

LOCKPORT PLANNING AND ZONING BOARD
LOCKPORT, NEW YORK
FEBRUARY 3, 2025

PRESENT: ROBERT BRAGG, ACTING CHAIRMAN, MARSHALL ROTH, DON GILL, ASHLEY PIETRZYKOWSKI, TERRY HARMON, MARSHALL ROTH, GINA PASCERI, ANTHONY SIRIANNI, DEPUTY CORPORATION COUNSEL.

EXCUSED: JEFF TRACY

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. Robert Adams. 310 Park Avenue. Request for outdoor storage of dismantled vehicles situated in a B-3 Zone.

Mr. Adams stated that he is not sure what he can and cannot have on the property. He said that he has several vehicles on the property. He said that before they are placed on the property they are broke down and the fluids are drained. He said that they will get removed when the prices of scrap go up. He said that it is a storage lot.

Commissioner Harmon asked how many vehicles are on the property.

Mr. Adams said approximately 60.

Commissioner Harmon asked what the capacity of the property is.

Mr. Adams said not much more, it is full.

Commissioner Harmon asked what Mr. Adams did with all of the fluids in the vehicles.

Mr. Adams said that they are emptied at his shop before they are stored on this property.

Commissioner Harmon asked what Mr. Adams does will all of the fluids.

Mr. Adams said that he has a waste oil furnace at his shop so he uses it for that. He said that the coolant is stored in 270 gallon totes and disposed of by Safety Clean.

Commissioner Harmon asked what Mr. Adams does with the tires.

Mr. Adams said that they are on the vehicles and go with the vehicle when he scraps it at Lock City Metals.

Commissioner Bragg asked what material the vehicles are stored on.

Mr. Adams said that the lit is stone and he put down millings to push the lot down.

Mr. Adams said that he doesn't know what he can do. He said that before he bought the building, an environmental cleanup was done on the property. He said that the lot was just stone.

Commissioner Bragg asked how long the vehicles are stored on the property.

Mr. Adams said that it depends on the market. He said that some are there for a few days and some are there for a year.

Commissioner Roth asked if there are 60 cars there now.

Mr. Adams said yes, they are all parked in rows.

Commissioner Harmon asked why some go to scrap before others.

Mr. Adams said it depends on the car body market. He said that the market is based on X amount of dollars per ton.

Commissioner Harmon asked why some go in a few days and others a year.

Mr. Adams said that he is constantly buying these types of cars. He said that they recycle what they can and then what they can't use sits.

Commissioner Harmon asked why some sit.

Mr. Adams said that it is a different market.

Commissioner Harmon asked why.

Mr. Adams said that the steel market is down. He said that the market flexes.

Commissioner Bragg asked if Mr. Adams plans on installing a screening fence all the way around the property.

Mr. Adams said that he would if he has to. He said that he understands the neighbor complained. He said that he will do what he has to do, but didn't want to put of the fence if he can't use the property for what he wants. He said that it depends on what his options are.

Commissioner Pasceri asked if there are only 60 cars on the property at a time.

Mr. Adams said that he doesn't have any more room.

Commissioner Bragg asked if planned on stacking cars.

Mr. Adams said no, it is not a junk yard. He said that you need a license to do that.

Deputy Corporation Counsel Sirianni said that he would like to clarify some things. He asked what the adjacent parcels are used for. He asked if Mr. Adams operates an auto repair shop on the lot or if there is one on any of the adjacent properties.

Mr. Adams said that the adjacent property is used for the same thing. He said that the new owner leases it to the guy that has been there a long time.

Deputy Corporation Counsel Sirianni asked if he intends on allowing customers to go in and out of the property.

Mr. Adams said no.

Mr. Sirianni asked if this is storage for another business that Mr. Adams owns.

Mr. Adams said yes, he owns the shop next to the County garage on So. Niagara Street.

The meeting was opened to the public.

The meeting was closed to the public.

Mr. Sirianni said that the Board should approve or deny the request based upon the criteria for a special use. He said the Board needs to make its findings based on the criteria if they want to do it the correct way.

