

LEGAL NOTICE
CITY OF LACKAWANNA
ZONING BOARD OF APPEALS AGENDA
COUNCIL CHAMBERS
TIME: 5:00 P.M.
Wednesday March 16, 2022

Agenda

NEW BUSINESS

Item#1

Area Variance
Land Use Variance

Christopher Flejtuch
2048 Abbott Rd
Request to install a sign

Item#2

Land Use Variance
Area Variance

Global Concept
186 Roland Ave
Request to build a culinary facility

Item #3

Land Use Variance

Matt Hartrich
780 Ridge Rd
Installation of two commercial real estate signs



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: February 3, 2022

Application No. _____

Application Fee:

Fee

 Land Use Variance
 Zoning Law Appeal

\$ 250.00
 \$ 150.00

Property Address: 2048 Abbott Road

S.B.L. No. _____

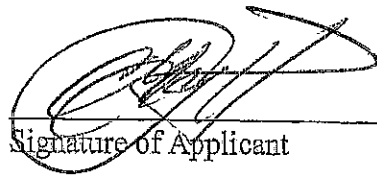
Description of Action to be Appealed: Use Variance for a "Bill Board"
sign at 2048 Abbott Road intended to attract attention and act
as an informational/directional sign for the Queens Landing
subdivision & Ryan Homes Model on lot 73 within the community.

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

Christopher Flejtuch

Name of Applicant



Signature of Applicant

Quality Quick Signs

1380 French Road * Depew, NY 14043

Address of Applicant

Applicant Phone No.

Chris@QualityQuickSigns.com

Applicant's Email

Contracted Sign Company

Role of Applicant to Project
(owner, attorney, lessee, agent,
architect, engineer, contractor...)

Property Owner:

NAME: Joseph Lombardo

Address: 3060 Abbot Road

Orchard Park, NY 14127



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			
Queens Landing c/o Christopher Flejtuch - Quality Quick Signs			
Name of Action or Project: Queens Landing Bill Board Use Variance for Ryan Homes			
Project Location (describe, and attach a location map): 2048 Abbott Road - Sign directing people into the community (Map attached)			
Brief Description of Proposed Action: Use Variance for a "Bill Board" 8'x4' sign at 2048 Abbott Road intended to attract attention and act as an informational/wayfinding sign for the Queens Landing subdivision & Ryan Homes Model on lot 73 within the community.			
Name of Applicant or Sponsor: Christopher Flejtuch - Quality Quick Signs		Telephone E-Mail: chris@qualityquicksigns.com	
Address: 1380 French Road			
City/PO: Depew		State: NY	Zip Code: 14043
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"/>
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:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			< 1 acres < 1 acres < 1 acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" 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			

5. Is the proposed action,	NO	YES	N/A
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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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,

a. Will storm water discharges flow to adjacent properties?

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If Yes, briefly describe:

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)?

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If Yes, explain the purpose and size of the impoundment:

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If Yes, describe:

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If Yes, describe:

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

Applicant/sponsor name: Christopher Fletuch / Quality Quick Signs Date: 2/4/22

Signature: _____ Title: President



**CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT**

714 Ridge Road – Room 309
Lackawanna, NY 14218
Tel: (716) 827-6474 Fax: (716) 827-1866



City of Lackawanna Criteria for a Use Variance

(All applicants must answer questions below when a Use Variance is sought)

The Zoning Board of Appeals may not grant a Use without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the board of appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:

- (1) the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
- (2) the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
- (3) the requested use variance, if granted, will not alter the essential character of the neighborhood; and
- (4) the alleged hardship has not been self-created.

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

Property Address 2048 Abbott Road

1. What facts support that the applicant cannot realize a reasonable return ?

The Queens Landing Subdivision is located at the end of South Drive off Abbott Road.

We are seeking a 8'x4' Subdivision Identification sign at the corner of Abbott and South to be used as a way finding tool for new home owners to be able to find Queens Landing easily and safely when exiting off Abbott Road.

2. Why should the ZBA determine the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood?

The Queens Landing Subdivision is land locked and currently only accessible from the

Abbott and South Roads entrance. The existing neighborhood is older and been a dead end for many years. The new section of South is not visible from Abbott Road and therefore requires wayfinding signage.

3. Will the use variance, if granted, alter the essential character of the neighborhood ?

The Queens Landing Subdivision sign will not alter the essential character of the neighborhood as the corner of Abbott and South is "Commercial" and there is essentially business signs and a Outdoor Advertising Billboard on the next block over from South. Ryan Homes will maintain the sign during the community buildout and will remove the sign after the final sale within the community.

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

There will be on adverse effects or impacts on the physical or environmental conditions of the existing neighborhood.

5. Is the alleged hardship self-created?

The hardship is not self created as the new subdivision is landlocked and only has one way to enter on South from Abbott

~~_____~~
Sign Application and Print Name Below

Christopher Flejtuch
Quality Quick Signs
1380 French Road
Depew, NY 14043

LIMITED LICENSE AGREEMENT

THIS LIMITED LICENSE AGREEMENT is made on this__ 29th _day of _November, 2021 by and in between _Joseph Lombardo__ (“Owner”) and NVR, INC., t/s/ Ryan Homes, a Virginia corporation (“Licensee”).

