

## Chapter 230. Zoning

### Article V. Regulations Applicable to All Districts

#### § 230-36. Parking, loading and stacking.

A. General provisions.

- (1) Existing parking, loading or stacking facilities shall be continued and maintained, and shall not be reduced below the requirements of this chapter, for the duration that the principal use is maintained.
- (2) Permanent off-street automobile storage, parking or standing space shall be provided as set forth below at the time of the construction, enlargement or conversion of any use, building or structure.
- (3) If the requirements of this section cannot be reasonably provided on the same lot as the principal use, the Planning and Development Board may permit such space be provided on another off-street property, provided such facility is located within 400 feet of the main entrance of the principal use.
- (4) All parking facilities shall be used for passenger automobile or commercial vehicles only.
- (5) Parking facilities shall not be used for automobile storage, commercial repairs, sales or service.
- (6) Parking facilities shall be unobstructed and free of other uses.
- (7) All parking facilities required for uses subject to site plan review shall be landscaped and screened from public view in accordance with this chapter.

B. Off-street parking requirements. In all districts, the following minimum off-street parking requirements shall be provided and maintained in the case of new construction, alterations that increase the number of required parking units, and changes in use:

<b>Use/Facility</b>	<b>Requirement (spaces)</b>
Amusement centers	1 per 5 customers based upon the maximum service capacity at any one time, plus 1 per 2 employees
Automotive sales facilities	2 per employee
Automotive service stations	1 per service bay plus 1 per employee; no more than 4 vehicles shall be stored at one time and shall not remain for more than 72 hours.
Bank	1 per 250 square feet of net floor area
Bar/tavern	1 per 50 square feet
Barber shops/beauty parlors	2 per barber/beauty chair
Boarding or rooming houses	1 per sleeping room plus 1 for each permanent dwelling unit and 1 for every 2 employees
Bowling alleys	2 per alley
Child-care center	1 per employee plus 1 per 10 children
Club or lodges	1 per 4 persons of the maximum occupancy as established by local, county, or state fire, building or health codes
Community center	1 per 250 square feet of gross floor area

**Use/Facility**

**(spaces)**

Commercial centers

5 per 1,000 net square feet

Sports complex/athletic field

10 per field

C. Exceptions. The requirements of this article may be reduced to the extent that the applicant can demonstrate that less parking is required for one of the following reasons:

- (1) Adjacent uses operate at different times and thus, arrangements with surrounding land owners to utilize their parking facilities through a formal agreement are feasible.
- (2) The new development is in close proximity to a public parking facility.

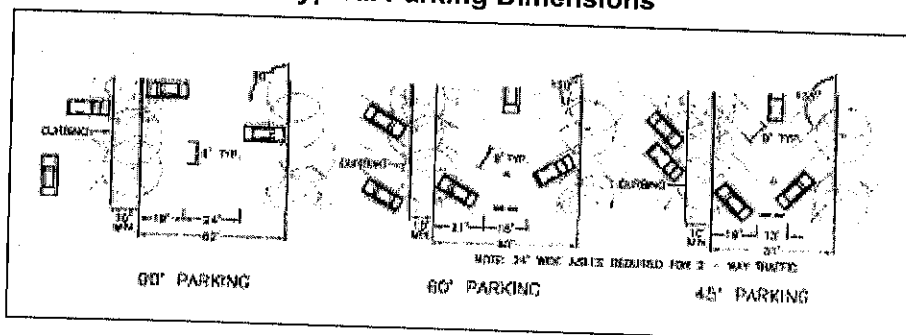
D. Location.

- (1) Required off-street parking shall be located on the same lot as the building to which it is an accessory use, except as herein provided.
- (2) All off-street parking facilities shall be located to the side or rear of the principal use building except in the Central Business District, where off-street parking shall be restricted to the rear yard.
- (3) Off-street parking facilities shall not be located within the required setback areas.
- (4) Permanent front and rear yard parking areas in residential zones, other than driveways accessing a garage or designated parking area, are prohibited.
- (5) No vehicles shall be parked on any lawn area.
- (6) Vehicles bearing signs more than two square feet in area shall not be permitted to park as a customary operation in a residential area so as to be visible from the street.
- (7) At least one of the required spaces for attached single-family residential units shall be provided on the same lot as the primary unit.
- (8) No parking lots shall be located closer than 15 feet to any adjacent residential property.
- (9) Nonresidential parking spaces shall be provided access to a nonresidential public street through a drive or aisle at least 10 feet wide.

E. Parking space dimension requirements.

Angle of stall	90°	60°	45°
Stall length	19' 00"	21' 00"	19' 10"
Stall width (regular)	9' 00"	10' 05"	12' 09"
Aisle width	24' 00"	18' 00"	13' 00"
Total width	62' 00"	60' 00"	52' 08"
Stall width (ADA)	12.0'	13' 9"	16' 9"

**Typical Parking Dimensions**



F. Parking facility design.

- (1) No more than 80 parking spaces shall be provided in each parking lot section.

Denied



**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: 2/10/23

Application No. \_\_\_\_\_

Application Fee:

Fee

Land Use Variance  
 Zoning Law Appeal

\$ 250.00  
\$ 150.00

Property Address: 126 Cleveland Ave, Lackawanna, NY 14218

S.B.L. No. \_\_\_\_\_

Description of Action to be Appealed: Private detached garage micro gym  
selling limited time slot memberships with no more than 3 members  
at a time. Time slots will be between 1-2 hours long.

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.

Lauren Jednak  
Director of Development





**CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT**

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



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**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):

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Richard Stanton  
Department of Development

Property Address 126 Cleveland Ave, Lackawanna, NY 14218

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

Owner initially built the gym for himself during quarantine to use for only a couple hours a day. Later, the idea was to share it with the community by selling limited time slot memberships. This can give people an opportunity to have a private gym to themselves for a given amount of time without feeling intimidated in commercial gyms. Gym provides a hand sanitation station, antibacterial disinfectant spray, fire extinguisher, first aid kit, smart smoke detector with three inaudible surveillance cameras located inside the gym for a safe and healthy workout environment.

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 alleged hardship only applies to the property owned by the applicant and is unique to the property. No business activities will be operated or shared outside the garage and on any other properties other than the applicants.

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

The garage gym will not alter the essential character of the neighborhood, being as the property in question is located within a mixed residential zone allowing for some commercial use. There will be no signs displayed outside and the address will not be shown publicly on the website or on any social media platform until the new member signs up and pays. With a new driveway being widened to fit all current resident vehicles, street parking will be available for members. All parking traffic patterns will remain the same as it is a two family home that has had tenants reside upstairs in the past and is now vacant.

