

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

PRESENT: JEFF TRACY, CHAIRMAN, ROBERT BRAGG, MARSHALL ROTH, DON GILL, ASHLEY PIETRZYKOWSKI, TERRY HARMON, MARSHALL ROTH, GINA PASCERI, ANTHONY SIRIANNI, 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. Kenan Center. 433 Locust Street. Request for site plan review to demolish the existing area and erect a 64,200 square foot arena situated in an RA Zone.

Mr. Randy Bebout was present from Bohler Engineering as well as the Kenan Center Board and Greg Mulvey, Mulvey Construction.

Mr. Bebout stated that they are here regarding the Kenan Center at 433 Locust Street. He stated that the Kenan has served its purpose in the community. He said that the Kean team is excited about developing the new facility. He said that the current property is about 27 acres. He said that the site is fully developed. He said that the lot of the site that is not developed is used for outdoor activities. He said they are going to keep the same programs as they offer now, they are just building a new facility to the east of the existing arena. He said that they plan on using the existing facility during construction and demolishing it when the new facility is ready to open. He said that the location of the existing arena will become play area.

Mr. Bebout said that the new proposed facility is 64,200 square feet. He said that they will be installing new parking, utilities, lighting and landscaping. He said that they are starting fresh. He said that some proposed improvements are new athletic area. He said that the outdoor athletic area to the south will remain untouched.

Mr. Bebout said that the new facility will provide community service and athletic features. He said that it will include a mezzanine on the front part of the building on the second level that will house a studio, yoga room, computer room, fitness center and a community room. He said that the first floor of the building will have a concession stand, bathroom facilities, community room and a catering room. He said it will also have the management offices. He said the other part of the building will be half turf field and half basketball/volleyball court. He said the northwest side of the building will house the Montessori school that will have a fence in play area in the rear. He said that there will be a storage area on the south side if the building for equipment. He said there will be some overhead doors in the back of the building.

Mr. Bebout said that currently the property is zoned RA, they understand that there is a pending zoning change. He said that he has talked to Jason about that. He said that they

will see where they land when it is adopted. He said that they don't anticipate need any variances, except maybe the height of the building. He said the proposed new building at its highest point is about 40' and 35' is allowed by code.

Mr. Bebout said that the new the new facility will have 434 parking spaces for the entire development where 321 are required by code. He said that they currently have 241 spaces.

Mr. Bebout said that this will be built in phases, 1A which is 90% of the project, 1 B after the demolition of the existing building will turn into an outdoor activity area. He said that there is a small portion of parking lot that will be done in phase 1B to allow some staging area for construction. He said that the play area will be install in phase 1B.

Mr. Bebout said that there are access to the property from two sides. He said that there is one entrance on Beattie Avenue and one on Locust Street. He said that the Locust Street entrance is staying the same. He said that the Beattie Avenue entrance is currently two-way. He said that they are proposing to modify that to one driveway essentially utilizing the north entrance to enhance the parking configuration. He said that they are going to install more parking in the front for convenience.

Mr. Bebout said that they are disturbing more than an acre of land therefore have to comply with all of the DEC regulations for storm water. He said that there is an existing detention pond. He said that there is not going to be any change in the flow, they are going to have to modify the pond according to DEC regulations and increase the size of the pond.

Mr. Bebout said that the existing utilities are on Beattie Avenue, water and sewer. He said they are proposing a new 8" water service that will serve both the domestic and fire lines. He said that they are proposing a new 6" sanitary sewer and they will be installing a grease trap because of the catering.

Mr. Bebout said that a new lighting site plan has been provided. He said that they want to make sure the property is safe in the winter and at night. He said that the lighting will not disturb the neighbors.

Mr. Bebout said that they will be installing new landscaping on the east side of the building and where they have parking. He said that believe they will be able to keep the four mature trees that are currently at the entrance.

Mr. Bebout explained the interior layout of the building.

Commissioner Bragg asked if the right side was north.

Mr. Bebout showed on the drawing where the entrance is located.

Mr. Bebout explained that overhead doors will be install on the rear and west sides of the building.

Mr. Bebout showed the elevations of the building. He said that this is a prefabricated metal building. He said that there will be metal panels, which is a recent change in the design. He said originally it was going to have a brick masonry façade. He said that the panels on the lower have will have a different orientation to break up the building. He said that is some are art work on the building to represent the community and civic aspects of the Kenan Center. He said that there will be a sidewalk along the front of the building and accessible parking in the front of the building.

