport. She said that the foot traffic they are talking about, they

are hoping that in the summertime when events are going on people maybe grab a tee shirt, or ornament that says Lockport on it. She said they are not talking about a huge company. She said they are talking about a very small business run by two moms.

Ms. Tara Johnson, 709 Market Street, stated that she purchased her house last year because of the beauty it is. She said that she bought it in the end of January so it was winter. She said that no businesses were open, it was picture perfect. She said that she is no opposed to any business. She said that she works in the Lockport School District and gives back to the community as well. She said that there are other places, vacant, including up where they painted the mural by the tracks that says business district.

Dr. John Craig, 31 Lakeview Parkway, 1 Ward Alderman, stated that he supports the residents of Market Street and recognized some of the concerns. He said that he is not opposed to the business relocating in some other location. He said that he certainly supports all the work that the ladies have done in the community and for all the local schools. He said that he would have a concern if the windows became more like a shopping district where people could view that. He said that would open it up to being unrepresentative of the neighborhood. He said that he certainly understands Marvin's being there and Wide Waters for decades with all of the community events that have gone on there over the years. He said on the other hand, his daughter has had a place at 24 Market Street for the last three years and has recently left there to go the Harrison Place for less money. He said there are certainly low cost places in the City where businesses can relocate outside Main Street for a small amount of monthly rental income. He said that he understands that they are two women working in a small business, not having a lot of money to support business operations. He said if his daughter can do it with an online clothing business, and move from 24 Market and pay less rent and she is a single proprietor. He said that he would think that two women who have a long standing relationship in the community could find a different location that would be more accessible to the community of Lockport in a business district.

Commissioner Tracy asked if this property is in his ward.

Alderman Craig said yes.

Mr. Jeff Flynn, 705 Market Street, stated that he has lived on Market Street for 39 years. He said that the only business that he knows of is Marvin's, which was Wide Waters. He said that only issues he has is in the summer with parking is for the concert series that go on and the car shows which do pose a problem. He said that he has trailers that he has to pull out of his house and if people are parked along the curb he has a hard time getting out. He said that he has to swing wide. He said that if their business grows and parking ends up on the street for whatever reason, there is no place for commercial in a residential area. He said it is for kids playing in the park, people fishing, vacation boaters. He said there is no place for a storefront building. He said it is absurd to even be an option. He said that there is no place for it.

Commissioner Harmon asked Mr. Flynn what types of trailers he has on the property that he has to get out.

Mr. Flynn said that he has a boat trailer that he has to turn wide, a camper that he has to turn wide to pull out and if there are cars parked along the shoulder it is very difficult.

Mr. Landon Flynn, 705 Market Street, said the he wanted to start his own business, but there is a garage for rent down the street that is not in a residential zone. He said that with this being on a residential property, that poses a problem, not only for him and his dad but for his grandparents as well. He said that his grandfather has a larger truck and they park across the street with campers. He said if there are cars in the way, there is nowhere to park their campers. He said that with cars in those spots, they can't do anything. He said that with the business, it is a good idea in practice, but it's not a good idea in reality. He said that his dad can't sleep worth crap and he can't stand it, but he loves him. He said that no business being in a residential area is ok. He said they need to go find somewhere else to be.

The meeting was closed to the public.

Commissioner Bragg said to get a better handle on what the storefront is going to look like, he would like to know what the windows are going to look like and what the landscape needs to be. He said that right now there are huge blocked window openings.

Ms. Radwanski said there were 4' x 4' windows there.

Commissioner Bragg asked if it would look like the rest of the building.

Ms. Radwanski said yes.

Commissioner Bragg said that it is important for the Board to understand what that actually looks like with landscaping.

Ms. Radwanski said that they don't believe the landscaping will change.

Commissioner Harmon asked if the purpose of opening up the windows is to show case their product.

Ms. Radwanski said no, it is for light.

Commissioner Harmon asked if they planning on hanging stuff in the windows.

Ms. Radwanski said no.

Commissioner Roth asked if they are residential windows, not plate glass.

Ms. Radwanski said yes.

Commissioner Harmon asked if they planning on putting any special signs in the yard for sales and stuff.

Ms. Radwanski said no.

Commissioner Tracy explained the Special Use permit process to the public. He explained that they can recommend with stipulations. He said that the Council makes the final decision.

There being nothing further Commissioner Bragg made a motion to recommend the Special Use Permit to utilize a portion of the building as retail space at 755 Market Street, Lockport, New York with the following stipulations:

1. Residential style windows be installed in the front of the building to match the remainder of the building.
2. Adequate landscaping be installed to screen the property from the neighboring properties.
3. No forward facing window displays shall be installed.
4. No advertising signs may be utilized in the lawn.

Seconded by Commissioner Harmon.

Commissioner Tracy-yes
Commissioner Roth-yes
Commissioner Gill-yes
Commissioner Allport-no
Commissioner Harmon-yes
Commissioner Bragg-yes
Commissioner Pietrzykowski-no

RECOMMENDED TO COUNCIL

Commissioner Roth made a motion to approve the minutes from the September 9, 2024 meeting. Seconded Commissioner Bragg. Ayes-7 Noes-0

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

THE NEXT REGULARLY SCHEDULED MEETING WILL BE NOVEMBER 4, 2024. IF YOU CANNOT ATTEND, PLEASE CONTACT MEGAN AT 439-6754 OR mbrewer@lockportny.gov.