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

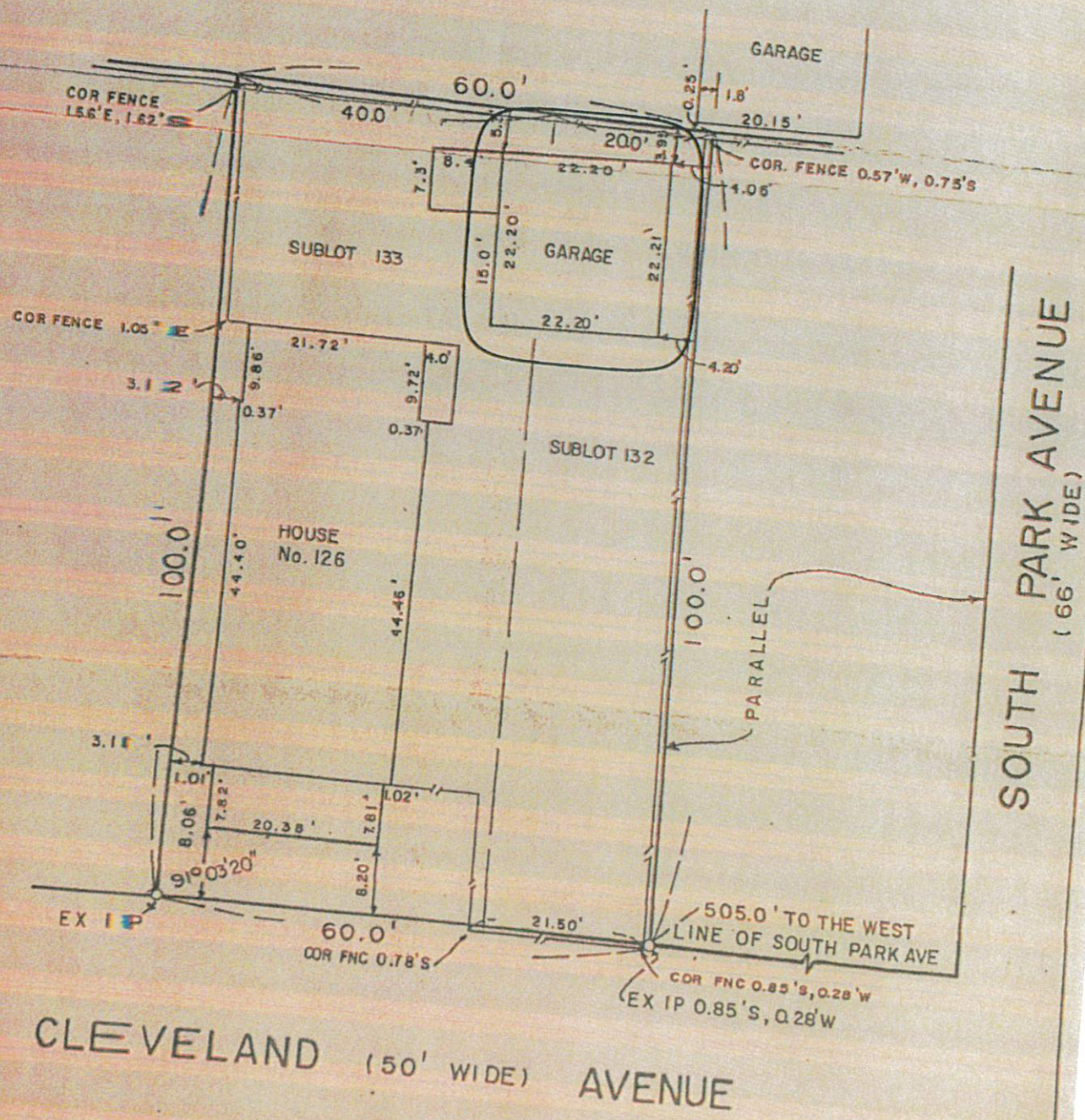
Dimensions of property buildings involved in the proposed use variance have remained the same since the start of remodeling with the exception of replacing a 16'x7' garage door with a finished wall which only affects the garages appearance, not dimensions. All walls and ceiling have been soundproofed with Acoustiblok prior to drywall to eliminate noise.

5. Is the alleged hardship self-created?

The alleged hardship has not been self created. The home was purchased in 1991 without the intent of selling gym memberships.

Arthur Nowak  
*Arthur Nowak*  
Sign Application and Print Name Below

NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 720B PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.  
 NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.



CLEVELAND (50' WIDE) AVENUE

SOUTH PARK AVENUE (66' WIDE)





CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

March 20, 2023

Application Notice

Arthur Nowak  
126 Cleveland Ave  
Lackawanna, NY 14218

**Re: 126 Cleveland Ave**

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 29, 2023**

**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  
Mary Huttenlocker – 134 Cleveland  
Jerry McCarthy – 122 Cleveland  
Suzanne O’Brien – 125 Keever

**All Uses**

Maximum Building Height	3 stories or 30 feet
Minimum Front Yard	25 feet
Maximum Building Coverage	35%
Maximum Lot Coverage	50%

**Single- and Two-Family Detached**

Minimum Lot Size	4,500 square feet
Minimum Lot Frontage	45 feet
Minimum Side Yard	5 feet
Minimum Rear Yard	20 feet
Maximum Density	20 units per acre

**Attached Single-Family Residential**

Minimum Lot Size	7,000 square feet
Minimum Lot Frontage	70 feet
Maximum Building Length	160 feet
Minimum Side Yard	10 feet or 1/2 building height, whichever is greater
Minimum Rear Yard	30 feet
Minimum Inter-building Yard	60 feet
Maximum Number of Units per Structure	4
Maximum Density	20 units per acre
Minimum Open Space	500 square feet per dwelling
Minimum Landscaping	20%

**Multifamily Dwellings**

Minimum Lot Size	8,000 square feet
Minimum Lot Frontage	75
Maximum Building Length	160 feet
Minimum Side Yard	30 feet
Minimum Rear Yard	30 feet
Maximum Density	36 units per acre
Minimum Open Space	500 square feet per dwelling
Minimum Landscaping	20%



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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: 3/22/2023

Application No. \_\_\_\_\_

Application Fee:

Land Use Variance  
 Zoning Law Appeal

Fee  
\$ 250.00  
\$ 150.00

Property Address: 534 RIDGE ROAD


S.B.L. No. 142.37-4-1.11

Description of Action to be Appealed: 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.

Lauren Jednak  
Director of Development

Julian Looney  
Name of Applicant

  
Signature of Applicant

SENECA ONE TOWER  
Address of Applicant

\_\_\_\_\_  
Applicant Phone No.

\_\_\_\_\_  
Applicant's Email

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

Property Owner:

NAME: Douglas Development

Address: SENECA ONE TOWER, Suite 2800  
Buffalo, NY 14203

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Lauren Jednak  
Director of Development

