



PLANNING AND DEVELOPMENT BOARD

Meeting Minutes

Wednesday January 29, 2025

Opening:

The regular meeting of the City of Lackawanna Planning and Development Board was called to order at 6:00PM.

Pledge of Allegiance called

Present: DeSantis, Friend, Gable, Smith, Zambron, Abdullah

Excused: Algawani

Mr. Clark requested a motion, second, and vote on the recommendation for Kimberly Smith to the 2025 Planning Board Chair.

Motion to nominate Kimberly Smith as the 2025 Planning Board Chair: Friend Second: DeSantis

All yeas carried 6-0

Motion to approve minutes for the meeting on 12/18/24: Friend Second: Gable

All yeas carried 6-0



New Business

Item #1

Site Plan Approval

Oishi Sushi

Bixia Zhang

1506 Abbott Rd

Requesting to open new Japanese restaurant in neighborhood commercial

Bixia Zhang representing.

Ms. Zhang stated she would like to open a Japanese restaurant with dine in and take out capabilities.

Director Clark advised Ms. Zhang to provide a high-level view of her business and to explain the site plan design.

Chairwoman Smith asked if the business will be sit down or take out.

Ms. Zhang stated it will be both and explained that the entrance will be on Abbott road with a side parking lot containing 11 regular spots and 1 handicap spot for a total of 12 spots.

Ms. Zhang stated that when you walk in there will be a water screen approximately 60 inches away from the door with 3 tables against the left wall and behind the screen will be a bar table for clientele.

Ms. Zhang further explained that on the right side will be a tea table with a sofa and that the wall will be taken down.

Chairwoman Smith asked if she is taking down a wall

Ms. Zhang replied yes.

Chairwoman Smith asked which wall is coming down

Ms. Zhang stated the right-side wall when entering the premises where the proposed tea table will be.

Chairwoman Smith asked how much of the wall will be taken down

Ms. Zhang stated 11 feet by 6 feet.

Code Enforcement Officer Steve Balon stated Ms. Zhang is putting a window in it and that the wall she is moving is not load bearing as they already viewed the property.



Ms. Zhang advised Comfort Windows is doing the window and that behind it will be a sushi bar with a reception table in an L-shape.

Ms. Zhang further explained there will be a refrigerator to serve sushi; a packing area; a 31.5-inch sink for washing; 2 gas fryers; noodle cookers next to the gas fryers; a 2-cooktop unit; a double wok cooker; and one griddle likely to not be used often.

Ms. Zhang also stated there will be an 80-inch refrigerator in the center of the kitchen for easy access, with food preparation stations placed.

Ms. Zhang stated electrical work will be done by a licensed contractor to get appropriate permits and will do work to meet the City of Lackawanna's code.

Director Clark asked Ms. Zhang if she ran a similar restaurant in Williamsville or Amherst to which she stated yes.

Ms. Zhang explained that restaurant was inherited from family and she operated it for 12 years.

Ms. Zhang stated that due to rent increases she closed the business and looked to Lackawanna based on price as well as the lack of a Japanese restaurant in the area.

Member DeSantis asked Ms. Zhang if she will pave the parking lot.

Ms. Zhang stated she plans to pave it after opening the business and generating income.

Member Friend asked about the hours of operations

Ms. Zhang stated she didn't know yet as she is unfamiliar with the area, but suggested Sunday would be closed based on the NFL and Buffalo Bills' games.

Ms. Zhang explained she plans to run the business 7 days a week at the beginning and based on which day is the lowest income would then choose that day for closing.

Ms. Zhang further explained she has usually operated her business 6 days a week, with hours ranging 11:00AM to 10:00PM with the potential of closing at 9:30PM based on clientele.

Ms. Zhang also stated the business's lunch break would occur between 3:00PM to 5:00PM or 3:00PM to 4:30PM depending on clientele.

Chairwoman Smith asked about the location of trash

Ms. Zhang stated her interior trash can is only 24 inches wide but Chairwoman Smith clarified she was asking about the outside garbage.