Commissioner Roth made a motion to deny the request for outdoor storage of dismantled vehicles based upon the following:

1. Concern of the environmental impact.
2. Lack of screening for the adjacent properties,
3. The adverse effect on the property value of the neighborhood.

Seconded by Commissioner Harmon.

Commissioner Gill-yes
Commissioner Pasceri-yes
Commissioner Harmon-yes
Commissioner Bragg-yes
Commissioner Pietrzykowski- yes
Commissioner Roth-yes

DENIED

Mr. Adams asked what type of environmental concerns the Board has.

Deputy Corporation Counsel Sirianni said that if Mr. Adams would like, he can reapply for a Special Use Permit. He said that Mr. Adams needs to provide more information. He said that he needs to provide drawings and proposals to the Board. He said that the Board is having difficulty understanding the parameters of the project.

Deputy Corporation Counsel Sirianni said that this is a vacant lot with broken vehicles. He said that he can submit a plan to the Building Inspection Department.

Commissioner Bragg explained that Mr. Adams can come back with a plan.

Deputy Corporation Counsel Sirianni said that the minutes from the meeting will be published, the Board's concerns will be in them. He said that he can take that and work with Building Inspection to build a plan.

Deputy Corporation Counsel Sirianni said that if Mr. Adams wants to apply for a SUP he needs to give the Board something to work with. He said that he needs a sketch that would show a proposed fence with screening to block people from seeing in and a cleanup plan. He said that he understands that this is a small business, it doesn't have to be a professional drawing. He said that Mr. Adams needs to provide the Board with something to work with, if he meets the criteria the Board can approve the request.

2. Kevin Schrader. 38 Heath Street. Request to subdivide the 397' x 135' northerly section of the property and erect a 48' x 120' storage building situated in an I-2 Zone.

Mr. Schrader said that he gave the Board a rough plan of what he wants to do. He said that plans are costly.

Commissioner Roth asked what the building is going to look like.

Mr. Schrader said similar to the Heinrich building that was just put up, black and gray. He said that it will have soffit lights. He said that Elaine is the neighbor, and that is her house. He said that he showed her the plans for the lighting. He said that the lights on the rear of the building that face her house will be installed separately in case there is an issue.

Mr. Schrader said that the rest of the building will face Oakhurst, there will be 5 big doors and an office section. He said that after talking to Jason Dool he will have to install an accessible bathroom. He said that the office space will be 16' x 20'.

Commissioner Harmon said that there is drainage issues on Oakhurst Street. He asked where Mr. Schrader plans on discharging the water.

Mr. Schrader said that he plans on allowing the water to follow the natural course of the land. He said that he will put gutters on the building. He said that the City dumps debris right next to his property.

Commissioner Roth said that this is a problem area for water runoff. He said that he would like to see how he plans on containing his own water. He said that he will have to work with Building Inspection to mitigate water issues.

Mr. Schrader said that the challenge is that the City doesn't have sewer there. He said that he has the building on the other side of Elaine and he has no issues. He said that his shop does not have issues, the water follows the natural flow of the land.

Commissioner Gill asked what he plans on storing in the building.

Mr. Schrader said that he plans on renting it out for usable vehicles storage, campers, and other landscaping company's equipment.

Commissioner Harmon said that his current shop is very well kept.

Mr. Schrader said that he tries.

Commissioner Harmon said that he should get the drainage approved by the City Engineer.

Commissioner Bragg asked Corporation Counsel if he reviewed the submitted SEQR form.

Deputy Corporation Counsel Sirianni said that he has reviewed the document and recommends a negative declaration.

The meeting was open to the public.

The meeting was closed to the public.

There being nothing further Commissioner Roth made a motion to declare a negative declaration for the submitted SEQR. Seconded by Commissioner Harmon.