Mr. Bebout said that currently they have an issue with people driving in on the Beattie Avenue entrance and continuing through to Locust Street as a cut through. He said that they are trying to mitigate that, they want to install a three way stop and a turn to discourage people from cutting through the parking lot. He said that they are adding pedestrian walkways from the parking area.

Mr. Bebout said that they are proposing a tennis and pickle ball court outdoors. He said there will no change in the southerly area.

Mr. Bebout said that they are still working on the pond area. They need more information.

Mr. Bebout said that they are looking to being the project right after approval. He said that they would like to be in the new facility by September of 2026.

Mr. Bill Patti, Executive Director of the Kenan Center, stated that the Kenan Center was incorporated 1967 and opened in 1969 and 55 years they estimate 5.5 million people have come through the Kenan Center campus. He stated that estimate 100,000 people came to the campus last year. He said that about 2,000 children engage in their programs. He said that in it is about 30 programs offered 4 times a year. He said that they have also created a golden acres program for adults age 55 and up. He said that the Kenan Center is a special please because it is the only independently run recreational center in the area. He said that it Lockport run by people that live in this community. He said that the Kenan Center is the only regional community center that focuses on both arts and sports.

Mr. Patti said that they are they only indoor facility that focuses on recreational sports for children ages 3-14. He said that makes them important for youth development. He said that this is also an opportunity to grow the events that they are doing. He said that they already have music program on campus as well as a long standing comedy theatre season. He said that they already do 15-20 concerts and this would allow them to expand that. He said that they have a no questions asked financial aid program which allows children and adults to engage in their programs for free.

Mr. Patti said that it is important that they are accessible to the community. He said that they are in the community everywhere. He said that they are trying to draw funding from Buffalo other people in the area. He said that they are advocates for this area, this is the only path for solvency. He said that right now the Kenan Center loses about \$400,000 to \$450,000 a year. He said that with the new arena they believe that it will generate about a half million dollars of revenue within its first 18 months.

Mr. Patti said that currently can solve the deficit with an operation endowment with they draw from. He said they anticipate using that endowment in the future for capital projects like roofs and driveways.

Mr. Patti said that it is important to see this project through so they are able to expand the programs with this facility. He said that the only program they anticipate losing is the roller hockey program that rents from them. He said that it takes about 40 hours of man power currently to transform the current arena from turf to the floor. He said in the new area it will take 15 minutes because everything will be a pulley system. He said that this will allow them to hold different events in the same day.

Commissioner Bragg asked if the colors on the rendering are the colors that the building is going to be.

Mr. Bebout said yes.

Commissioner Tracy asked if the renderings are interpretations.

Mr. Bebout said it is an actual representation of what the building will look like.

Commissioner Tracy asked if the artistic renderings are what is going to be installed on the building.

Mr. Bebout said those could change.

Commissioner Pietrzykowski asked what the dimensions are of the artistic panels.

Mr. Bebout said he didn't know.

Commissioner Pietrzykowski said she would like to know what size the panels are because they are going to break up that side of the building.

Mr. Bebout said that he doesn't want to guess, he will get back with them about that.

Commissioner Pietrzykowski asked how many artistic panels are going to be installed.

Mr. Bebout said they are currently proposing five on each side.

Commissioner Tracy asked what the height of the current building is.

Mr. Bebout said that he wasn't sure.

Commissioner Roth said that right now they have 241 parking spaces and they are doubling that amount to 435 which is more than the code requires. He asked if the site of the existing building would be utilized as overflow if they needed it in the future.

Mr. Bebout said no, if overflow parking is needed they would make agreements with the church and schools.

Mr. Patti said that based on the events that they have they rarely need more spaces. He said that if they do, they communicate with the church and schools to make arrangements.

Commissioner Harmon asked how many parking spaces are going to be installed on the Beattie Avenue side.

Mr. Bebout said on the back and east side about 50-70 spaces. He said that currently if you are using the fields in the back, there are not a lot of spaces to park. He said that the new arrangement will provide more suitable parking for those fields.

Mr. Bebout said that there will be 45 spaces on the east side and 29 on the south side.

Commissioner Bragg said that they are adding 198 spaces to the parking area.

Mr. Bebout said yes, they are reconfiguring the area to change the traffic pattern.

Commissioner Tracy said currently the retention pond gets squishy but does not fill with water. He asked if they anticipate the new pond to fill with water now.

Mr. Bebout said that the design requirements for the DEC requires micro pools which are deeper areas so yes, there will be standing water. He said that they don't have all of the answers yet. He said they don't know if they can infiltrate.

