



# CITY OF LACKAWANNA OFFICE OF CODE ENFORCEMENT

714 Ridge Road – Room 311  
Lackawanna, NY 14218  
Tel: (716) 827-6474 Fax: (716) 827-1866



Date 12/18/2024

Agenda Checklist  
 Zoning Board of Appeals  
 Planning and Development Board

Property address 2500 HAMBURG TURNPIKE

Reason in front of the board AREA VARIANCE FOR EV CHARGING STATIONS

Special use permit needed for Zoning? Yes/ No Planning? Yes/ No

Agenda Applicant BRIDGET O'CONNOR / SMART CHARGE EV

Agenda item SMART CHARGE EV CHARGERS

Zone MIXED COMMERCIAL INDUSTRIAL

Use variance needed? Yes/ No

Description of use variance (not allowed in that zone) \_\_\_\_\_

Area variance needed?  Yes / No

Description of area variances needed (Parking/ height ect...) INSTALL EV CHARGERS  
NEAR PROPERTY LINE / CODE CALLS FOR 20 FEET  
OFF OF THE PROPERTY LINE

Description of agenda use? \_\_\_\_\_

Code enforcement research (attached if applicable) YES

Legal opinion/ research (attached if applicable) NO

Scott Hayes  
Code Enforcement Officer



**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: 11/10/2024

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

Application Fee:

Land Use Variance  
 Zoning Law Appeal

Fee  
 \$ 250.00  
 \$ 150.00

Property Address: 2500 Hamburg Turnpike, Lackawanna, NY 14218

S.B.L. No. 141.67-4-1.12

Description of Action to be Appealed: \_\_\_\_\_

ChargeSmart EV is applying for a zoning variance to install EV Charging Stations

Along the south side of the property at La Quinta Inn Lackawanna.

The stations will not meet setback requirement and we are therefore seeking a 20' side yard variance for the stations.

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

Bridget O'Connor

Name of Applicant

*Bridget O'Connor*

Signature of Applicant

5 Southside Drive

Clifton Park, NY 12065

Address of Applicant

Applicant Phone No.

Contractor

Applicant's Email

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

Property Owner:

NAME: Bhavin Patel

Address: 2500 Hamburg Turnpike

Lackawanna, NY 14218



Richard Stanton  
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



---

**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):

5. Is the alleged hardship self-created?

We understand the need for setback requirement but this location is minimally invasive to the neighborhood.