**REQUESTED ZONING VARIANCES - 539 RIDGE RD.  
§ 230-12 CENTRAL BUSINESS DISTRICT - CBD**

VARIANCE	REQUIRED	PROPOSED
#1 <b>USE</b>	<ul style="list-style-type: none"> <li>MULTIFAMILY DWELLINGS WHICH COMPLY WITH THE PROVISIONS OF § 230-11</li> <li>PEDESTRIAN-ORIENTED COMMERCIAL USES, INCLUDING RETAIL AND/OR PERSONAL SERVICE ESTABLISHMENTS, RESTAURANTS, HOTELS, PRIVATE CLUBS, AND PROFESSIONAL OFFICES</li> <li>HEALTH-CARE FACILITIES</li> <li>HOUSES OF WORSHIP</li> <li>PUBLIC BUILDINGS AND USES</li> </ul>	<b>MIXED-USE (COMMERCIAL &amp; RESIDENTIAL)</b>
#2 <b>LOT DIMENSIONS</b>	<ul style="list-style-type: none"> <li>MINIMUM LOT SIZE: 4,000 SF</li> <li>MINIMUM LOT FRONTAGE: 25 FT</li> </ul>	<ul style="list-style-type: none"> <li>LOT SIZE: 206.11 FT X 281.79 FT (58,080 SF)</li> <li>LOT FRONTAGE: 195 FT X 267 FT</li> </ul>
#3 <b>FLOOR AREA</b>	<ul style="list-style-type: none"> <li>MINIMUM: 2,000 SF</li> <li>MAXIMUM: 10,000 SF</li> <li>MAX. BUILDING HEIGHT: 4 STORIES OR 40 FT</li> </ul>	<ul style="list-style-type: none"> <li>FLOOR AREA: 38,335 SF</li> <li>BUILDING HEIGHT: 5 STORIES, 62 FT</li> </ul>
#4 <b>YARD SIZE</b>	<ul style="list-style-type: none"> <li>MAXIMUM FRONT YARD: 5 FT OR AVERAGE OF BUILDINGS WITHIN 100 FT, WHICHEVER IS LESS</li> <li>MINIMUM SIDE YARD: 0 FT</li> <li>MINIMUM REAR YARD: 25 FT</li> </ul>	<ul style="list-style-type: none"> <li>FRONT YARD (RIDGE RD.): VARIES, 15 FT TO 2 FT, WEST TO EAST, 8.5 FT AVG.</li> <li>SIDE YARD (CENTER ST.): 8 FT</li> <li>REAR YARD (CALDWELL PL.): 0 FT</li> </ul>
#5 <b>MAXIMUM COVERAGE</b>	<ul style="list-style-type: none"> <li>BUILDING: 50%</li> <li>LOT: 80%</li> </ul>	<ul style="list-style-type: none"> <li>BUILDING FOOTPRINT: 38,335 SF</li> <li>LOT FOOTPRINT: 55,375 SF</li> <li>LOT: 70%</li> <li>BUILDING:</li> </ul>
#6 <b>PARKING</b>	<ul style="list-style-type: none"> <li>COMMERCIAL SPACE 10,000 SF: 50 SPOTS</li> <li>115 ONE BEDROOM (1.5): 172.5 SPOTS</li> <li>35 TWO BEDROOM (2.3): 80.5 SPOTS</li> <li>10 THREE BEDROOM (2.4): 24 SPOTS</li> <li><b>TOTAL: 327 SPACES</b></li> </ul>	<ul style="list-style-type: none"> <li>90 NEW SPOTS, COVERED</li> <li>58 EXISTING SPOTS ACROSS RIDGE RD.</li> <li><b>TOTAL: 148 SPACES</b></li> </ul>

\* VARIANCE REQUESTS BASED ON CURRENT DESIGN

- #1 = No Variance needed
- #2 = No Variance needed
- #3 = Needed for - Maximum building sq ft.  
- Maximum building height.
- #4 = Needed - Caldwell, Center + Ridge are considered front yard.
- #5 = Needed - Building coverage will be over 50%.  
- Lot Coverage will be very close to 80% if all impervious surfaces are included
- #6 = Needed - The lot will be below the needed parking  
- There will be overflow parking across the street  
- The City is in the process of changing the parking requirement



**CITY OF LACKAWANNA**  
**DEPARTMENT OF DEVELOPMENT**

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



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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):

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Richard Stanton  
Department of Development

Property Address: 534 RIDGE ROAD

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

The scale of the Building will be appropriate based on its location to the entry of the city. The Building will act as a gateway into Lackawanna.

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.

Density is needed for achievement of Development and Economic goals both for the city of Lackawanna and the owner.

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?