WHEREAS, Owner is the sole fee simple owner of certain property as shown on Exhibit A (the “Property”); and

WHEREAS, NVR has requested to use a portion of the property in the location shown on Exhibit A (the “SITE”) to place a marketing sign; and

WHEREAS, Owner wishes to grant to NVR a limited license to use the site pursuant to the terms of this agreement.

NOW THEREFORE, in consideration of the mutual promises made herein, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Owner hereby grants a limited license to NVR to erect and maintain a temporary sign on the Site for the purpose of marketing new homes. This license shall include the right to enter the Property to gain access of the Site. Any sign(s) erected on the Site shall comply with all applicable State and local requirements
2. NVR shall pay to Owner a license fee of \$1000.00 each calendar year for the Initial Term and each year of any extended term (the “License Fee”), unless the agreement is terminated. The License Fee is due and payable on the first day of each calendar year for which it is due.
3. The License granted hereunder shall commence January 1, 2022 and shall expire on the second anniversary (the “Initial Terms”). NVR may extend the license for an additional one year period on the same terms as provided in this Agreement Term hereunder. NVR may terminate this agreement at any time during the term with (30) days written notice to Owner. Owner may terminate this Agreement with (30) days prior written notice in the event Owner enters into an agreement to sell or develop the property.
4. NVR shall indemnify and hold Seller harmless from any liability which Seller may incur as a result of NVR’s use of the Site and/or entry to the Property except that this indemnification shall not include liability incurred as a result of any pre-existing condition which is not made worse by NVR, or any negligent act of Owner.

5. Owner shall take no action which will obstruct or otherwise prevent visibility of the sign installed on the site by NVR.
6. Ryan Homes will maintain the area around the sign.
7. Upon vacating the Site, NVR shall restore the Site and any of the Property disturbed by NVR.
8. This Agreement shall be interpreted pursuant to the laws of the State of New York.
9. This Agreement contains the entire agreement between the parties and no oral agreements exist.

IN WITNESS WHEREOF, the parties have set their hands and seals as of the date first written above.

OWNER:

Joseph Lombardo
3060 Abbot Road
Orchard Park, NY 14127

LICENSEE:

NVR, INC

By: _____

Marty Moore, General Manager
1026 Union Rd.
Suite 4
West Seneca, NY 14224



TOLL FREE
888-668-0188

SIGNS!

PRINTING!

DESIGN!

INSTALLATION!

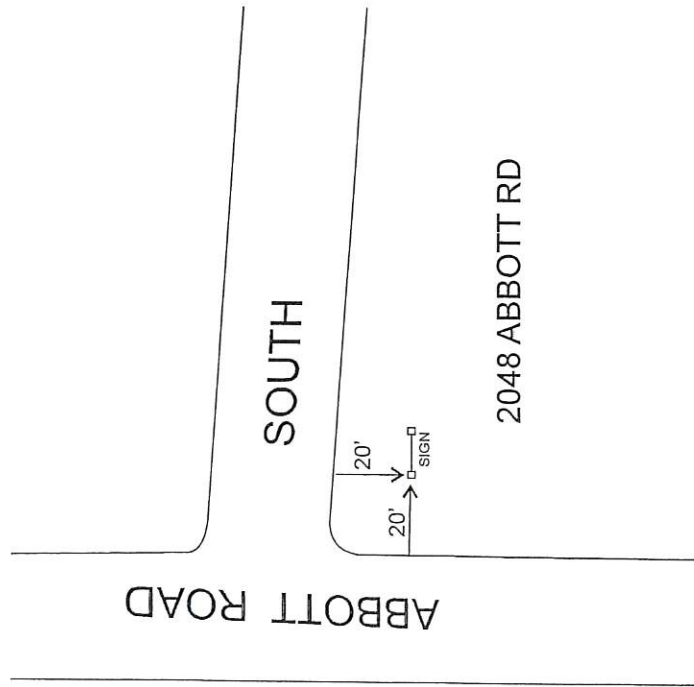
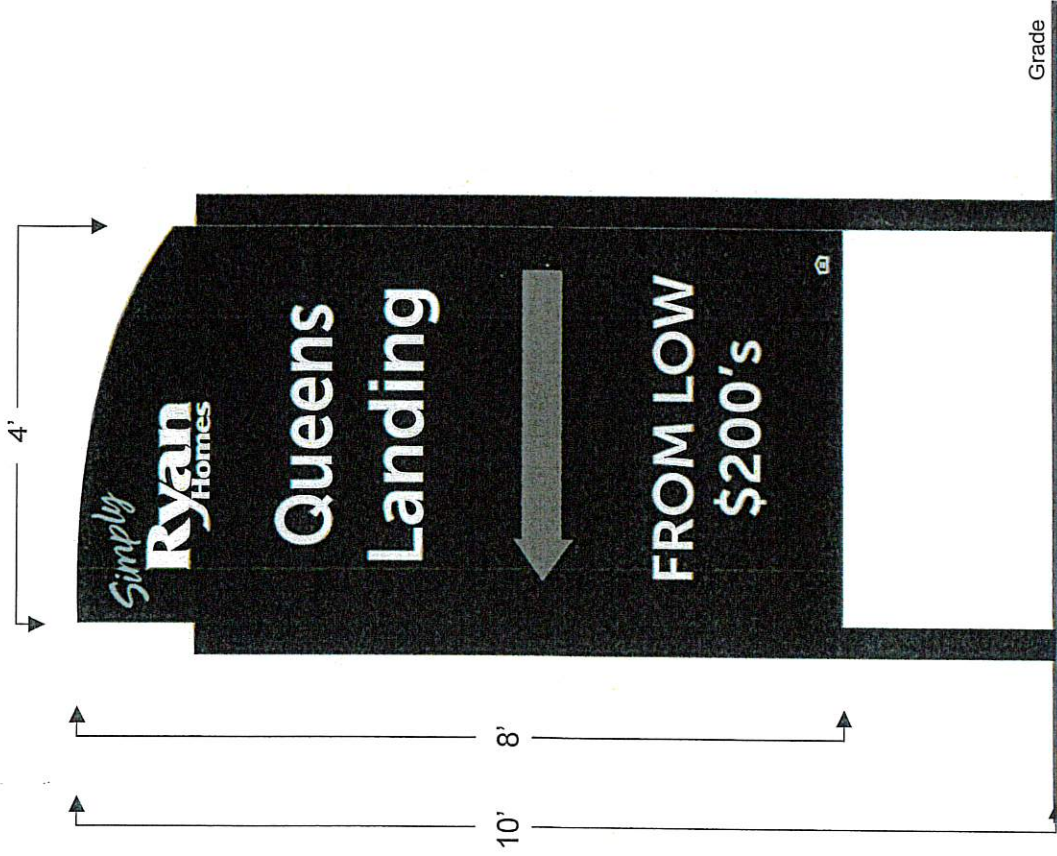


