

LOCKPORT PLANNING AND ZONING BOARD
LOCKPORT, NEW YORK
JULY 7, 2025

PRESENT: ROBERT BRAGG, ACTING CHAIRMAN, DON GILL, ASHLEY PIETRZYKOWSKI, MARSHALL ROTH, LARRY BOUCHARD, DAN WOJEWODA, BUILDING INSPECTOR, 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. Fred De Cost. 117 South Street. Request to install a mural on the side of the building situated in an MR Zone.

Mr. De Cost stated that he owns the property and is trying to clean it up. He said that he is an art guy and would like to have a 17' high mural of Godzilla put on the barn. He said that it will be black. He said that he is friendly with the neighbors. He said that the barn faces a small dead end street. He said that it is good with the neighbors. He said that he has gotten a few permits for the building over the years so he asked Building Inspection about this. He said that this will be a black shadow image.

Commissioner Bragg asked how Mr. De Cost decided on such a big mural.

Mr. De Cost said that there is already a Frankenstein image on the inside of the yard as well as some little critter images. He said that the image he showed the board of the Godzilla is not the exact image he will use but it will be something close. He said that the artist has a projector that will be used to stencil the image.

Commissioner Bragg asked if this is going to be on the west side of the building.

Mr. De Cost said yes, there is nothing on the east side.

The meeting was opened to the public.

The meeting was closed to the public.

Commissioner Bragg asked if Mr. De Cost spoke to the neighbors.

Mr. De Cost said yes, they are happy with what he has done so far. He said the next door neighbors don't care about much. He said that Faye has lived there forever and she is ok with it.

There being nothing further Commissioner Pietrzykowski made a motion to approve the request to install a mural at 117 South Street.

Deputy Corporation Counsel Sirianni added that the motion should include waiving the standards in Article 30 of the Zoning Ordinance.

Seconded by Commissioner Gill.

Commissioner Gill-yes
Commissioner Bragg-yes
Commissioner Roth-yes
Commissioner Pietrzykowski- yes
Commission Bouchard-yes

APPROVED

2. Apex Consulting Survey & Engineering Services. 55 Stevens Street. Request to alter the existing site plan adding a below grade loading dock situated in a MU-N Zone.

Tim Arlington, Apex Consulting, 102 East Avenue, Lockport New York was present to represent the request.

Mr. Arlington stated that back in last October they appeared before the board for site plan approval. He said that in April the owners, BMBM, LLC were informed by the Health Department that they want a below grade loading dock. He said that the dock that was approved is at grade. He said that a below grade dock was not approved.

Mr. Arlington said that they want this to accommodate the vehicles that they use every day. He said they have trucks and pickups with trailers. He said that they would use it for the DSL, UPS and other deliveries. He said that they also want it if, in the future they have to accommodate a full sized trailer, they can. He said that is why the drawing shows the angle it does.

Mr. Arlington said that the trucks would come off Stevens Street to Windsor and back into the ramp. He said that the grade at Windsor is a few feet below. He said that the slope is at 3%.

Mr. Arlington said that in the last five years, the Health Department has only have two full sized tractor trailers deliver at their current garage.

Mr. Arlington said that in June this project went before Traffic Advisory and they went back and forth. He said that Clayton Dimmick from the Highway and Parks Department was not there. He said that they did not make a decision and sent him to the Planning Board. He said that the Traffic Advisory Committee is looking for a recommendation

from the board. He said they wanted to know if the board is going to allow this or allow it with conditions.

Mr. Arlington said that the dock will be able to facilitate a tractor trailer but he doesn't know if the dock will be used only for that. He said that the normal trucks they use are 40'- 50' he said that he knows they can't put the trucks in the right-of-way. He said they will adjust the curbing in the rear but the parking will not change.

Mr. Arlington said that the Windsor entrance wouldn't be accessible if a tractor trailer was delivering, the cab would be in the road. He said that a tractor trailer can be 75' long.

Mr. Arlington said that one of the concerns the Traffic Advisory Committee had was trucks being able to make the turn. He said that if this allowed they can make it a condition that the Police and Fire Departments are notified when a truck is there. He said that he doesn't think they need to do that.

Mr. Arlington said that he has a grading plan. He said that the slope will be 3% instead of the normal 6%-8%. He said the dock will have a railing on top of it with two retaining walls. He said that the dock will be 12' wide, single lane. He said that up by the building there will be an angled platform.

Commissioner Roth said that his major concerns surround semi-trucks getting in and out on Windsor to Prospect Street. He said that if they already have a warehouse to accommodate a semi-truck, not allowing them at this location is not a hardship.

Mr. Arlington said that an employee told him that in five years only two full semi-trucks have delivered at their Upper Mountain location.

Commissioner Bouchard asked if the truck traffic is going to enter on Windsor.