NO

Julian LOONEY  
Sign Above, Print Name Below





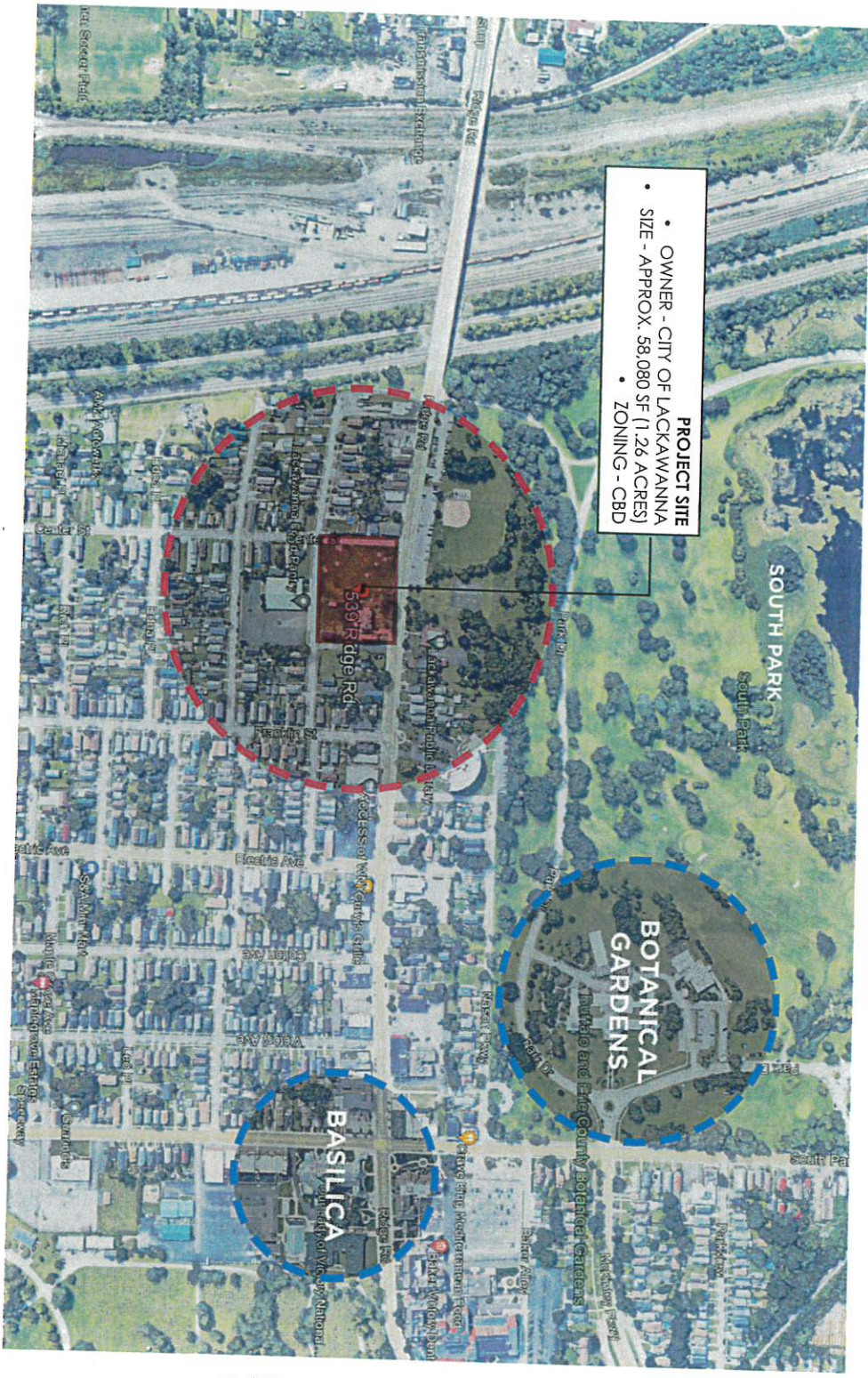


# THE GATEWAY AT LACKAWANNA

ZONING PACKAGE

MARCH 22, 2023





**PROJECT SITE**

- OWNER - CITY OF LACKAWANNA
- SIZE - APPROX. 58,080 SF (1.26 ACRES)
- ZONING - CBD

**The Gateway at Lackawanna**

The Gateway at Lackawanna is a mixed-use development that engages the community through a series of urban expressions. With 8,000 SF of commercial space on the first level and over 100,000 SF of residential space above, The Gateway aims to attract not only the city of Lackawanna, but also the surrounding communities. Ground floor commercial space will provide needed services to the community. The residential above will provide a healthy mix of studios, one bedrooms and two bedrooms. The intention is to encourage more density, but not at the expense of comfort. At an 850 SF average size, the residential units can provide a broad range to accommodate young professionals, the manufacturing workforce, and families. Parking will be provided on the ground floor for retail and residents, a courtyard in the center of the building on the second floor will provide residents a private amenity, and a rooftop terrace will provide eyes on the street along with a state of the art club room for residents.

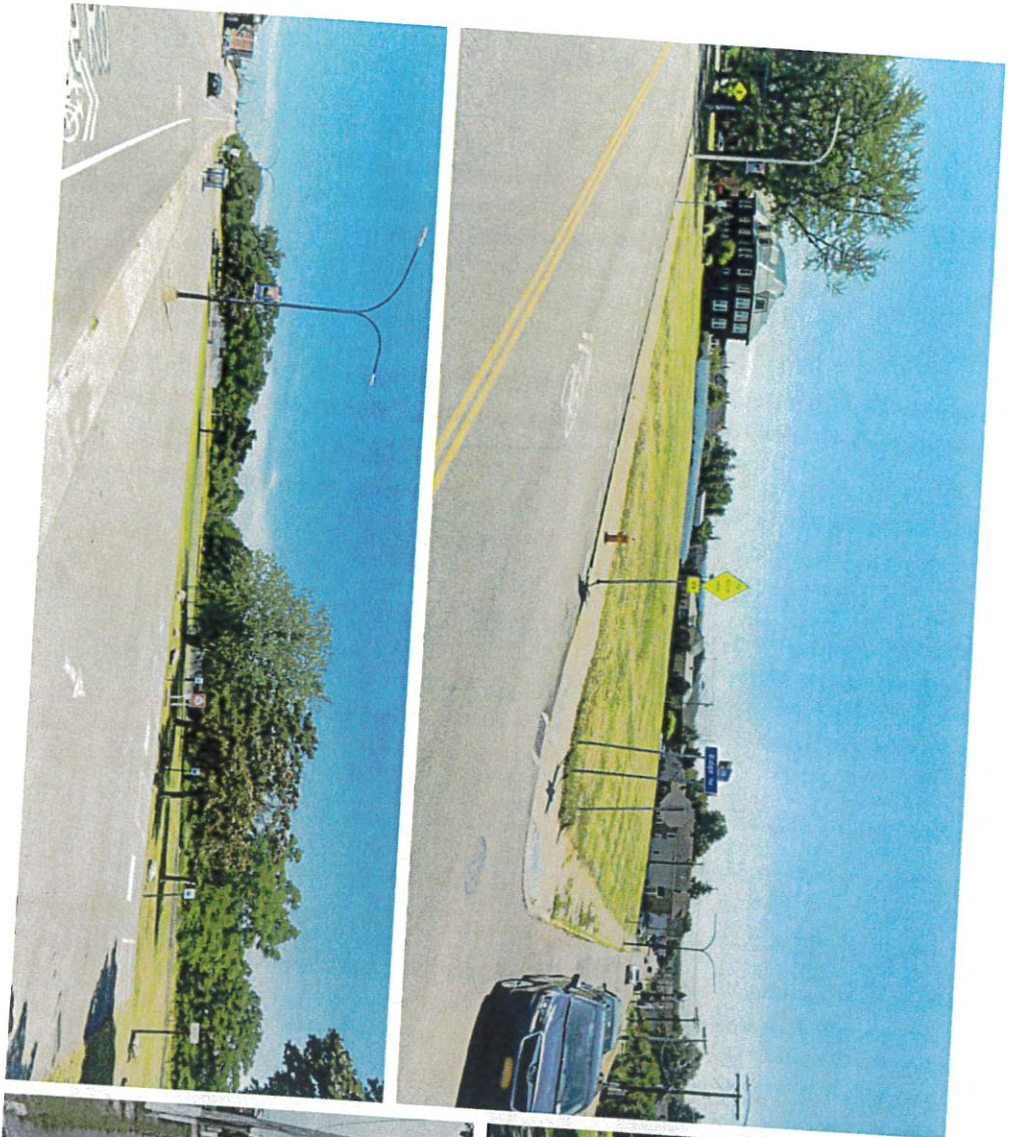
Located at the foot of the the central business district, The Gateway will act as a catalyst for future urban development throughout Lackawanna. By creating highly visible and attractive commercial spaces, job opportunities and careers will be at the forefront of the development.

The construction aspect of the development would provide jobs to approximately 100 on-site contractors for a duration of 18 months. The finished development, which includes 8,000 SF of commercial space would provide enough to permanently employ nearly 100 people. The residential portion of the property would house nearly 150 people in the complex. All of the new density to the area would provide additional revenue to local businesses, taxes to the City of Lackawanna, and a positive impact to the overall economic activity.