Commissioner Tracy said that pickle ball can be quite noisy. He said that the courts are close to the Locust Street apartments. He asked if they plan on putting in any fencing or a buffer to break up the noise. He asked what hours the courts would be used.

Mr. Bebout said that those are all legitimate questions. He said that they have some things to work out still and can come back with answers.

Commissioner Bragg said that they need to consider more ADA compliance. He said that they have touched on that with parking at the front entrance. He said that anything they can do to improve accessibility would be fantastic.

Mr. Bebout said that they have eight ADA spaces at the door.

The meeting was opened to the public.

Mr. Richard McDonald, 2 Georgia Avenue, said that he lives on the corner of Georgia and Beattie. He asked if it was true that none of the traffic is going to be able to get to Lincoln. He asked if all of the traffic is going to have to come from Beattie.

Mr. Bebout said that the Locust Street entrance is staying open.

Mr. McDonald asked people can still get through from Locust to Beattie.

Mr. Bebout said yes.

Mr. McDonald said that he has concerns with the parking. He said that he has heard people saying there isn't much overflow parking on Beattie Avenue. He said that is not true, he has problems with people parking in front of his house. He said that it is only going to get worse. He said people can't get cars up and down the street.

Mr. Patti said that they have asked the City to put no parking signs on Beattie Avenue. He said that with 241 parking spaces currently, they have never filled the lot.

Mr. Patti said that if people are parking on Beattie Avenue it is parent laziness for easier access. He said that they have asked people not to park on Beattie Ave for safety purposes but he can't stop people.

Mr. McDonald said that it is going to increase the amount of cars going down Beattie Ave.

Mr. Bebout said that the new parking is better distributed throughout the site, closer to the fields.

Jason Dool said that the Traffic Advisory Committee can address the parking issue on Beattie Avenue.

Commissioner Harmon said that they have 241 parking spaces now and it is going to increase to 435, that's almost double.

Mr. McDonald asked what street they are going to use for construction access. He asked if they are going to use Beattie.

Mr. Bebout said that he doesn't know for sure but that would make sense.

Ms. Diane Oates, 260 Beattie Ave stated that her biggest concern is the sewer and water overflow. She said that she has two backflow valves at her house, one in the lawn and one in the basement because they put the apartments across the street. She said that she lives in her parent's old house. She said that she talked to one of the sewer guys and they thought that the sewer currently is connected on Locust Street. She said that if it is being moved to Beattie Avenue it is going to be impossible.

Ms. Oates said that if the existing sewer goes to Beattie Avenue it is still going to increase the amount of sewer because you are adding the school and the building is going to be bigger. She said that she is concerned with them taking up more greenspace. She said that greenspace absorbs water. She said that it absorbs more water than a retention pond. She said that she is concerned with the amount of retention ponds they will have. She said that they need to address the snow melt.

Ms. Oates asked where the little soccer fields are going to go.

Mr. Patti said behind the new arena.

Ms. Oates said that when she saw a prior rendering, she thought they were where the retention pond is.

Mr. Patti said that one of fields may be more toward Locust Street but not in the retention pond area.

Ms. Oates said that she was concerned that if they put the little field closer to Locust, parents don't like to walk with their little ones and they would park toward Willow Street. She said that every parking spot is taken on Beattie Avenue during soccer season.

Ms. Oates said that the added parking along Beattie Avenue side is going to increase traffic onto Beattie Avenue. She said that currently during larger events people were able to park on the grass inside the Beattie Avenue entrance and they didn't need overflow parking. She said that now they aren't going to be able to park on the grass. She asked if people can't park on Beattie for overflow or the grass, where are they going to park.

Ms. Oates said that you might have to bus people in.

Mr. Patti said that if they have a 1,000 people in the building they have 441 parking spaces. He said that they have plenty of parking. He said that if they needed more parking for an event he would engage and overflow plan and have parking attendants which they already do for larger events.

Mr. Patti said that if the parking lot is full and they need overflow they are doing something right.

Ms. Oates said that busing people in is what they do in Virginia. She said if they don't bus people in, people will park in the neighborhoods. She said that her biggest concern is the sewer and parking.

Commissioner Tracy stated that the Traffic Advisory Committee will take a look at the no parking signs.

Jason Dool explained that the Engineering Department has a copy of the drainage plans and they are working of reviewing them.

Ms. Oates asked where the water and sewer are connected now.

Jason Dool said on Beattie Avenue.

The meeting was closed to the public.