Ms. Zhang stated she has not spoken with a waste removal company yet, but has seen a dumpster behind the building near the garage door with contact information.

Ms. Zhang stated when she opens her business she will call the contact information on that bin to set up weekly pickup.

Chairwoman Smith asked how often would trash pickup occur



Ms. Zhang stated she believes once a week would suffice.

Motion to open the public hearing: Zambron Second: DeSantis All yeas carried 6-0

City Attorney John Gaughan requested public comment

Chairwoman Smith asked if any of the neighbors had spoken on this potential business.

Director Clark stated the neighbors received notice and none are present nor did they send in any concerns.

Motion to close public hearing: Zambron: Second: Friend All yeas carried 6-0

Motion to approve site plan as presented: DeSantis: Second: Friend All yeas carried 6-0

Item #2

Site Plan Approval

UFP Real Estate, LLC

Brian Lenneman

300 Commerce Drive

Requesting to open new manufacturing company in an existing building with changes in an Industrial Zone

Director Clark stated this location is the former Krog building on the northwest end of Ridge road across from Rooster's Café in the 1st ward, and that UFP Real Estate wants to purchase the building and make changes.

Tom Block/ CPL and Richard Buitenhuis/ UFP representing

Mr. Bock stated they have representatives from CPL, UFP, and Buffalo Construction Consultants and are proposing the following: an approximate 18 thousand square foot building addition; relocating an existing storm water pond; paving the existing gravel drive around the building to asphalt; a new storage area; 3 new rail spurs off of the existing Genesee and Wyoming lines; and relocating utilities to accommodate the building addition.

Chairwoman Smith asked for clarity on the location

Mr. Bock stated access to the property is off of Commerce drive.

Member DeSantis asked if the business will put an entrance on Steelawanna Avenue



Mr. Bock stated there is an existing gate on the street the business will maintain.

Member DeSantis asked if that gate will be used for entrance and exits of the business

Mr. Bock replied yes but that the main entrance will be on Commerce drive.

Director Clark offered clarity stating they've engaged CNS Engineers to be the in-house expertise and will help review seekers, documents, and site plans to guide the city accordingly.

Chairwoman Smith asked what kind of company the business will be

Mr. Bock said manufacturing and building products, Mr. Buitenhuis can explain details.

Mr. Buitenhuis stated the intended business is one division of UFP Real Estate and that at this site would be patented processes which includes bringing in raw materials and processing through machinery to craft building products.

Chairwoman Smith asked what the final products would be

Mr. Richard Buitenhuis stated different products they didn't want to introduce due to the competitive landscape they operate in.

Chairwoman Smith stated that she heard Mr. Buitenhuis say patented processes

Mr. Buitenhuis replied there are other companies doing what they're doing, just not in that specific area and the finished products are used in the construction industry

Director Clark advised that UFP has a confidentiality agreement in place with the ECDIA and that they are honoring that confidentiality.

Director Clark stated he has enough information that the project is something to support.

Member DeSantis acknowledged the need for confidentiality, but expressed concern with potentially voting on something that they don't even know what they're talking about.

Director Clark requested UFP provide the categories of the materials

Mr. Buitenhuis stated they are finished products for the exteriors of homes used on the surfaces of structures.

Member DeSantis asked about storage outside the building

Mr. Buitenhuis advised that they will be in the storage yard.

Member DeSantis asked if certain materials will be stockpiled in there

Mr. Buitenhuis stated all of their raw materials are wrapped in a clean and tight plastic and have to be shipped that way from their vendors.

Code Enforcement Officer Steve Balon stated that the raw materials would be placed in the silos UFP had gotten the variance for regarding the 65-foot silos.



Member DeSantis asked if the raw materials will be stored inside

Mr. Buitenhuis stated yes, they are building 8 new silos and the goods brought in by train will ultimately make their way through the building.

Chairwoman Smith asked if the materials are hazardous and if they are, do they require testing.