**DEVELOPMENT PLAN**



539 RIDGE RD., LACKAWANNA, NY 14218



**Douglas**  
Development  
CORPORATION

**ANTUNOVICH**  
ASSOCIATES

539 RIDGE RD., LACKAWANNA, NY 14218

**EXISTING SITE**



**REQUESTED ZONING VARIANCES - 539 RIDGE RD.  
§ 230-12 CENTRAL BUSINESS DISTRICT - CBD**

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\* VARIANCE REQUESTS BASED ON CURRENT DESIGN



**Douglas Development Corporation**



**ANTUNOVICH ASSOCIATES**

539 RIDGE RD., LACKAWANNA, NY 14218

# ZONING VARIANCES



539 RIDGE RD., LACKAWANNA, NY 14218

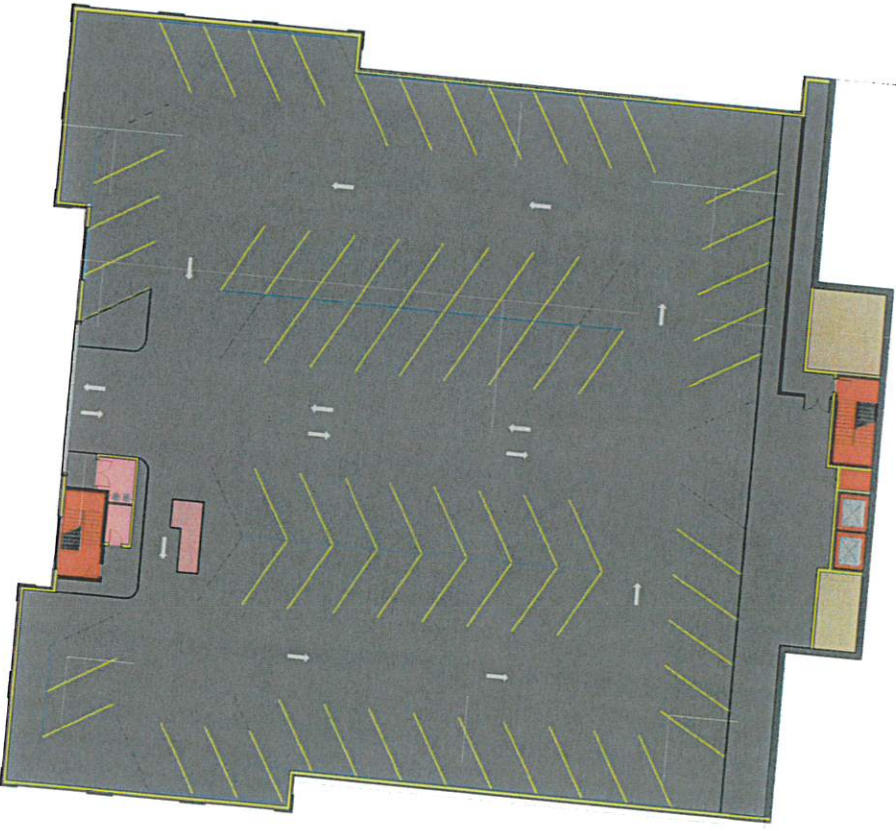
# NEW DEVELOPMENT PLAN






**Douglas Development**  
CORPORATION



**ANTUNOVICH ASSOCIATES**  
539 RIDGE RD., LACKAWANNA, NY 14218



-  VERTICAL CIRC.
-  LOADING/TRASH
-  UTILITIES

**RESIDENTIAL**  
128,750 SF  
850 SF AVERAGE PER UNIT

1 BEDROOM - 63 UNITS  
2 BEDROOM - 42 UNITS  
3 BEDROOM - 6 UNITS  
STUDIO UNIT - 40 UNITS

**TOTAL: 151 UNITS**

**COMMERCIAL**  
6,886 SF

**PARKING**  
28,000 SF  
+/- 90 SPACES

# ENLARGED LOWER GRADE PLAN



**RESIDENTIAL**  
128,750 SF  
850 SF AVERAGE PER UNIT

**TOTAL: 151 UNITS**

**COMMERCIAL**  
6,886 SF

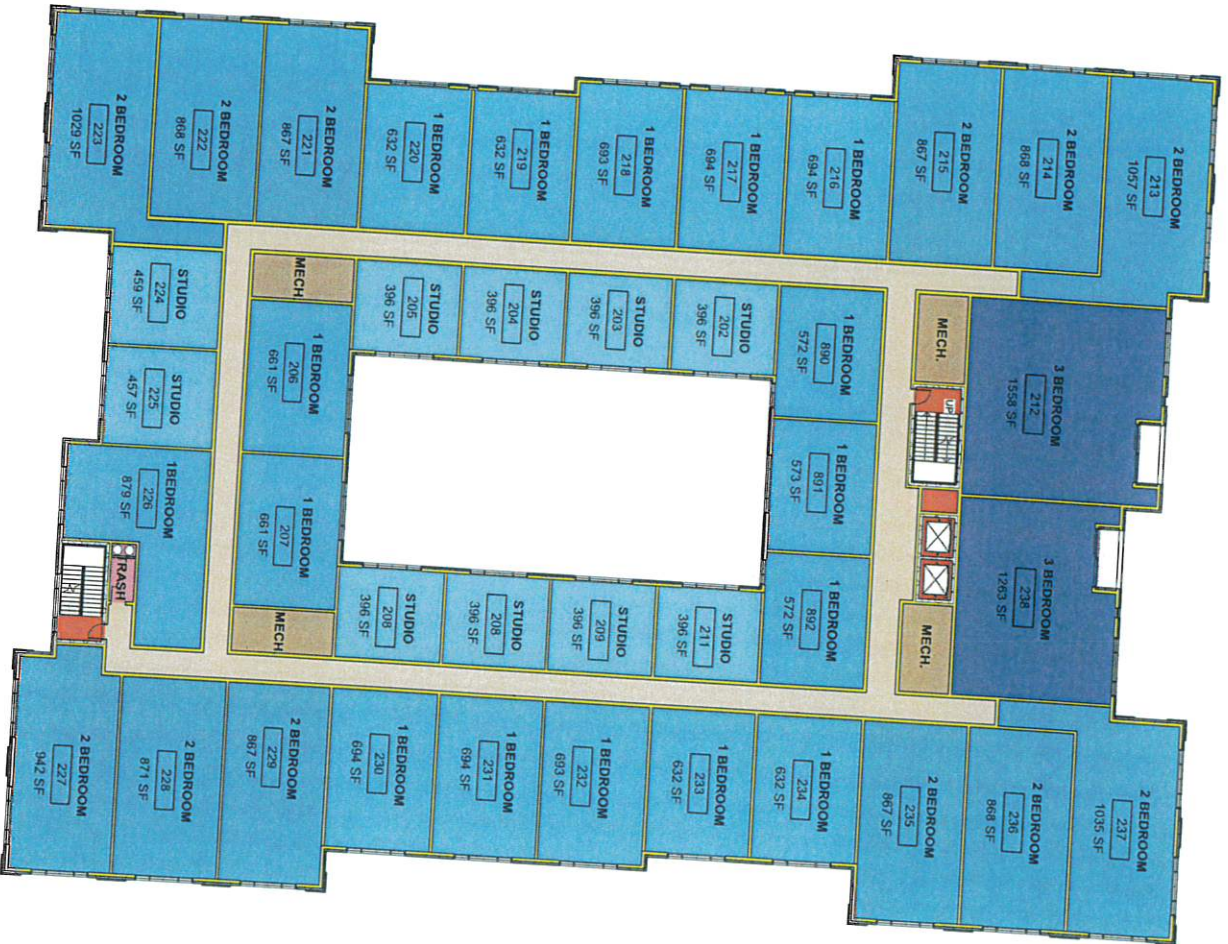
**PARKING**  
28,000 SF  
+/- 90 SPACES

1 BEDROOM - 63 UNITS  
2 BEDROOM - 42 UNITS  
3 BEDROOM - 6 UNITS  
STUDIO UNIT - 40 UNITS

- 1 BEDROOM UNITS - 13
- 2 BEDROOM UNITS - 6
- STUDIO UNITS - 12
- VERTICAL CIRC.
- RESID. LOBBY** - 11,787 SF
- COMMERCIAL - 8,000 SF
- COURT/DOG YARD - 4,100 SF
- LOADING/TRASH
- UTILITIES