Commissioner Gill-yes
Commissioner Pasceri-yes
Commissioner Harmon-yes
Commissioner Bragg-yes
Commissioner Pietrzykowski- yes
Commissioner Roth-yes

NEG DEC DECLARED

Deputy Corporation Counsel Sirianni said that the Board needs to make two motions, one for the minor subdivision and one for the site plan.

Commissioner Roth made a motion to approve the minor subdivision. Seconded by Commissioner Harmon.

Commissioner Gill-yes
Commissioner Pasceri-yes
Commissioner Harmon-yes
Commissioner Bragg-yes
Commissioner Pietrzykowski- yes
Commissioner Roth-yes

MINOR SUBDIVISION APPROVED

Commissioner Harmon made a motion to approve the request for site plan approval to erect a 48’ x 120’ storage building with a 16’ x 20’ office with the following stipulations:

1. The variance request for the subdivision is approved.
2. The drainage plans are approved by the City Engineer.

Seconded by Commissioner Roth.

Commissioner Gill-yes
Commissioner Pasceri-yes
Commissioner Harmon-yes
Commissioner Bragg-yes
Commissioner Pietrzykowski- yes
Commissioner Roth-yes

SITE PLAN APPROVED

3. Diane Balcerzak. 200 Michigan Street. Request to erect a 12’ x 20’ storage shed and install a stone area in front of the driveway situated in an I-2 Zone.

Ms. Chaelyn Donorovich, 45 Morrow Avenue, Lockport New York was present to represent her mother. Ms. Donorovich provided the Board with a letter from Ms. Balcerzak giving her daughter permission to represent her.

Ms. Donorovich stated that in June after recital time, they have fire inspections performed every year. She said that this year they were informed by the Fire Department that they have too much stored in their attic space. She said that they have props stored in the space. She said that in order to address that, they needed additional storage space. She said that at that time they place the shed on the property. She said that they got a dumpster to remove some of the stuff and stored the rest.

Ms. Donorovich said that they try and do project at the studio in the summer when they are closed because they open in September. She said that they placed the shed on the property in August of 2024 and installed the stone as well to clean up the area that

parents drive over a lot. She said that she brought this project to her mother to make the studio look nice. She said that they need the storage unit to make it easier to access props.

Ms. Donorovich said that it got brought to her attention in 2024 that she needed to combine the lots. She said that she had the paperwork on her mother's desk. She said that after that, she spoke to Dan. She said that they discussed the best way to do it is to combine the lots. She said at that point she realized that one of the lots was in her mother's name and the other in her mother and father's names. She said that she wants to combine the lots so the shed can stay where it is.

Ms. Donorovich said that they signed the paperwork and sent it in to combine the lots. She said that the Assessor contacted her and explained that they need to clean up the names in order for her to combine the parcels. She said that her mother and she now own one lot together.

Ms. Donorovich said that they filed a deed at the County. She said that Dan and her are on the same page now. She said that they would like to keep the shed where it is at so they don't have to move it.

Commissioner Bragg asked if the shed is going to remain where it is now.

Ms. Donorovich said she hopes it stays there for the next 47 years.

Commissioner Harmon asked if the shed meets the required setbacks where it is.

Ms. Donorovich said yes, she has the surveys.

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 a 12' x 20' storage shed and install a stone area in front of the driveway with the condition that Building Inspection confirm the setbacks. Seconded by Commissioner Harmon.

Commissioner Gill-yes
Commissioner Pasceri-yes
Commissioner Harmon-yes
Commissioner Bragg-yes
Commissioner Pietrzykowski- yes
Commissioner Roth-yes

APPROVED

Commissioner Roth made a motion to approve the minutes from the January 6, 2025 meeting. Seconded Commissioner Harmon. Ayes-6 Noes-0

Commissioner Harmon made a motion to adjourn the meeting. Seconded by Commissioner Roth. Ayes-6. Noes-0

**THE NEXT REGULARLY SCHEDULED MEETING WILL BE MARCH 3, 2025.
IF YOU CANNOT ATTEND, PLEASE CONTACT MEGAN AT 439-6754 OR
mbrewer@lockportny.gov.**