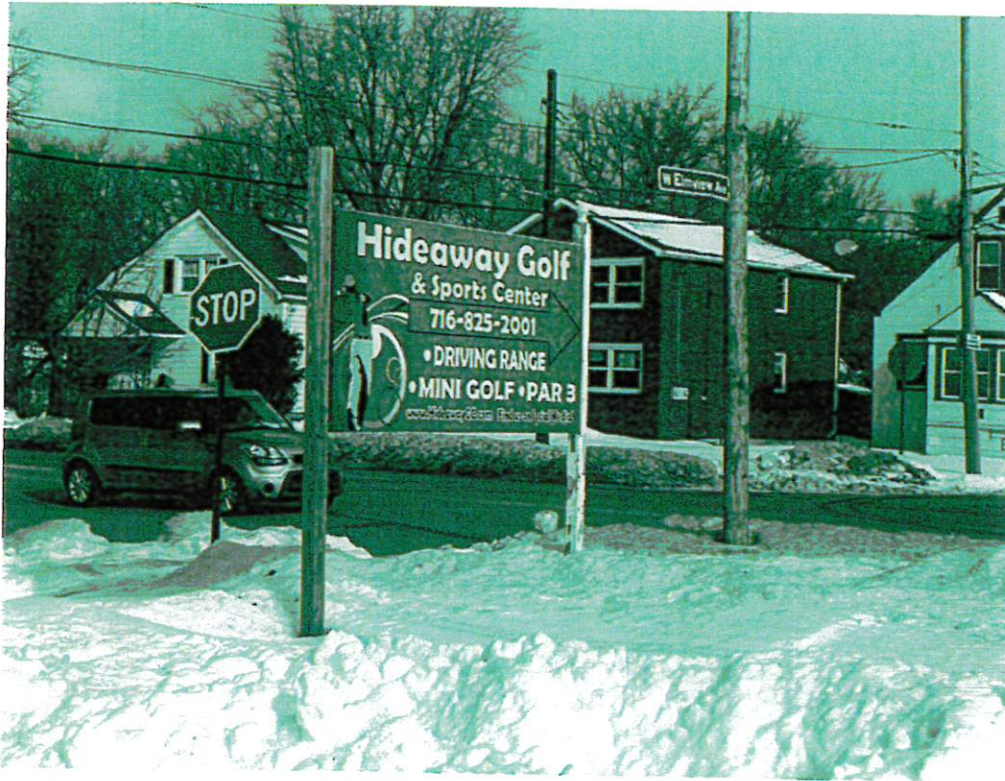
P: 716-668-6400

F: 716-668-3900

1380 French Road

Depew, NY 14043





Existing Off Premise Bill Board
located at Abbott and W Elmview Ave

Exhibit A



= Approximate location of Ryan Homes' Marketing Sign.



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Application Notice

March 4, 2022

Christopher Flejtuch
1380 French Road
Depew, NY 14043

Re: 2048 Abbott Rd

Variance

The above item has been placed on the agenda for the next scheduled meeting of the Planning and Development Board and/or Zoning Board of Appeals of the City of Lackawanna.

Planning and Development Board

Zoning Board of Appeals

Date:

Date: March 16, 2022

Time:

Time: 5:00pm

City Council Chambers Room 241
Lackawanna City Hall

If you have any questions please feel free to call 827-6474 or 827-6421

Boarding Neighbors
Jo Ann Angelo – 27 South Dr



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Boarding Property Notice

Dear Sir or Madam:

As an adjoining property owner in the City of Lackawanna, you are hereby notified that a neighbor has made application to the Planning and Development Board and/or Zoning Board of Appeals of the City of Lackawanna as follow;

- | | |
|----------------------------------|-----------------------------|
| 1. _____ Site Plan Review | 2. _____ Special Use Permit |
| 3. _____ Development Plan Review | 4. <u> X </u> Variance |
| 5. _____ Zoning Law Appeals | |

Property owner: Christopher Fleituch
Address: 2048 Abbott rd
In reference to: Requesting to install sign

You are entitled to appear at the public hearing scheduled for **03/16/22@ 5:00pm** in Council Chambers at Lackawanna City Hall to express your support or opposition to the granting of said application.