Mr. Buitenhuis stated they are not; they are 100 percent inert and are polymer pellets.

Chairwoman Smith asked if they require testing

Mr. Buitenhuis stated no testing is required.

Chairwoman Smith asked when the raw materials go from the rail car to the silo, if there were any fumes or products that could spill leading to potential problems or health issues.

Mr. Buitenhuis stated no

City Attorney John Gaughan asked that as a result of the process of making the product is there any hazardous waste.

Mr. Buitenhuis stated no

Member DeSantis asked about emissions to which the representative advised the development process goes through cooling water in which the products are then cured and heat treated, citing a clean process in its entirety.

Member DeSantis asked about the addition

Mr. Buitenhuis stated it would be an approximate 18 thousand square foot addition.

City Attorney John Gaughan asked Director Clark to inform the board about the Zoning Board meeting.

Director Clark stated there was a height variance approved for the silo as Lackawanna's code has a 40-foot max, and UFP wanted a 65-foot silo which was approved.

Mr. Bock stated that silos are going to be at the back and northern corner of the site, and that there is an existing tower on the building at 82-feet which exceeds their 65-foot silo.

Chairwoman Smith asked about noise from the manufacturing process

Mr. Buitenhuis stated no, with all manufacturing occurring within the structure and the only outside operations being forklifts and truck driving moving raw materials and finished product.

Chairwoman Smith asked about any smells or odors

Mr. Buitenhuis replied no.

Chairwoman Smith explained Mr. Buitenhuis the history of Bethlehem Steel and the impact it had on the City of Lackawanna, which is why they are concerned about the evasive answers.



Mr. Buitenhuis acknowledged and understood Chairwoman Smith's concerns, stating they have a different location with this process and employees who have been around a long time and are mindful of their employees' health within the compound.

Chairwoman Smith asked if the company has ever had any OSHA issues

Mr. Buitenhuis replied no.

Chairwoman Smith asked where the other operations, and if they are in New York State

Mr. Buitenhuis replied no.

Member Friend expressed concerns with noise levels

Mr. Bock stated there will be noise during construction operations.

Member Friend asked about liquid waste disposal

Mr. Buitenhuis stated it will go into the public sewer system.

Chairwoman Smith asked about a building on the property

Mr. Buitenhuis stated it's a stormwater management facility.

Member Friend asked about hazardous waste disposal being dropped off at an existing off-site location

Mr. Buitenhuis stated it will be dropped off in Kenmore which prompted further questions about transportation.

Mr. Buitenhuis stated their business is in discussion with the City of Lackawanna to have the site cleaned before they buy the property.

Member Zambron asked if the business wants to move into a clean space

Mr. Buitenhuis stated they will if it is clean.

Mr. Buitenhuis explained that Phase 1 & 2 environmental are complete and have received the results.

Member Friend asked about recorded spills at the site

Mr. Buitenhuis stated a lot of things happened at the site before UFP became involved.

Member Zambron asked if this will generate jobs

Mr. Buitenhuis stated yes, and that the business planned to operate 24 hours a day, 7 days a week unless there are shutdowns.

Mr. Buitenhuis explained the business is planning approximately 32 to 40 people per shift for approximately 90 jobs to begin with.

Member Zambron asked if these jobs will be manufacturing positions



Mr. Buitenhuis stated it will be a mix of manufacturing and clerical front office work as well.

Director Clark asked if these will be new jobs

Mr. Buitenhuis stated they do not plan to pull people from other sites, meaning these jobs would be brand new to the area.

Member Zambron asked about advertising these jobs

Mr. Buitenhuis stated he assumed the business will publish them on job boards but didn't have full knowledge.

Member Zambron mentioned companies have used press releases or news reports to advertise the jobs

Mr. Buitenhuis replied they are open to suggestions for finding talent.

Director Clark asked if the 90 jobs are reflective of the addition the business plans to put on

Mr. Buitenhuis replied yes.

Member DeSantis asked if these are existing railroad tracks or if the business will build new tracks

Mr. Bock stated there is one existing track and 3 new rail spurs will be added.