Mr. Arlington said no, the angle will not allow for trucks to enter off Windsor. He said that they will bring the trucks off Stevens Street to Windsor and back in. He said that if it is a semi-truck, the truck will be in the right-of-way.

Commissioner. Bouchard asked why they don't change the angle.

Mr. Arlington said that it will impact the parking and drive lanes.

Commissioner Roth said that he would be interested to hear from Traffic Advisory.

Mr. Arlington said that he needs direction from either the Planning Board or Traffic Advisory.

Deputy Corporation Counsel asked if Traffic Advisory tabled their decision.

Mr. Arlington said yes, they are waiting on the Planning Board's decision.

Deputy Corporation Counsel asked if they asked him to speak to the Planning Board.

Mr. Arlington said yes, it is abnormal.

Commissioner Bragg asked how they are taking DSL, UPS and other deliveries.

Mr. Arlington said they still back down the ramp but it is at grade now. He said that with this the door on the truck will be level with the platform.

Commissioner Bragg asked if they do this with semi-trucks now.

Mr. Arlington said no. He said that the trucks they use have to be manually loaded and unloaded now, they are trying to minimize that.

Commissioner Roth asked if they could live with semi-trucks not being allowed to enter the property.

Mr. Arlington said it's the Board's decision. He said that if that's the condition, they have a dock at grade now. He said that anything is an improvement. He said that now they use a lift. He said that most of the trucks they have now are unloaded with a lift and the product is brought in. He said they want to lower the dock.

Deputy Corporation Counsel said there is a dock then, it just isn't suitable for loading with a semi.

Mr. Arlington said they cannot currently get a semi in and back up because of the entrances on Windsor. He said they would have to come in at a 90 degree angle and the truck would end up in the yard.

Mr. Arlington said that the angle will keep smaller trucks on the property. He said the new ramp and layout could facilitate a semi.

Deputy Corporation Counsel asked if a tractor trailer was loading with the plan modification, would it encroach the right-of-way.

Mr. Arlington said yes, one of the lanes. He said the south lane.

Commissioner Pietrzykowski asked if parking is allowed on Windsor Street.

Mr. Arlington said no.

Commissioner Bouchard asked if the dock is going to be 28' not 40'.

Deputy Corporation Counsel asked if the existing dock would fit a 20' long vehicle as they are the most commonly used.

Mr. Arlington said yes.

Commissioner Roth asked what the longest truck they can get into the dock now with encroaching the street.

Mr. Arlington said 42', box trucks, pickup trucks with trailers and smaller.

Mr. Bouchard said that 28' wouldn't allow for a trailer.

Mr. Arlington said they make smaller trailers but the cab would be in the traffic lane.

Deputy Corporation Counsel Sirianni said that the Planning Board's issue is if the modification is approved, allowing a waiver of Section 190-32-10(E) of the Zoning Ordinance it could cause an issued with the street being block.

Deputy Corporation Counsel Sirianni said that the Board can vote to approve the waiver or deny based upon the criteria set forth in Section 190-32-10 (E) of the Zoning Ordinance.

Deputy Corporation Counsel Sirianni read aloud the criteria for a waiver. He said that it seems that Traffic Advisory had similar concerns as the Board. He said that they wanted this Board to weigh in.

Commissioner Roth said that he doesn't have a problem with the dock, he has an issue with the length of the trucks blocking traffic.

Deputy Corporation Counsel Sirianni said that he suggest the Board stipulate the size of the trucks allowed to use the dock.

Mr. Arlington said that they want to be able to load and unload easier. He said that with a below grade dock they can. He said that the current dock is at grade and they would need a platform lift and they don't have one. He said they are trying to minimize loading and unloading by hand. He said that if the dock is below grade, they will be able to.

Commissioner Roth said that below grade, they can roll product off.

Mr. Arlington said that they should have done this last year with they were before the board.

Commissioner Bragg asked if they are going to have to put in a catch basin for the drainage change.

Mr. Arlington said that the water would run back at the building and they are going to put in a pump to take the water to the receiver. He said that there is a significant grade change from Windsor to Stevens.

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 site plan modification with the stipulation that the City right-of-way and street cannot be blocked at any time.

Seconded by Commissioner Gill.

Commissioner Gill-yes
Commissioner Bragg-yes
Commissioner Roth-yes
Commissioner Pietrzykowski- yes
Commission Bouchard-yes

APPROVED

Commissioner Roth made a motion to approve the minutes from the June 2, 2025 meeting. Seconded Commissioner Pietrzykowski. Ayes-5 Noes-0

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

**THE NEXT REGULARLY SCHEDULED MEETING WILL BE AUGUST 4, 2025.
IF YOU CANNOT ATTEND, PLEASE CONTACT MEGAN AT 439-6754 OR
mbrewer@lockportny.gov.**