



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

714 Ridge Road – Room 309

Lackawanna, NY 14218

Tel: (716) 827-6421 Fax: (716) 827-1866



APPLICATION
 TO THE CITY OF LACKAWANNA
 ZONING BOARD OF APPEALS

Date: 12/29/21

Application No. _____

Application Fee:

Fee

Land Use Variance
 Zoning Law Appeal

\$ 250.00

\$ 150.00

Property Address: 2303 HAMBURG TURNPIKE, LACKAWANNA, NY 14218

S.B.L. No. 141. 11-1-52

Description of Action to be Appealed: _____

PLEASE SEE ATTACHED

APPLICATION IS HEREBY MADE to the City of Lackawanna Zoning Board of Appeals for a Land Use Variance and/or Zoning Law Appeal as required by the Municipal Code of the City of Lackawanna. The applicant hereby agrees to comply with all applicable laws, rules, ordinances and regulations.

Richard Stanton
 Director of Development



12/29/21

Application to the City of Lackawanna Zoning Board of Appeals

Property Address: 2303 Hamburg Turnpike, Lackawanna, NY 14218

S.B.L. No. 141.11-1-52

Description of Action to be Appealed:

Uniland is requesting to install two temporary leasing signs at 2303 Hamburg Turnpike (aka 8 Dona Street). Each sign would be approximately 50' long by 5'-8" high and equal approximately 283 square feet. The signs would be installed on a temporary construction fence. The City of Lackawanna Zoning Code, under Section '230-41 Signs', allows for one construction sign, four square feet in size. It also allows for one temporary sign up to 40 square feet in size.

The reason for the variance request is to advertise our new spec industrial building, taking advantage of the highly traveled Hamburg Turnpike. The site is approximately 8.36 acres and runs 935 feet in length along the Hamburg Turnpike. A sign that covers 100 feet in length would be appropriate in scale for this site.

The signs will be temporary and not create a negative impact on the surroundings. The adjacent uses are non-residential and part of the Bethlehem Redevelopment Area. On the other side of the Hamburg Turnpike, there are Mixed Commercial/Industrial uses.



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City of Lackawanna Criteria for an Area Variance

(All applicants must answer questions below when an Area Variance is sought)

Before the Zoning Board of Appeals may grant an Area Variance the Applicant must provide proof of, and the ZBA must consider the following:

- (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
 - (2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
 - (3) whether the requested area variance is substantial;
 - (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
 - (5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.
- (c) The board of appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

In order to establish the above please complete the questions below (Please feel free to use additional pages if necessary):

Richard Stanton
Department of Development

Property Address: 2303 HAMBURG TURNPIKE (AKA B DONA STREET)
LACKAWANNA, NY 14218

1. Will an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance, and if not why not?

THERE WILL BE NO NEGATIVE IMPACT ON THE CHARACTER OF THE NEIGHBORHOOD. THE SURROUNDING PROPERTIES ON THE WEST SIDE OF THE HAMBURG TURNPIKE ARE INDUSTRIAL/WAREHOUSE USES AND PART OF THE 'BETHLEHEM REDEVELOPMENT AREA'. USES DIRECTLY ACROSS THE STREET ON THE EAST SIDE OF THE HAMBURG TURNPIKE ARE MIXED COMMERCIAL/INDUSTRIAL. THE TEMPORARY SIGNAGE WILL HAVE NO IMPACT ON THESE ADJACENT PROPERTIES.

2. Can the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance, and if not why not?

NO, THE AREA VARIANCE IS NECESSARY TO ACHIEVE VISIBILITY WITH THE TEMPORARY SIGNAGE. THE CURRENT ZONING REGULATIONS ONLY ALLOW FOR A SMALL SIGN THAT WOULD BE UNNOTICEABLE ALONG THE HEAVILY TRAVELED HAMBURG TURNPIKE

3. Is the requested area variance is substantial when considered against adopted area zoning regulations?

THE REQUESTED AREA VARIANCE IS SUBSTANTIAL IN SIZE, BUT IS TEMPORARY & APPROPRIATE FOR THE SIZE OF THE SITE AND ITS LOCATION ALONG THE HAMBURG TURNPIKE.