# FIRST FLOOR PLAN





**RESIDENTIAL**  
 128,750 SF  
 850 SF AVERAGE PER UNIT

1 BEDROOM - 63 UNITS  
 2 BEDROOM - 42 UNITS  
 3 BEDROOM - 6 UNITS  
 STUDIO UNIT - 40 UNITS

**TOTAL: 151 UNITS**

**COMMERCIAL**  
 6,886 SF

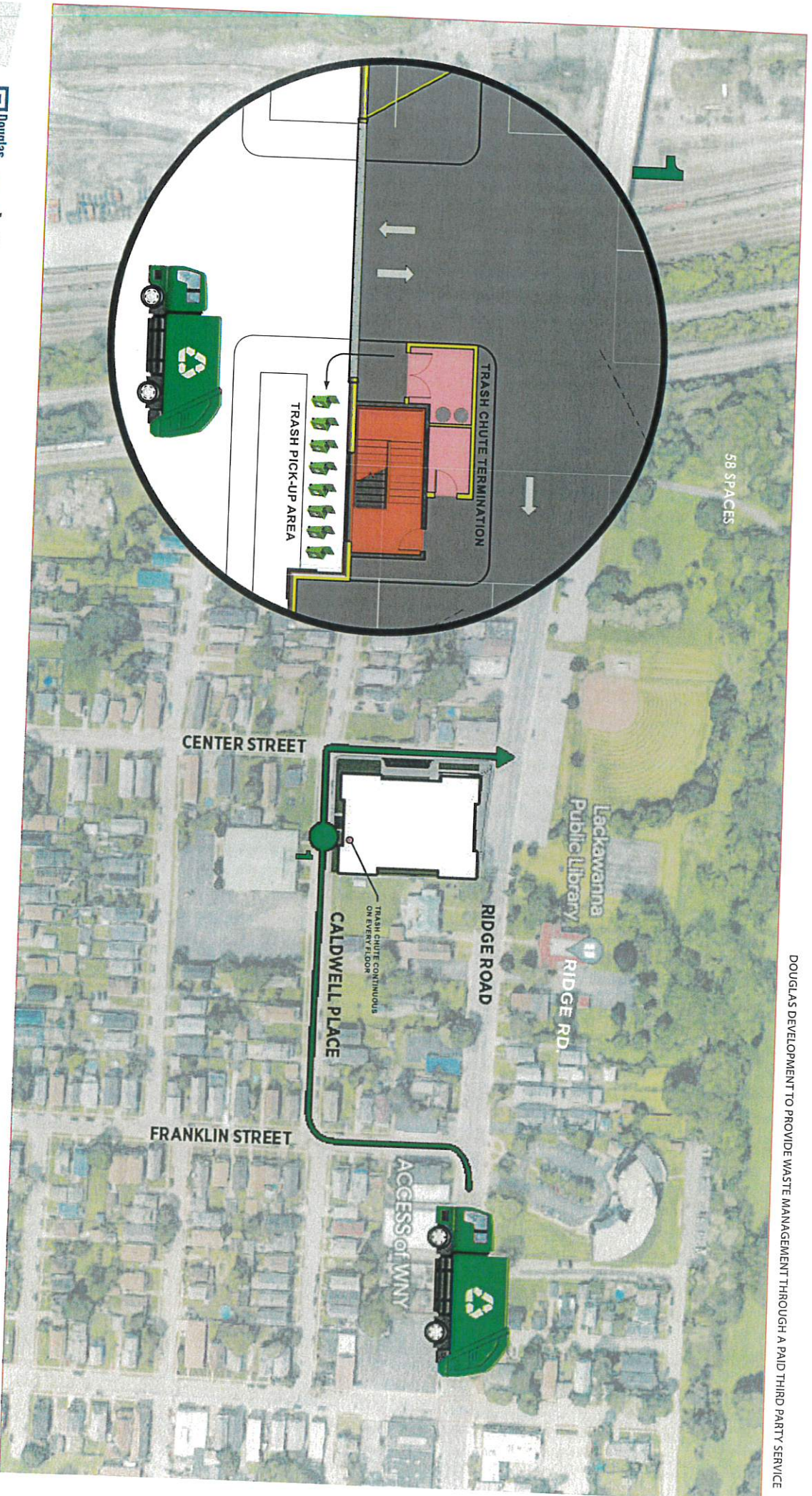
**PARKING**  
 28,000 SF  
 +/- 90 SPACES

- 1 BEDROOM UNITS - 13
- 2 BEDROOM UNITS - 16
- 3 BEDROOM UNITS - 2
- STUDIO UNITS - 12
- VERTICAL CIRC.
- LOADING/TRASH
- UTILITIES

# SECOND-FOURTH FLOOR PLAN



DOUGLAS DEVELOPMENT TO PROVIDE WASTE MANAGEMENT THROUGH A PAID THIRD PARTY SERVICE



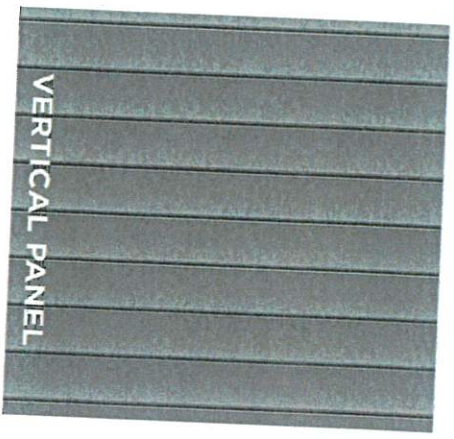
# WASTE MANAGEMENT PLAN



539 RIDGE RD., LACKAWANNA, NY 14218



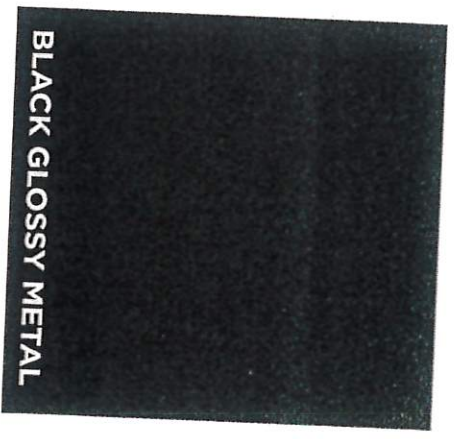
BRICK



VERTICAL PANEL



VERTICAL CORRUGATED METAL PANEL



BLACK GLOSSY METAL



539 RIDGE RD, LACKAWANNA, NY 14218

# MATERIAL CONCEPT



ANTUNOVICH ASSOCIATES  
ARCHITECTS

Douglas Development CORPORATION

ANTUNOVICH ASSOCIATES

539 RIDGE RD., LACKAWANNA, NY 14218

CONCEPT RENDERING



ANTUNOVICH ASSOCIATES  
ARCHITECTURE PLANNING INTERIORS

Douglas Development  
CORPORATION

ANTUNOVICH ASSOCIATES

539 RIDGE RD., LACKAWANNA, NY 14218

CONCEPT RENDERING

# THE GATEWAY AT LACKAWANNA

539 RIDGE ROAD, LACKWANNA, NY 14218



THANK YOU!