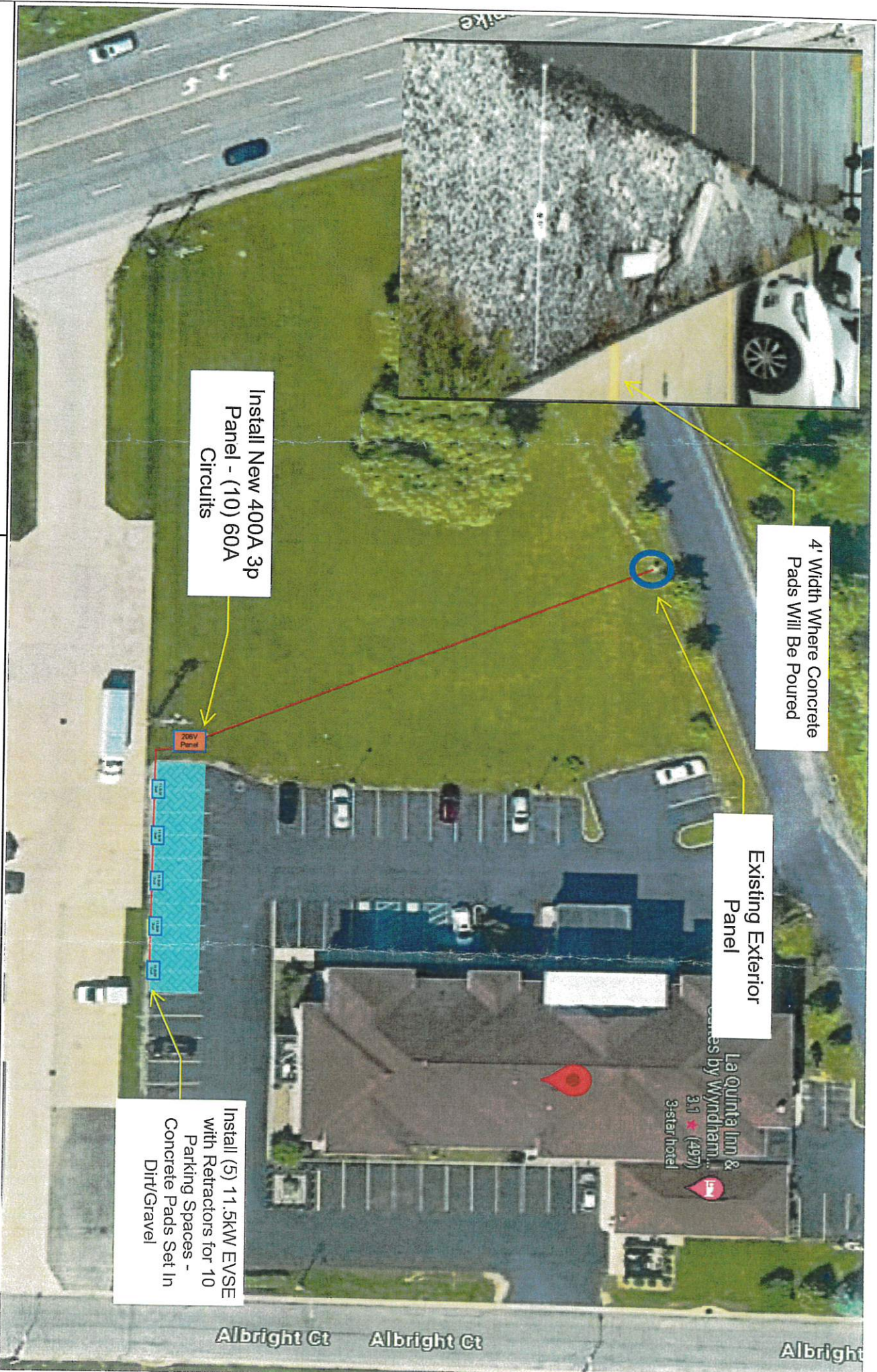
There is already dead/unused space where the chargers are proposed. With the neighbors approval, we believe the positive impact of the stations would outweigh any negative impact.

*Bridget O'Connor*

Sign Application and Print Name Below

*Bridget O'Connor*





4' Width Where Concrete Pads Will Be Poured

Existing Exterior Panel

Install New 400A 3p Panel - (10) 60A Circuits

Install (5) 11.5kW EVSE with Retractors for 10 Parking Spaces - Concrete Pads Set In Dirt/Gravel

**ChargeSmart EV LLC**  
 5 Southside Dr, Suite 11-184  
 Clifton Park, NY 12065  
 www.chargesmartev.com

Project Name	Date
La Quinta Inn & Suites by Wyndham Lackawanna	09/03/2024
Address	Project Details
2500 Hamburg Turnpike Buffalo, NY 14218	EVSE Site Plans V4 Qty (10) Level 2 Plugs