4. Will the proposed area variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

NO, THE PROPOSED AREA VARIANCE WILL NOT HAVE AN ADVERSE EFFECT ON THE NEIGHBORHOOD. IT WILL BE TEMPORARY.

5. Is the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance?

THE TEMPORARY SIGNAGE REGULATIONS ARE RESTRICTIVE
FOR A PROJECT SITE THIS LARGE.

K. B. K.

Sign Above, Print Name Below

KEVIN B. KIRK, RA - UNILAND DEVELOPMENT

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
New warehouse/industrial building				
Name of Action or Project: Proposed temporary signage				
Project Location (describe, and attach a location map): 2303 Hamburg Turnpike (aka S Dona Street), Lackawanna, NY 14218				
Brief Description of Proposed Action: Proposal to install two temporary leasing signs facing the Hamburg Turnpike. Each sign would be approximately 50' long by 5'-8" high. The signs would be installed on a temporary construction fence.				
Name of Applicant or Sponsor: Uniland Development		Telephone: E-Mail:		
Address: 100 Corporate Parkway - Suite 500				
City/PO: Amherst		State: NY	Zip Code: 14226	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: City of Lackawanna Zoning Board of Appeals			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		8.36 +/- acres		
b. Total acreage to be physically disturbed?		8.36 +/- acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		8.36 +/- acres		
4. Check all land uses that occur on, are adjoining or near the proposed action:				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland				

		NO	YES	N/A
5. Is the proposed action,	a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES	
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES	
	b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
 Shoreline Forest Agricultural/grasslands Early mid-successional
 Wetland Urban Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ DEC ID Numbers: C915198H, C915198K, C915197L	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Kevln B. Kirk, RA - Uniland Development Date: 12/29/21
 Signature: *K. B. Kirk* Title: Director of Planning & Design

PRINT FORM

8 DONA STREET, LACKAWANNA, NY | Construction Fence Screen Sign

50ft



5ft 8in

- Spacious Trailer Staging
- Loading Docks
- Grade Level Doors

716.834.5000



150,000 SF Industrial Hub for Manufacturing / Warehousing / Distribution



50ft



5ft 8in

- Easy Access To: • Highways
- Class 1 Rail • Port of Buffalo
- Canadian Border Crossing