Communications, relating to the application, may be filed with the appropriate Board before the meeting by writing to:

Planning & Development Board/Zoning Board
Department of Development
714 Ridge Road, Room 309
Lackawanna, NY 14218

If you have any questions regarding the meeting, please call 716-827-6474

PLANNING AND DEVELOPMENT BOARD, CITY OF LACKAWANNA
ZONING BOARD OF APPEALS, CITY OF LACKAWANNA



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: 1-26-2022

Application No. _____

Application Fee:

Land Use Variance
 Zoning Law Appeal

Fee
 \$ 250.00
 \$ 150.00

Property Address: 186 Roland Avenue, City of Lackawanna, NY

S.B.L. No. 142.78-4-17.1

Description of Action to be Appealed: area variances - see attached letter from Project Attorney

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

Global Concepts
Charter School

Name of Applicant

1159 Abbott Road
Buffalo, NY 14220

Address of Applicant

psorgi@hsmlegal.com

Applicant's Email

PS

Signature of Applicant

Applicant Phone No.

Project Attorney

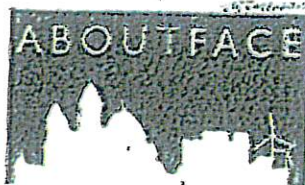
Role of Applicant to Project
(owner, attorney, lessee, agent,
architect, engineer, contractor...)

Property Owner:

NAME: Global Concepts Charter School

Address: 1159 Abbott Rd.

Buffalo, NY 14220





January 26, 2022

City of Lackawanna Zoning Board of Appeals
714 Ridge Road
Lackawanna, New York 14218

**Re: Application for Area Variances
Global Concepts Charter School
186 Roland Avenue, City of Lackawanna**

Dear City of Lackawanna Planning Board:

Our firm represents Global Concepts Charter School regarding its Application for Area Variances for its proposed culinary school and related school uses.

This letter shall provide the legal justification for the granting of the requested area variance.

Project Overview

Global Concepts Charter School seeks to add a third building at 186 Roland Avenue to its campus to serve as a culinary school and related school uses. The School already has its main building at 30 Johnson Street which is 40 feet from the Project Site and its Fine Arts Center at 168 Roland Avenue which is directly adjacent to the Project Site.

Overview of Neighborhood

As shown on the Aerial Photograph, submitted herewith, the block where the Project Site is a mixed use area consisting of:

1. The School;
2. Four parcels on the corner of South Park Avenue and Roland Avenue which is a Family Dollar Store and related parking;
3. Smokes Creek with vacant land surrounding the creek; and
4. Residential buildings.

HOPKINS SORGI & MCCARTHY PLLC
Attorneys at Law
726 Main Street, Suite B • East Aurora, New York 14052
Office: 716-908-3289 • Fax: 716-427-6501
psorgi@hsmlegal.com
hsmlegal.com

Requested Area Variances

The Area Variances requested are:

DESCRIPTION	REQUIRED	REQUESTED
Front Yard Setback (Roland Ave)	25 feet	4.98 feet
Front Yard Setback (Pierce St)	25 feet	14.25 feet
Side Yard Setback	30 feet	4.67 feet
Rear Yard Setback	30 feet	5.00 feet
Maximum Building Coverage	0.14 acres	0.26 acres
Maximum Lot Coverage	0.20 acres	0.20 acres

These area variances are shown on the Site Plan prepared by Carmina Wood Morris, DPC (Project Engineer), submitted herewith.

Legal Criteria for Granting of Area Variances

The Zoning Board of Appeals has the jurisdiction to grant area variances pursuant to New York General City Law § 81-b(4) and City of Lackawanna Zoning Code § 230.72(E) which both identically set forth the following legal criteria for the granting of area variances:

Area variances.

(a) The zoning board of appeals shall have the power, upon an appeal from a decision or determination of the administrative official charged with the enforcement of such ordinance or local law, to grant area variances as defined herein.

(b) In making its determination, the zoning board of appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider:

(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.

The five factors set forth above provide guidance as to the types of issues that must be considered, but no one factor is dispositive, meaning that the applicant does not need to demonstrate all five factors or even a majority of the factors to be granted an area variance. Rather, what is required by the Zoning Board of Appeals is the balancing test, after considering the five above referenced factors of whether "the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant".

Justification for Granting of Area Variances

The benefit to the School is that it is able to continue to expand its academic services by providing a culinary school. As the School is already a part of the area and schools are viewed as positive uses for communities from a land use perspective as well as a community development perspective, there are no detriments to the health, safety and welfare of the neighborhood or community.