Member DeSantis asked how the rail will be used

Mr. Block stated it will be used for bringing in raw materials and exporting finished products.

Mr. Buitenhuis explained that there will be up to 6 cars staged on each track and that the bottom on the building will be outbound rail, but planned for the rail to be used for intake of raw materials.

Member DeSantis asked about the prior company storing woodchips which led to problems with fires, and UFP have fire problems

Mr. Bock stated it would not be a problem.

Member Friend asked about the site being 5 miles from the Tift Nature Preserve and if the operations would have an impact to the Tift Nature Preserve

Mr. Bock stated it would not.

Member Friend asked how the product will be stored until it is used

Mr. Bock stated product does not sit for extended periods of time.

Director Clark asked if they could quantify how quickly finished product is pushed out

Mr. Bock stated in the spring is when product is pushed out.

Chairwoman Smith asked about the salary for the manufacturing positions



Mr. Bock stated did not know that answer

Chairwoman Smith asked about general pay range for all positions which there was no definitive answer and also asked about the business being the new potential owner and not responsible for cleaning it.

Mr. Buitenhuis stated that the business has not signed the papers claiming ownership at this time but do have a purchase agreement in place.

Mr. Buitenhuis also stated their purchase is based on the City approving the site plan and getting the area cleaned up from previous tenants.

Mr. Buitenhuis clarified that the business did its due diligence drilling approximately 26 to 28 holes on the property checking for pollution as well as completing Phase 1 & 2 environmental.

Director Clark asked about their Phase 2 results and if it made them eligible for a brownfield cleanup program or similar program

Mr. Buitenhuis stated it did not.

Brad Fisher representative of Buffalo Construction stated the hazardous materials needing clean up is the materials on the property that they are negotiating to have removed before UFP purchases and moves into the site.

Mr. Buitenhuis agreed with that statement

Director Clark stated the seeker responses reflects the entire environment and not necessarily the business hazards

Mr. Buitenhuis stated that before the existing materials can be removed they need to be tested and SDS acquired for them.

Director Clark mentioned the seeker states what was seen on the property and what UFP will be walking into.

Mr. Buitenhuis stated this is a challenging site that they've already put a lot of time and money into to make it a successful plant.

Director Clark stated the building had been empty for a while and the previous tenant had a host of code enforcement issues and there is potential for a great operation to occur.

Member Zambron asked about a timeline if approved

Mr. Buitenhuis stated they plan to be aggressive; aiming to get permits and break ground in April 2025 and have product made by January 1st, 2026.

Peter Decker representative of Buffalo Construction stated the timeline is aggressive and they have a team in place to put it together and answer any questions.

Mr. Buitenhuis stated the current owner is taking care of several issues that are being done the right way.



Chairwoman Smith asked about oil drums and what they will be used for

Mr. Buitenhuis stated they will be for maintenance equipment and associated fluids such as oil and grease.

Chairwoman Smith asked about fires at the site from the previous owner and if the finished product is flammable

Mr. Buitenhuis stated it is, but has a low flame to smoke spread ratio.

Chairwoman Smith asked if there is a fire suppression system

Mr. Buitenhuis stated there is.

City Attorney John Gaughan asked about traffic and if the raw materials are coming in via truck
Mr. Buitenhuis stated very little of it will be delivered that way and further transported via forklifts on the site.

Attorney Gaughan asked about outbound traffic including daily truck traffic and the kind of trucks operating.

Mr. Buitenhuis stated it will be light tractor trailers and semi-trucks that will run by the side of the building near the single rail and leave via Commerce Drive.

Attorney Gaughan asked about the exit procedure and where they will go

Mr. Buitenhuis stated he did not know where they will go.

Attorney Gaughan asked about how many outbound trucks on a daily basis

Mr. Buitenhuis stated they did not but could get that answer

Attorney Gaughan asked for that answer at the next meeting.

Mr. Buitenhuis stated he could gather information for a daily average, or a high/low/peak regarding outbound traffic

Director Clark requested the latter.