716.834.5000



150,000 SF Industrial Hub for Manufacturing / Warehousing / Distribution



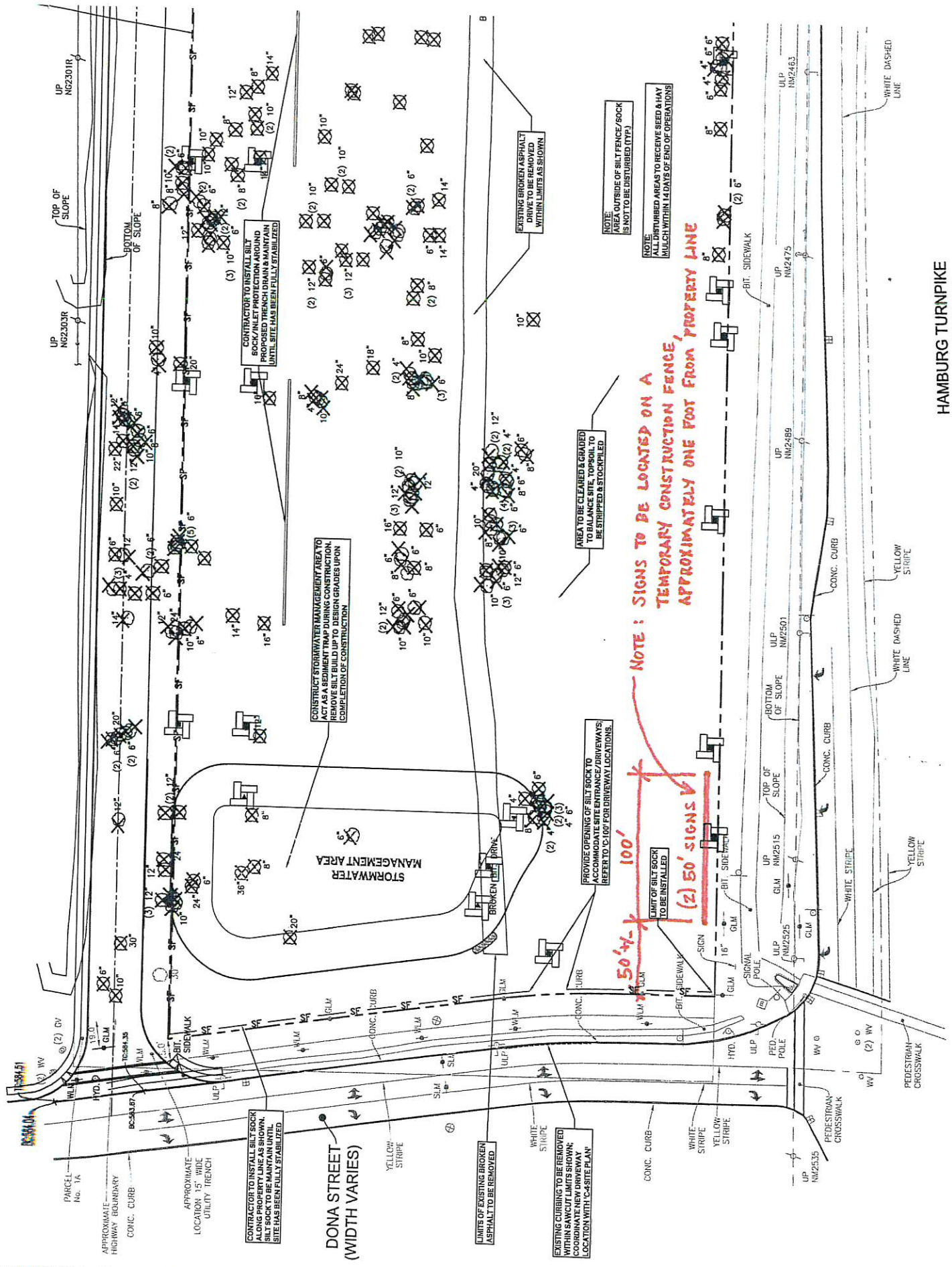
Two panels to be installed side by side.



Buffalo | University Corporate Centre | 100 Corporate Parkway, Suite 500 | Amherst, NY 14226 | 716.834.5000
 Rochester | WillowBrook Office Park | 250 WillowBrook Office Park | Fairport, NY 14450 | 585.385.4430 | uniland.com