151.05-3-70.1

140900 Lackawanna

Active

R/S: 1

School: Lackawanna C

Nowak Wieslawa  
126 Cleveland Ave

Roll Year: 2024 Curr Yr

2 Family Res

Land AV: 11,300

Land Size: 60.00 x 100.00

Total AV: 118,000



- Parcel 151.05-3-70.1
- History
- Assessment
- Exempt(s)
- Spec Dist(s)
- Description
- Owner(s)
- Images
- Gis
- Site (1) Res
- Land(s)
- Bldg
- Imprint(s)
- Valuation
- Sale 12/17/20
- Site (1) Res
- Land(s)
- Bldg
- Imprint(s)
- Valuation
- Sale 12/01/89

Owner	Tax Bill Mailing Address	3rd Party Address	Bank																																								
<b>Total 2 Owners. To open, click the appropriate row. (Right Click to Add)</b>																																											
Wieslawa Nowak			Owner Type: Primary																																								
Arthur Nowak			Owner Type: Additional																																								
<table border="1"> <tr> <td>Last Name / Company</td> <td>First Name</td> <td>MI.</td> <td>Jr., Sr., etc.</td> </tr> <tr> <td>Nowak</td> <td>Wieslawa</td> <td></td> <td></td> </tr> <tr> <td colspan="2">Attention To / In Care Of</td> <td colspan="2">Additional Address</td> </tr> <tr> <td>Street No.</td> <td>Prefix Dir.</td> <td>Street / Rural Route</td> <td>St Suffix</td> </tr> <tr> <td>126</td> <td></td> <td>Cleveland</td> <td>Ave</td> </tr> <tr> <td>Po Box No.</td> <td>City/Town</td> <td>State</td> <td>Zip Code</td> </tr> <tr> <td></td> <td>Lackawanna</td> <td>NY</td> <td>14218</td> </tr> <tr> <td>Country: enter if not "USA"</td> <td>Bar Cd.</td> <td>Ownership: e.g. Life Use</td> <td>Owner Type</td> </tr> <tr> <td></td> <td></td> <td>Life Use</td> <td>P = Primary</td> </tr> <tr> <td colspan="4">Owner &gt; Primary Residence</td> </tr> </table>				Last Name / Company	First Name	MI.	Jr., Sr., etc.	Nowak	Wieslawa			Attention To / In Care Of		Additional Address		Street No.	Prefix Dir.	Street / Rural Route	St Suffix	126		Cleveland	Ave	Po Box No.	City/Town	State	Zip Code		Lackawanna	NY	14218	Country: enter if not "USA"	Bar Cd.	Ownership: e.g. Life Use	Owner Type			Life Use	P = Primary	Owner > Primary Residence			
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Ready

Type here to search





Approved



**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: 09/13/2022

Application No. \_\_\_\_\_

Application Fee:

Land Use Variance  
 Zoning Law Appeal

Fee

\$ 250.00

\$ 150.00

Property Address: 602 Willet rd

S.B.L. No. \_\_\_\_\_

Description of Action to be Appealed: Fence around property

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.

Lauren Jednak  
Director of Development

Brandon Sicelka  
Name of Applicant

[Signature]  
Signature of Applicant

602 Willet rd  
Address of Applicant

\_\_\_\_\_  
Applicant Phone No.

\_\_\_\_\_  
Applicant's Email

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

Property Owner:

NAME: Brandon Sicelka

Address: 602 Willet rd

\_\_\_\_\_  
Lauren Jednak  
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 1 - Project and Sponsor Information

Name of Action or Project: Fence

Project Location (describe, and attach a location map):  
602 Willet rd

Brief Description of Proposed Action:  
6' Wooden Fence around property at 602 Willet rd

Name of Applicant or Sponsor:  
Brandon Sirelka

Address: 602 Willet rd Telephone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

City/PO: Lackawanna

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.

State: NJ Zip Code: 14218

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

3. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
 b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5.  Urban  Rural (non-agriculture)  Industrial  Commercial  Residential (suburban)  
 Forest  Agriculture  Aquatic  Other (Specify): \_\_\_\_\_  
 Parkland

5. Is the proposed action,		NO	YES	N/A
a.	A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	NO	YES
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: _____		NO	YES	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input checked="" type="checkbox"/>		<input type="checkbox"/>
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 checked="" type="checkbox"/>		<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements?		<input checked="" type="checkbox"/>	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?		<input checked="" type="checkbox"/>	NO	YES
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"/>	NO	YES
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

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:

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: Brandon Sireika

Signature: [Signature]

Date: 03-13-2023

Title: Fence

PRINT FORM



**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):

---

Richard Stanton  
Department of Development

Property Address: \_\_\_\_\_

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

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 ?

Yes

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

Yes

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?

No



Sign Above, Print Name Below

Brandon Staelka

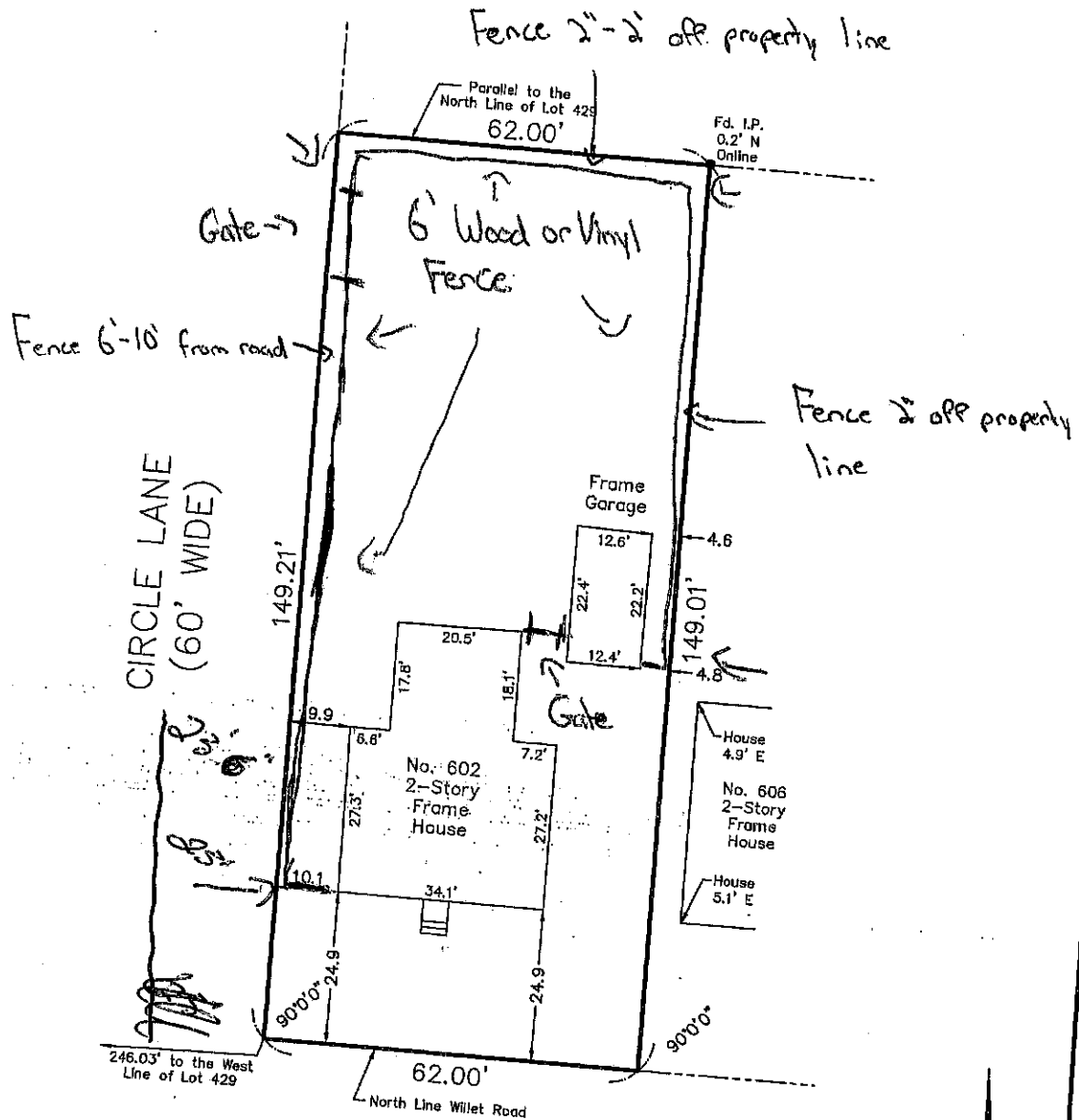


Brandon Sirelka

# SURVEY

602 WILLET ROAD  
LACKAWANNA, NEW YORK

Fence



1" = 30'