The five factors that must be considered for each area variance are set forth below:

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": As detailed above, the area is a mixed use area and the majority of the structures in the area have similar setbacks to the proposed School. In fact, the existing structures at the Project Site appear from the aerial to be right up against the rear property line. Moreover, the majority of the side setback encroaches upon the School's Fine Arts Center and if the Culinary School and Fine Arts Center's two, adjacent

Area Variance Justification
Global Concepts Charter School
186 Roland Avenue, City of Lackawanna
January 26, 2022

properties were merged into one property, the lot and building coverage variances would either be eliminated or substantially reduced.

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”**: The proposed plan is the only feasible method to achieve the School’s goal of constructing a facility large enough to accommodate its existing and future academic instruction needs. Moreover, the School need to expand in the area near its other two buildings as all of the school buildings will share parking and they need to be in close proximity for students, teachers and staff to walk to and from each building.
3. **“whether the requested area variance is substantial”**: The Area Variances are not substantial when considering the existing area regarding setbacks and lot and building coverage.
4. **“whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district”**: No adverse physical or environmental impacts exist regarding this variance. A new structure will replace older, existing structures.
5. **“whether the alleged difficulty was self-created”**: The alleged difficulty was not self-created, but rather a product of the School’s need to expand in the area near its other two buildings as all of the school buildings will share parking and they need to be in close proximity for students, teachers and staff to walk to and from each building.

Accordingly, we request that the Area Variances be granted. Thank you for your consideration of this application.

Sincerely,

HOPKINS SORGI & MCCARTHY PLLC

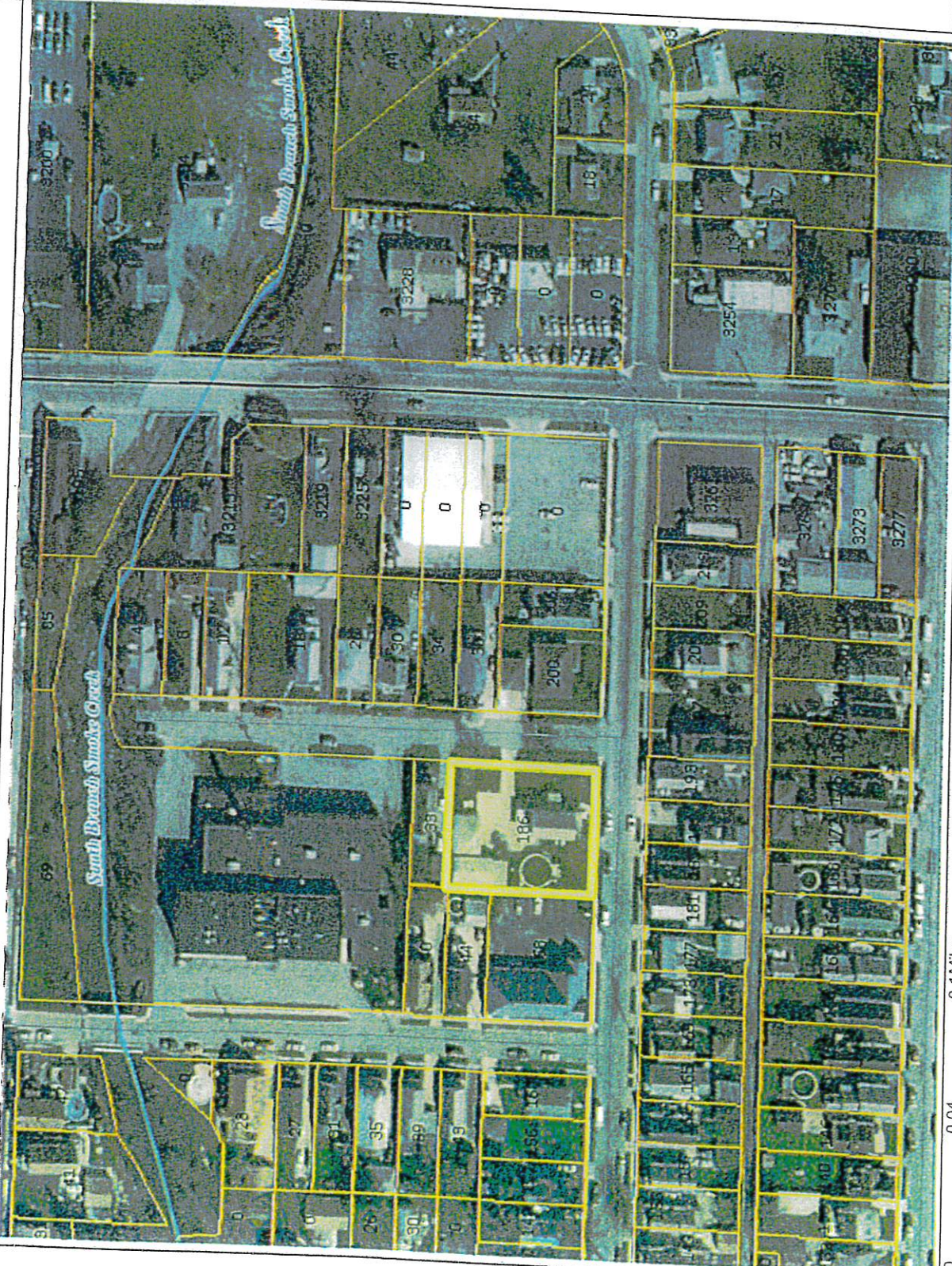
PS:

Peter J. Sorgi, Esq.