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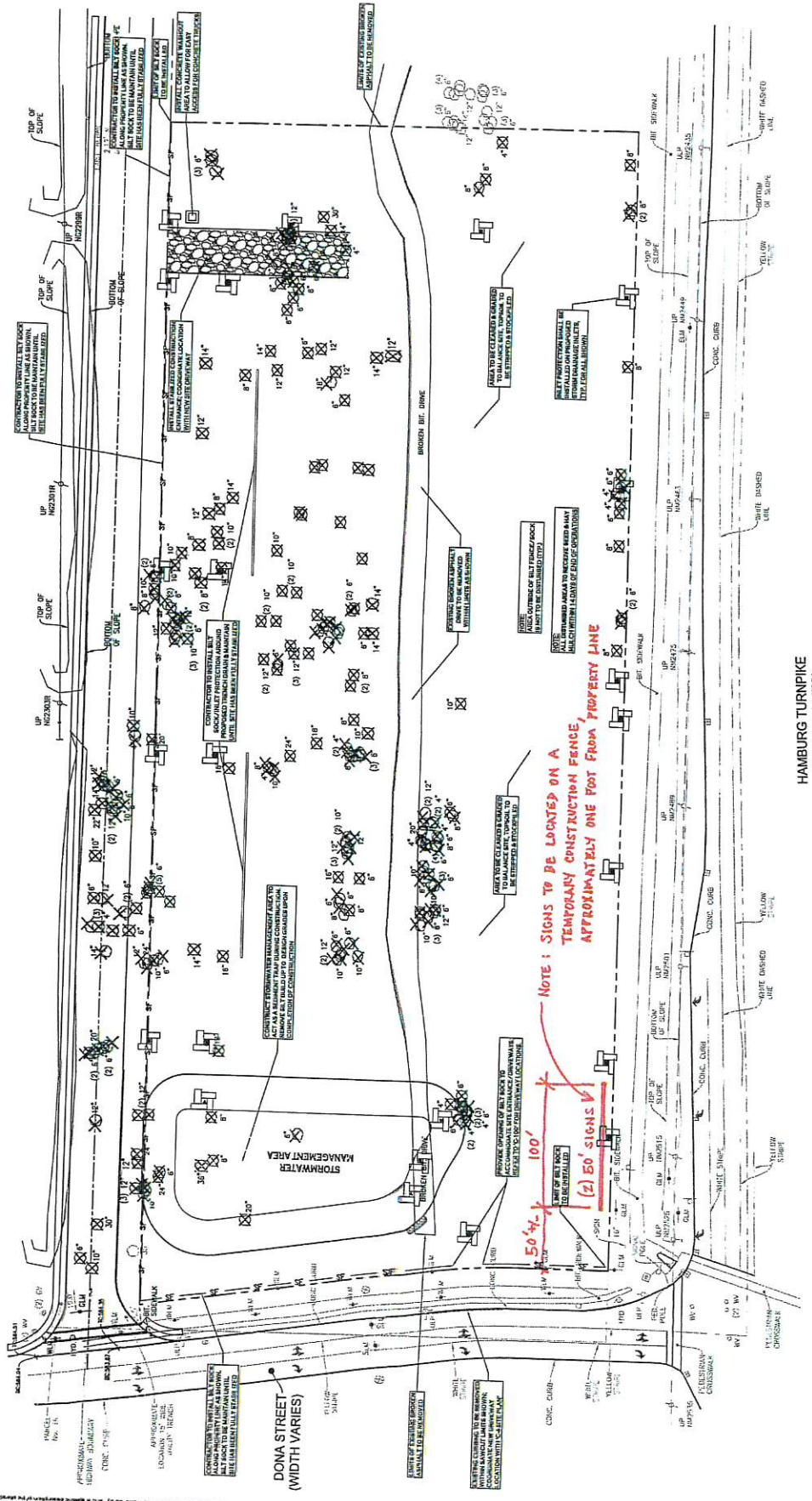
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 All sections 7209 and 7201 of the New York State education law for any person, unless otherwise indicated, licensed engineer or land surveyor



NOTE: SIGNS TO BE LOCATED ON A TEMPORARY CONSTRUCTION FENCE, APPROXIMATELY ONE FOOT FROM PROPERTY LINE

**HAMBURG TURNPIKE
 (WIDTH VARIES)**
 (ALSO KNOWN AS STATE ROUTE No. 5)

N DEMO & E.C. PLAN



**NOTE: SIGNS TO BE LOCATED ON A
TEMPORARY CONSTRUCTION FENCE,
APPROXIMATELY ONE FOOT FROM PROPERTY LINE**

PROPOSED TEMPORARY SIGNAGE LOCATION
12/29/21

DEMOS & E.C. PLAN
SCALE: 1"=40'

**HAMBURG TURNPIKE
(WIDTH VARIES)**
(ALSO KNOWN AS STATE ROUTE No. 5)

- CONSTRUCTION & EROSION CONTROL LEAFLET
- INSTALL EROSION CONTROL MATS
- INSTALL EROSION CONTROL MATS
- CONFORM TO THE DEMAND



NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION IS BASED ON THE SURVEY RECORDS OF P.C. ASSUMING AN UNUSUALITY FOR THIS PROJECT.

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CITY OF LACKAWANNA DEPARTMENT OF DEVELOPMENT

714 Ridge Road – Room 309
Lackawanna, NY 14218
Tel: (716) 827-6421 Fax: (716) 827-1866



APPLICATION TO THE CITY OF LACKAWANNA ZONING BOARD OF APPEALS

Date: 10-25-21

Application No. _____

Application Fee:

Fee

Land Use Variance
 Zoning Law Appeal

\$ 250.00
\$ 150.00

Property Address: 1245 ABBOTT RD.