**ChargeSmart EV**



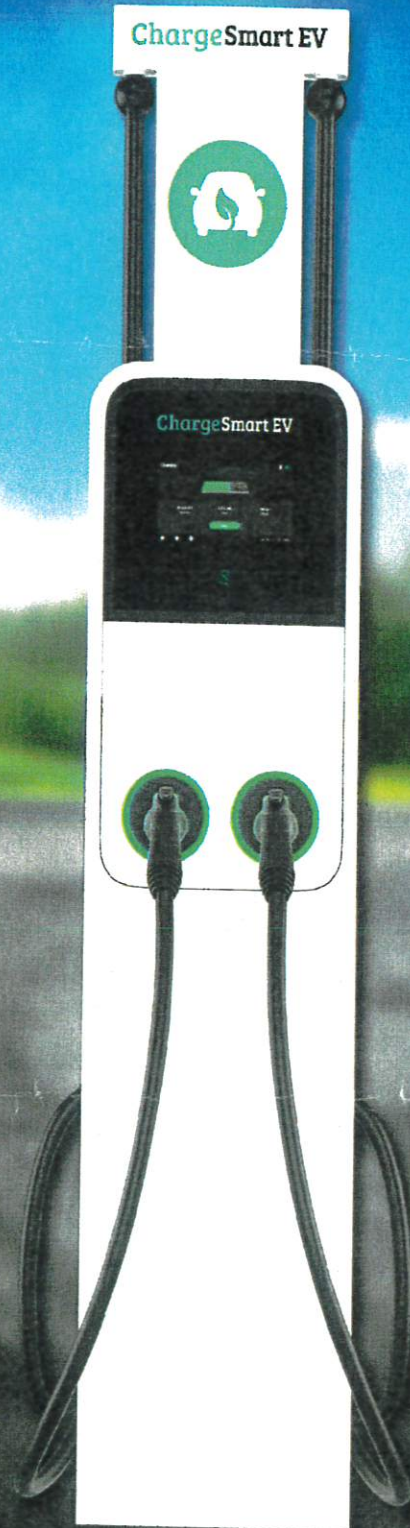


# ChargeSmart EV

## COMMERCIAL MAXICHARGER™ AC ULTRA

80A

The 80A  
charging station  
is the most  
powerful Level 2  
EV charger in the  
ChargeSmart EV  
line-up.



ChargeSmart EV



CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

Application Notice

December 2, 2024

Bridget O'Connor  
5 Southside Drive  
Clifton, NY 12065

**Re: 2500 Hamburg Tpke**

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: December 18, 2024**

**Time:**

**Time: 5:00 pm**

**City Council Chambers Room 241**  
**Lackawanna City Hall**

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

Boarding Neighbors  
2510 Hamburg Tpke LLC- 2510 Hamburg Tpke





CITY OF LACKAWANNA  
DEPARTMENT OF DEVELOPMENT

Bordering 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: Bridget O'Connor**

**Address: 2500 Hamburg Tpke**

**In reference to: Request to install chargesmart EV charging stations**

You are entitled to appear at the public hearing scheduled for 12/18/24@ 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



## Division of Local Government Services

### 2024-2025 Winter Webinar Series

#### When:

Monday evenings in December 2024 and January 2025.

#### Where:

Attend on WebEx from wherever you are. You will need a computer with speakers or a mobile device.

#### Courses:

Farmland Protection & Agricultural Viability, Floodplain Regulation for Local Review Boards, Planning Board Overview, Zoning Board of Appeals Overview.

#### Who:

Planning Board Members, Zoning Board of Appeals Members, Governing Board Members, Planning Staff, Code Enforcement Officers, Other Local Officials.

#### Training Schedule:

<https://dos.ny.gov/local-government-training-schedule>

### To Register:

Click on each course below that you want to attend to register.

Once registered, you will receive a confirmation email from WebEx with instructions for joining each session.

#### December 9, 2024

Farmland Protection & Agricultural Viability

6:00 PM – 8:00 PM

2 hours training credit

#### December 16, 2024

Floodplain Regulation for Local Review Boards

6:00 PM – 8:00 PM

2 hours training credit

#### January 6, 2025

Planning Board Overview

6:00 PM – 8:00 PM

2 hours training credit

#### January 13, 2025

Zoning Board of Appeals Overview

6:00 PM – 8:00 PM

2 hours training credit