Mr. Bebout said that they will be working with the Director of Public Works coordinating the water and sewer. He said they still have a lot of work to do with the water and sewer. He said that they don't need a Niagara County referral for this project. He said that they believe this is an unlisted action, however they have submitted an EAF long form. He said that he is not sure if they are going to have to apply for variances. He said that they want to keep the project moving and they are looking for some guidance.

Commissioner Tracy said that they are leaning toward tabling the decision so that they can come back with more information. He said that they more information from the City on the water issue. He said that he would like to see a comparison of height from the current building to the new. He said that he would like to see the size of the artistic panels as well as some consideration for noise mitigation for the pickle ball and tennis courts.

Commissioner Tracy said that the parking on Beattie Avenue is a Traffic Committee issue. He said that site plan wise they have doubled the amount of parking that what is currently there.

Commissioner Bragg said that he would like to thank the community and the Kenan Center for holding events regarding the new facility. He said that there are some things that they need more information on and tabling the decision is appropriate.

Mr. McDonald asked how large the existing building is.

Mr. Bebout said currently it is about 42,000 square feet.

Mr. McDonald asked how large the new building is going to be.

Mr. Bebout said 64,000 square feet.

There being nothing further Commissioner Pasceri made a motion to table the decision for further information. Seconded by Commissioner Roth.

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

SITE PLAN TABLED

2. City of Lockport. One Locks Plaza. Request to review the amendments made to the Draft Zoning Code.

Ms. Molly Gaudioso, Colliers Engineering was present to represent the City in this matter.

Ms. Gaudioso stated that some revisions have been made to the draft zoning code. She said that this is going to be a little refresher. She said that this has gone to the Common Council and some revisions have come from them as well as Deputy Corporation Counsel. She said that we are looking at the revisions made to the Zoning Code alongside the Comprehensive Plan.

Ms. Gaudioso said that she is going to highlight some of the changes. She said that a lot of them are clerical elements and clean ups from a legal side in conformance with NYS law and some clarity throughout the Code.

Ms. Gaudioso said that in Article 10 there was some clean up in the purpose statements under the establishment and applicability. She said under the districts they made some clean up to the purpose statements and took a look at how it connects to review procedure references.

Ms. Gaudioso said that in Article 24 the additional use regulation they made adjustments to a few uses and some clean ups in some accessory uses including Air B & B and drive-thru establishments.

Ms. Gaudioso said that in Article 30 use performance standards, which is currently in the existing code was struck. She said that the consideration standards that are there can be handled through site plan.

Ms. Gaudioso said that in Article 40 some revisions to the newly created general application procedure. She said that some of that was more for clarity and review process and aligning that with Article 42 to allow for a sketch plan review. She said that this should make it easier now.

Ms. Gaudioso said that in Article 44 certificate of appropriateness was removed. She said that it was removed because of some of the considerations with the existing City Code chapters and how it aligns with the zoning code. She said that it may not have that applicability.

Ms. Gaudioso said that in Article 45 Planned Unit Development procedural modification and application process changes were made according to suggestions made to them. She said that amendments and appeals sections were all cleaned in accordance with NYS law.

Ms. Gaudioso said that minor map changes were made that were more of a GIS error on their end.

The meeting was opened to the public.

The meeting was closed to the public.

Deputy Corporation Counsel Sirianni explained to the Board what the Waterfront Consistency checklist is and how it needs to be considered when recommending the comp plan and zoning code.

Deputy Corporation Counsel Sirianni stated that after he reviewed the checklist he advises the Board to declare the Waterfront Consistency checklist consistent with the comp plan and zoning code.

There being nothing further Commissioner Harmon made a motion to waive the reading of the Waterfront Consistency checklist. Seconded by Commissioner Roth.

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

READING WAIVED

Commissioner Roth made a motion to declare the Waterfront Consistency checklist consistent. Seconded by Commissioner Harmon.

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

DECLARED CONSISTENT

Commissioner Roth made a motion to recommend the adoption of the Comprehensive Plan and Zoning Code as presented. Seconded by Commissioner Harmon.

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

RECOMMENDED TO COUNCIL

Commissioner Roth made a motion to approve the minutes from the February 3, 2025 meeting. Seconded Commissioner Harmon. Ayes-6 Noes-0

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

**THE NEXT REGULARLY SCHEDULED MEETING WILL BE APRIL 7, 2025.
IF YOU CANNOT ATTEND, PLEASE CONTACT MEGAN AT 439-6754 OR
mbrewer@lockportny.gov.**