S.B.L. No. _____

Description of Action to be Appealed: ~~CHANGE ZONING~~
VARIANCE REQUEST
Mixed Residential + Commercial

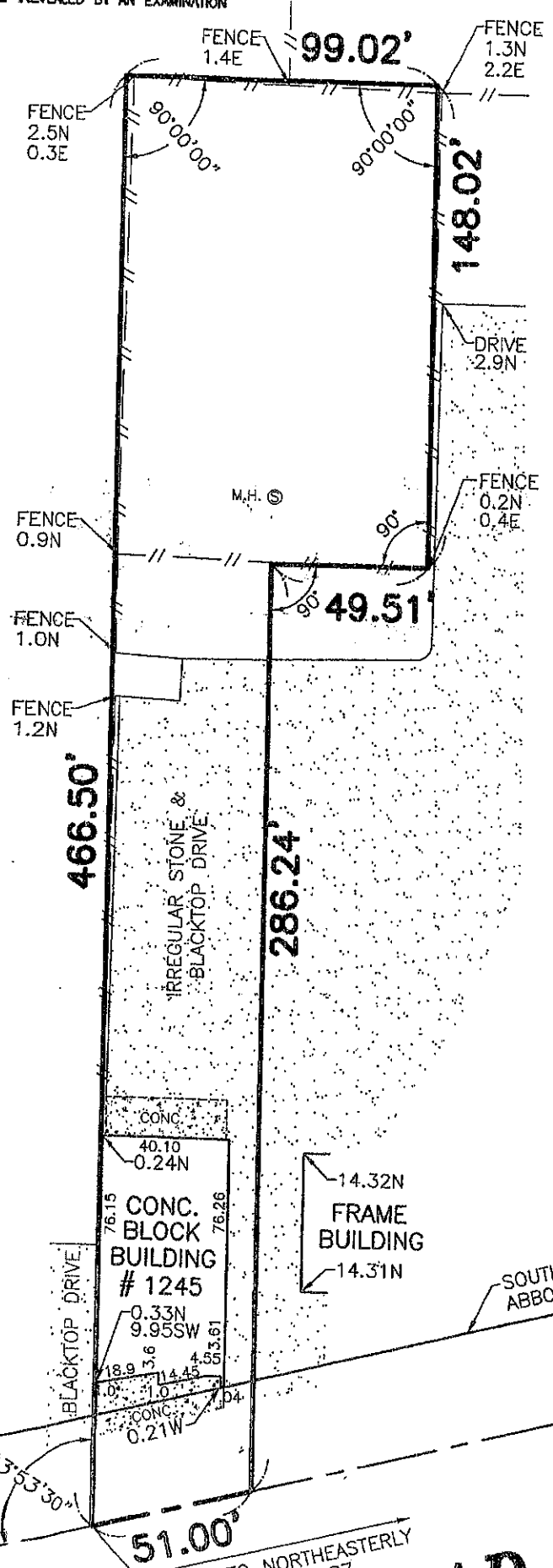
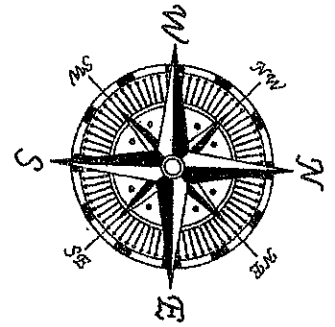
APPLICATION IS HEREBY MADE to the City of Lackawanna Zoning Board of Appeals for a Land Use Variance and/or Zoning Law Appeal as required by the Municipal Code of the City of Lackawanna. The applicant hereby agrees to comply with all applicable laws, rules, ordinances and regulations.

Richard Stanton
Director of Development

NSG

Feet	inches
0.08	1 inch
0.17	2"
0.25	3"
0.33	4"
0.42	5"
0.50	6"
0.58	7"
0.67	8"
0.75	9"
0.83	10"
0.92	11"
1.00	12"

NOTE: 1) THIS SURVEY IS NULL AND VOID WITH AN AFFIDAVIT OF NO CHANGE
 2) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH



66' WIDE ROAD

Friday, October 22, 2021 at 10:33 AM
1243 Abbott Rd
Lackawanna NY 14218



Friday, October 22, 2021 at 10:33 AM
1243 Abbott Rd
Lackawanna NY 14218



Friday, October 22, 2021 at 10:32 AM
1243 Abbott Rd
Lackawanna NY 14218



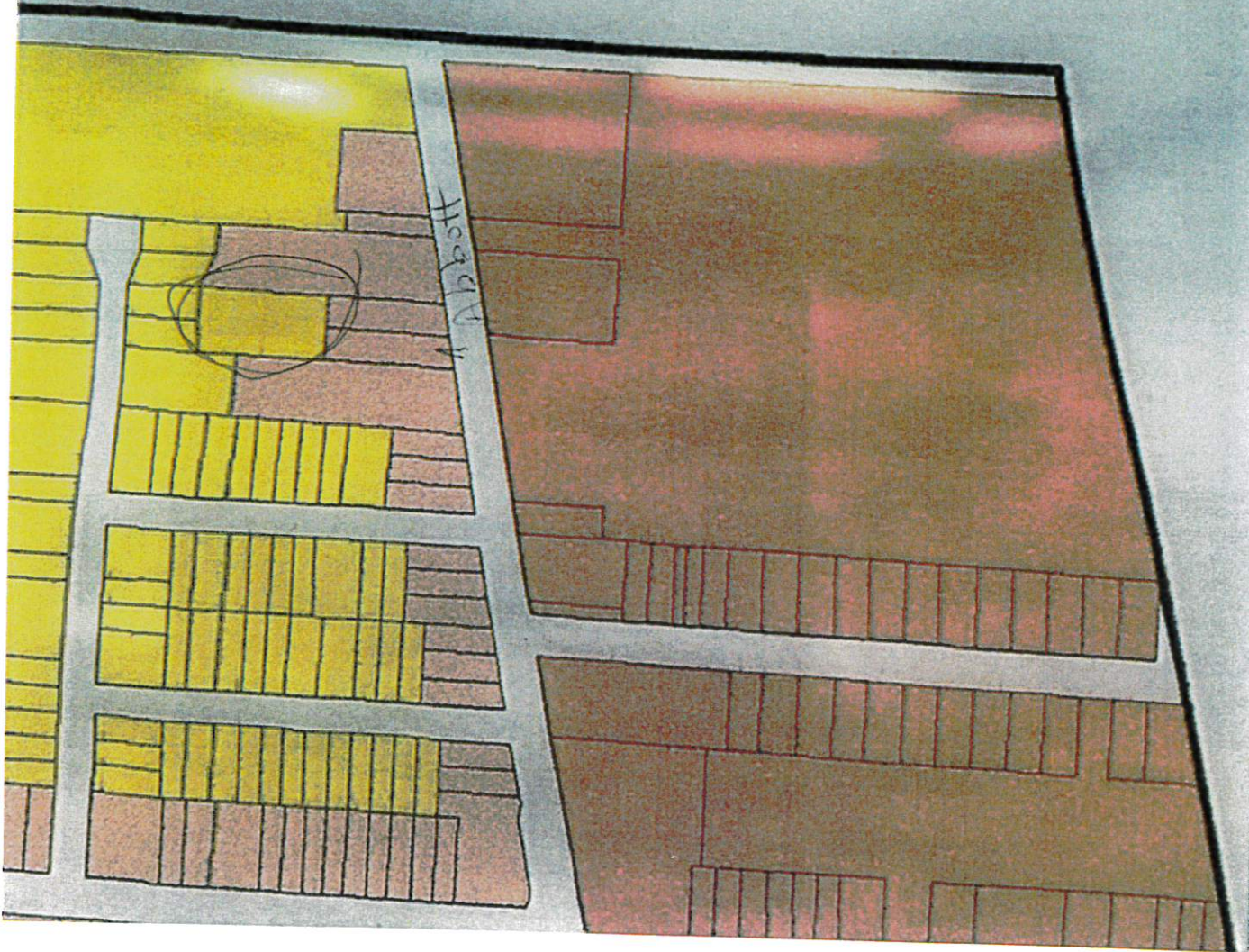
Friday, October 22, 2021 at 10:32 AM
1243 Abbott Rd
Lackawanna NY 14218



Friday, October 22, 2021 at 10:34 AM
1243 Abbott Rd
Lackawanna NY 14218



Monday, November 15, 2021 at 11:42 AM
714 Ridge Rd
Lackawanna NY 14218



Project:	1245 Abbott Rd
Date:	12/1/2021

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>