Enc.
cc: Richard Stanton, City Director of Development
Global Concepts Charter School
James Milks, Telco Construction
Christopher Wood, PE (Project Engineer)
Dominic Palmisano, RA (Project Architect)



Erie County On-Line Mapping Application



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

**ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS**

0 0.04 0.1 Miles
MGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- Parcels
- Streets and Highways**
 - Interstate
 - Primary State Road
 - Secondary State Road
 - County Road
 - Local Road
- Flowline - Large Scale**
 - Perennial
 - Intermittent
 - Ephemeral
 - Artificial Path
 - Canal Ditch
 - Coastline
 - Connector
 - Pipeline
 - Underground Conduit



1: 2,257

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			
Name of Action or Project: Global Concepts Charter School construction of culinary school building and accessory uses			
Project Location (describe, and attach a location map): 186 Roland Avenue, City Lackawana, NY (SBL No. 142.78-4-17.1			
Brief Description of Proposed Action: Construction of 3-story building (34,209 gross square feet / 11,403 gross square feet footprint), the first floor of which to be utilized as a culinary school and the second and third floors of which to be utilized for future use by charter school which has other buildings/facilities in proximity to Project Site.			
Name of Applicant or Sponsor: Global Concepts Charter School		Telephone: B-Mail: psorgi@hsmlegal.com	
Address: 1 159 Abbott Road			
City/PO: Buffalo		State: NY	Zip Code: 14220
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"/>
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; ZBA -- area variances; Building Department -- building permit; City Sewer and Water;			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			0.3782 acres 0.3782 acres 0.656 acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Schools			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<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? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" 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? 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?	NO	YES	
	<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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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

16. Is the project site located in the 100-year flood plan?

NO YES

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?

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?
If Yes, briefly describe:

City of Lackawanna Municipal Storm Sewer System

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

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

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:

NO YES

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

Applicant/sponsor/name: Global Concepts Charter School

Date: 1-26-2022

Signature: PS

Title: Project Attorney



Erie County On-Line Mapping Application



Legend

- Parcels
- Streets and Highways**
 - Interstate
 - Primary State Road
 - Secondary State Road
 - County Road
 - Local Road
- Flowline - Large Scale**
 - Perennial
 - Intermittent
 - Ephemeral
 - Artificial Path
 - Canal Ditch
 - Coastline
 - Connector
 - Pipeline
 - Underground Conduit



WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



1: 2,257

Agency Use Only [If applicable]

Project: GC Culinary School
 Date: Feb 8, 2022

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? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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"/>



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Application Notice

March 4, 2022

Peter Sorgi, Esq
726 Main St Suite B
East Aurora, NY 14052

Re: 186 Roland Ave

Land Use Variance

The above item has been placed on the agenda for the next scheduled meeting of the Planning and Development Board and/or Zoning Board of Appeals of the City of Lackawanna.

Planning and Development Board

Zoning Board of Appeals

Date:

Date: March 16, 2022

Time:

Time: 5:00pm

City Council Chambers Room 241
Lackawanna City Hall

If you have any questions please feel free to call 827-6474 or 827-6421

Boarding Neighbors
See attach sheet



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Boarding Property Notice

Dear Sir or Madam:

As an adjoining property owner in the City of Lackawanna, you are hereby notified that a neighbor has made application to the Planning and Development Board and/or Zoning Board of Appeals of the City of Lackawanna as follow;

- | | |
|----------------------------------|-----------------------------|
| 1. _____ Site Plan Review | 2. _____ Special Use Permit |
| 3. _____ Development Plan Review | 4. <u> X </u> Variance |
| 5. _____ Zoning Law Appeals | |

Property owner: Peter Sorgi/ Global Concepts School
Address: 186 Roland Ave
In reference to: Requesting to build a culinary school

You are entitled to appear at the public hearing scheduled for **03/16/22@ 5:00pm** in Council Chambers at Lackawanna City Hall to express your support or opposition to the granting of said application.

Communications, relating to the application, may be filed with the appropriate Board before the meeting by writing to:

Planning & Development Board/Zoning Board
Department of Development
714 Ridge Road, Room 309
Lackawanna, NY 14218

If you have any questions regarding the meeting, please call 716-827-6474

PLANNING AND DEVELOPMENT BOARD, CITY OF LACKAWANNA
ZONING BOARD OF APPEALS, CITY OF LACKAWANNA



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: 2/28/2022

Application No. _____

Application Fee:

Fee

Land Use Variance
 Zoning Law Appeal

\$ 250.00
 \$ 150.00

Property Address: 780 Ridge Rd. Lackawanna, NY 14218

S.B.L. No. 142.10-1-12.111

Description of Action to be Appealed: Installation of two commercial real estate leasing signs (4'x8')

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

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 I - Project and Sponsor Information				
Name of Action or Project:		New signage for 780 Ridge		
Project Location (describe, and attach a location map):		780 Ridge - new signs to go on Ridge side and South Park side		
Brief Description of Proposed Action: Adding 2 new real estate signs (both 4ft x 8ft) to advertise commercial real estate space available for lease at OLV Charity's 780 Ridge campus. One sign will go on the South Park side and one on the Ridge Rd side. Both signs will be kept back away from road in order to ensure they do not block views of traffic.				
Name of Applicant or Sponsor:		Telephone:		
Mail Hartrich		E-Mail:		
Address: 443 Delaware Ave				
City/PO: Buffalo		State: NY	Zip Code: 14201	
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 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 variance			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		14.34 acres		
b. Total acreage to be physically disturbed?		0 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		100% acres		
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Religious <input type="checkbox"/> Parkland				