ICE & SNOW NOTE:  
AT THE TIME OF THIS SURVEY THERE WAS A CONSIDERABLE AMOUNT OF SNOW AND ICE ON THE GROUND HINDERING THE LOCATION OF SURFACE IMPROVEMENTS. ENCROACHMENTS MAY EXIST THAT WOULD OTHERWISE BE SHOWN.

ADDRESS: 602 WILLET ROAD, LACKAWANNA NEW YORK  
DATE OF SURVEY: 01/03/22 DATE OF MAP: 01/07/22  
SURVEY REFERENCE: LIBER-11078 PAGE-507

LEGAL: PART OF LOT-429, T-10, R-7 OF THE BUFFALO CREEK RESERVATION, CITY OF LACKAWANNA, ERIE COUNTY, NEW YORK STATE.  
NO PROPERTY CORNER WERE SET AS PART OF THIS SURVEY

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

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF NEW YORK STATE EDUCATION LAW

REQUESTED BY: Jay A. Pohlman, Esq.

GENZEL LAND SURVEYING, P.C. ©2022  
7033 COLE ROAD COLDEN, NEW YORK 14033  
PH: (716) 667-9733 EMAIL: JEFF@GENZELSURVEY.COM  
JOB NO. 8177 DATE: 01/07/22 DWN. BY: DJK

*Handwritten signature: J. A. Pohlman*

THIS MAP VOID UNLESS STAMPED WITH NEW YORK STATE LICENSED LAND SURVEYOR'S SEAL NO 036303



CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

Application Notice

March 21, 2023

Brandon Sireike  
602 Willet Rd  
Lackawanna, NY 14218

**Re: 602 Willet Rd**

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 29, 2023**

**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  
Vincent Edgerton – 602 Willet  
Marie Faulring – 150 Circle Ln



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. <input checked="" type="checkbox"/> Variance |
| 5. _____ Zoning Law Appeals      |   |

**Property owner: Brandon Sireika**

**Address: 602 Willet Rd**

**In reference to: Requesting to install fence around property**

You are entitled to appear at the public hearing scheduled for **3/29/23@ 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

address

**126 Cleveland  
Avenue,  
Lackawanna,  
New York 14218,  
United States**

Overview Hunt Unit

**address**

**Name**

126 Cleveland Avenue,  
Lackawanna, New York 14218,  
United States

**State**

New York

Add to  
Folder

Add  
Photo

Add  
Waypoint

More



This might help

Figure out the occupancy also

[BE] TABLE 1004.5

MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT

FUNCTION OF SPACE	OCCUPANT LOAD FACTOR <sup>a</sup>
Accessory storage areas, mechanical equipment room	300 gross
Agricultural building	300 gross
Aircraft hangars	500 gross
Airport terminal	
Baggage claim	20 gross
Baggage handling	300 gross
Concourse	100 gross
Waiting areas	15 gross
Assembly	
Gaming floors (keno, slots, etc.)	11 gross
Exhibit gallery and museum	30 net
Assembly with fixed seats	See Section 1004.4
Assembly without fixed seats	
Concentrated (chairs only – not fixed)	7 net
Standing space	5 net
Unconcentrated (tables and chairs)	15 net
Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas	7 net
Business areas	150 gross
Concentrated business use areas	See Section 1004.8
Courtrooms – other than fixed seating areas	40 net
Day care	35 net
Dormitories	50 gross
Educational	
Classroom area	20 net
Shops and other vocational room areas	50 net
Exercise rooms	50 gross
Group H-5 fabrication and manufacturing areas	200 gross
Industrial areas	100 gross
Institutional areas	
Inpatient treatment areas	240 gross
Outpatient areas	100 gross
Sleeping areas	120 gross
Kitchens, commercial	200 gross
Library	
Reading rooms	50 net
Stack area	100 gross
Locker rooms	50 gross
Mall buildings – covered and open	See Section 402.8.2 of the Building Code of New York State
Mercantile	60 gross
Storage, stock, shipping areas	300 gross
Parking garages	200 gross
Residential	200 gross
Skating rinks, swimming pools	
Rink and pool	50 gross
Decks	15 gross
Stages and platforms	15 net
Warehouses	500 gross

For SI: 1 square foot = 0.0929 m<sup>2</sup>, 1 foot = 304.8 mm.

a. Floor area in square feet per occupant.

the cumulative portion of occupant loads of spaces to that point along the path of

Adjacent levels for mezzanines. That portion of the occupant load of a mezzanine with required egress shall be based on the occupant load of that room, area or space on an adjacent level.

Adjacent stories. Other than for the egress designed for convergence in accordance with Section 1004.5, the occupant load from separate stories shall be based on the floor area of each function independently.

Multiple-function occupant load. Where an area under consideration contains multiple functions having different occupant load factors, the design occupant load shall be based on the floor area of each function independently.

Multiple occupancies. Where a building contains multiple occupancies, the means of egress requirements shall apply to each portion of the building based on the intended use of the space. Where two or more occupancies utilize the same means of egress system, those egress requirements shall meet the more stringent requirements of all occupancies served.

Without fixed seating. The number of occupants shall be computed at the rate of one occupant per unit of floor area as listed in Table 1004.5. For areas without fixed seating, the occupant load shall be not less than that number computed by dividing the floor area under consideration by the occupant load factor assigned to the function of the space as listed in Table 1004.5. Where an intended function is not listed in Table 1004.5, the fire code official shall establish the occupant load on a listed function that most nearly resembles the intended function.

Where approved by the fire code official, the number of occupants for whom each occupied space in a building is designed, although less than that determined by calculation, shall be permitted to be used for the determination of the design occupant load.

Increased occupant load. The occupant load in any building, or portion thereof, is permitted to be increased from that number established for the space in Table 1004.5, provided that all other requirements of the code are met based on such modified occupant load does not exceed one occupant per square foot (0.65 m<sup>2</sup>) of occupiable floor space. Where approved by the fire code official, an approved egress diagram or fixed equipment diagram substantiating the increased occupant load shall be submitted. Where approved by the fire code official, such diagram shall be used for the determination of the design occupant load.

Fixed seating. For areas having fixed seats and tables, the occupant load shall be determined by the number of seats installed therein. The occupant load for areas in which fixed seating is not installed, such as waiting spaces, shall be determined in accordance with Section 1004.5 and the number of fixed seats.

Occupant load of wheelchair spaces and the associated circulation shall be based on one occupant for each wheelchair space and one occupant for the associated circulation.