		NO	YES	N/A
5. Is the proposed action,	a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" 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?		<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?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" 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?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If No, describe method for providing potable water: _____ _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If No, describe method for providing wastewater treatment: _____ _____		<input type="checkbox"/>	<input checked="" 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?		<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?		<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: _____ _____ _____				



**CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT**

714 Ridge Road – Room 309
Lackawanna, NY 14218
Tel: (716) 827-6474 Fax: (716) 827-1866



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):

Property Address: 781 Ridge Rd

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? No. Just adding two 4x8 signs to the OLV lawn.

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. Signs are needed to advertise the available space and to direct prospective tenants to the right location.

3. Is the requested area variance is substantial when considered against adopted area zoning regulations? NO

4. Will the proposed area variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district? no

-
-
-
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?

It was not self-created.

Matt Hartich, President Schneider Real Estate Services

Sign Above, Print Name Below

Placement for 780 Ridge Rd. Lackawanna

SIGN # 1

Install 48x96 Single Frame In-Ground Sign, posts secured with cement, on Ridge Rd. side of property in grass between landscaping and sidewalk.

Sign will be installed at a safe distance from the edge so it does not block view of road.



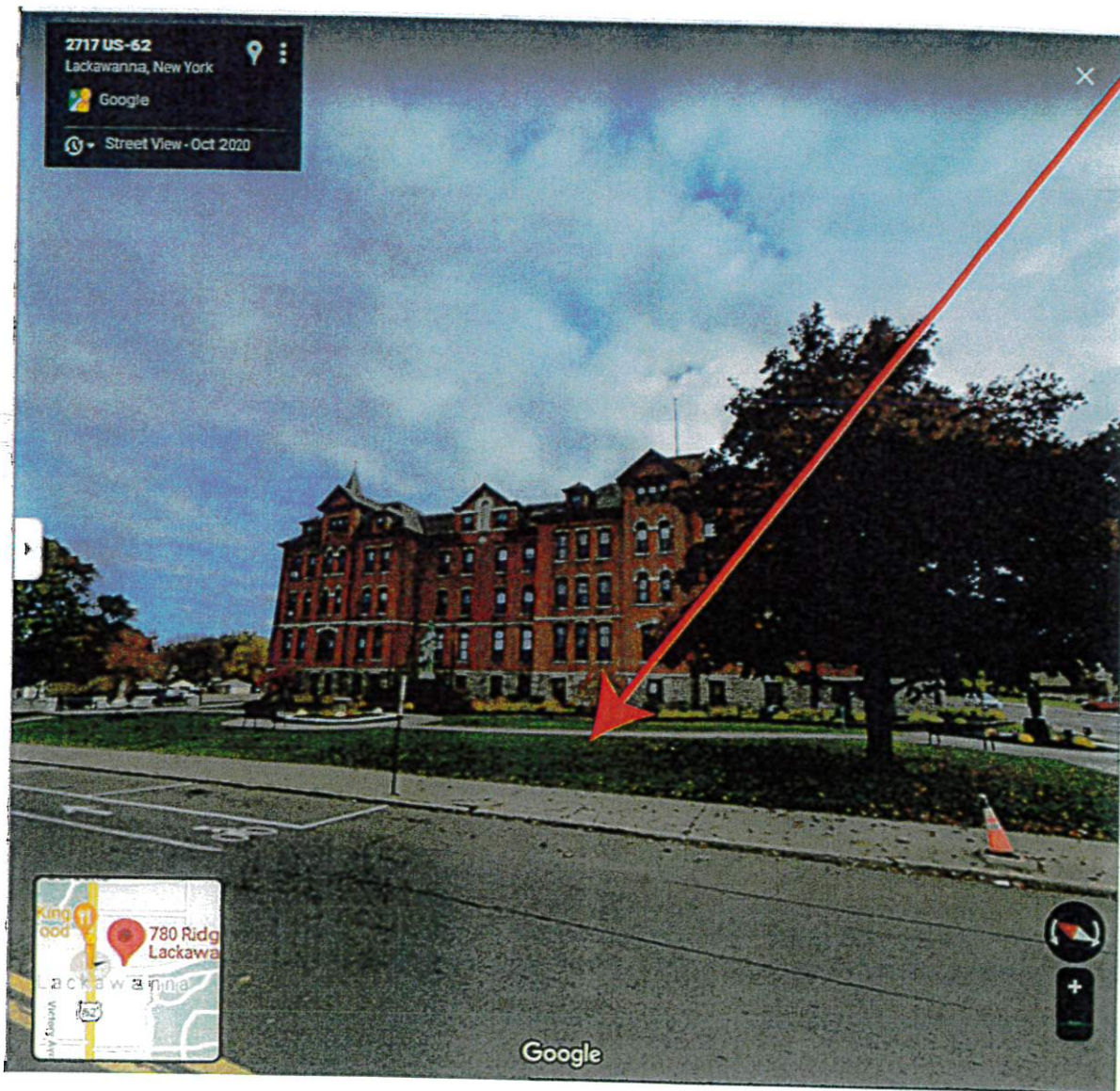
*****PLEASE NOTE:** Sign will be installed in area indicated above and cannot be moved or changed on-site. If you would like the sign installed in another location, please let us know before proceeding with the order. Requests made at the install site will have to be rescheduled.

Placement for 780 Ridge Rd. Lackawanna

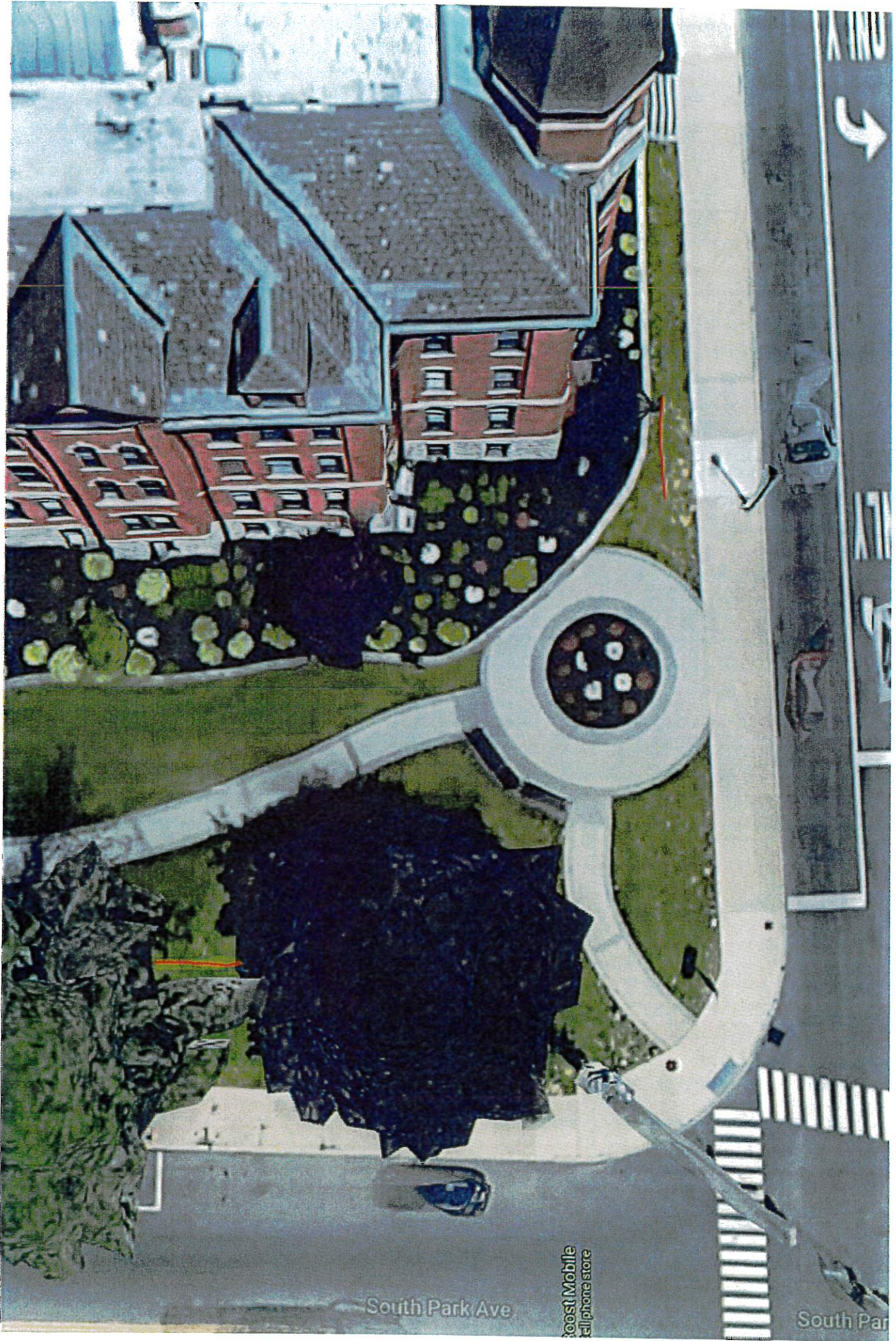
SIGN # 2

Install 48x96 Single Frame In-Ground Sign, posts secured with cement, on S.Park side of property in grass between walkway and sidewalk .

Sign will be installed at a safe distance from the edge so it does not block view of road.



*****PLEASE NOTE:** Sign will be installed in area indicated above and cannot be moved or changed on-site. If you would like the sign installed in another location, please let us know before proceeding with the order. Requests made at the install site will have to be rescheduled.



South Park Ave

Boost Mobile
cell phone store

South Par



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Application Notice

March 4, 2022

Matt Hartrich
443 Delaware Ave
Buffalo, NY 14202

Re: **780 Ridge Rd**

Land Use Variance

The above item has been placed on the agenda for the next scheduled meeting of the Planning and Development Board and/or Zoning Board of Appeals of the City of Lackawanna.

Planning and Development Board

Zoning Board of Appeals

Date:

Date: **March 16, 2022**

Time:

Time: **5:00pm**

City Council Chambers Room 241
Lackawanna City Hall

If you have any questions please feel free to call 827-6474 or 827-6421

Boarding Neighbors