Member DeSantis asked about the entrance on Steelawanna and if the business can keep the trucks operating on commerce drive.

Mr. Bock stated he believes the main exit will be off of Commerce Drive and that they believe they will be maintaining the Steelawanna gate because it is there.

Mr. Buitenhuis stated they plan on trucks using Commerce Drive.

Attorney Gaughan asked about the gate and if it will be open or closed

Mr. Buitenhuis stated it will be closed for security reasons.

Mr. Buitenhuis explained the entire site will be fenced in to maintain the security of the site, and the gate on Commerce Drive will likely be open the majority of the time to accommodate



commercial trucks entering and exiting on a consistent basis and are considering an automated gate with a key card system.

Director Clark stated it is the City's preference that truck traffic goes through Commerce Drive as opposed to operating through Steelawanna.

Mr. Buitenhuis stated they don't plan for primary traffic to operate through Steelawanna but did not rule out an occasional truck traveling through Steelawanna; stating that the business will keep the existing gate but doesn't plan to use it.

Chairwoman Smith mentioned the neighborhood restaurant on the corner that sees high foot and personal vehicle traffic, and that commercial traffic there would be a hinderance and even dangerous for such traffic to operate.

Mr. Buitenhuis stated that if it is easier for business trucks to use Commerce Drive then they will do so.

Director Clark stated this is one of the largest projects ever presented to the board and does not expect the business to make an immediate decision as a lot of information was shared.

Director Clark stated that if more time is needed to digest and understand the information, then to adjourn the meeting to discuss this business at the next meeting.

Member DeSantis stated he would not mind moving forward with the project, but did not want to give an impression that he would not say yes.

Mr. Buitenhuis stated he is for additional conversation should the board need it.

Attorney Gaughan mentioned that if needed, Chairwoman Smith could take a straw poll to find out if everyone is ready to vote on the request.

Member Friend asked about the trucks hauling the product getting into an accident in a residential neighborhood and if the accident would result in risks.

Mr. Buitenhuis stated an accident would result in the product spread about the roadway and likely scratched, but can be picked up.

Motion to open the public hearing: Zambron: Second: Friend All yeas carried 6-0

Motion to close public hearing: DeSantis: Second: Gable All yeas carried 6-0

Member DeSantis stated that based on what was shared, the material coming into the city is essentially non-toxic but did not know what the finished product is.

Member DeSantis further stated that the project appears to be good for the city and is prepared to vote yes on it today in which additional members stated they were comfortable with the information provided and also prepared to vote yes.

Code Enforcement Office Scott Hayes stated the closest neighbors on Kossuth were in the Zoning Board meeting and were happy with the location and site plans.



Attorney Gaughan requested to continue going around the board asking if everyone is ready to vote

Chairwoman Smith asked about snow removal and if snow is put on Kossuth.

Directory Clark stated the snow does not go there

Member DeSantis stated the plowed snow will not be a problem.

Member Abdullah asked if the businesses near the site are aware of the proposed business and Code Enforcement Officer Steve Balon stated that the people and businesses in the area were notified, based on the response in the Zoning Board meeting.

Director Clark clarified to Member Abdullah that it is a standard practice, and that anyone who is an approximate neighbor is notified of items on the planning and zoning board.

Member Abdullah asked how far is the site from Ridge Road

Mr. Balon explained it is a 30-acre site with construction mainly occurring on the top half of the site away from Ridge.

Member Abdullah asked where the businesses on Ridge are in relation to the proposed site

Mr. Balon stated approximately a quarter of a mile away

Mr. Bock stated approximately half a mile away.

Code Enforcement Officer Steve Balon stated that residents from Kossuth were present and expressed concerns, but was unaware of who specifically was notified.

Member Abdullah stated she is concerned about the trucks that may go through Steelawanna as well as traffic and parking issues on Ridge based on historical truck traffic and the potential growth of the company leading to an increase.

Mr. Buitenhuis stated they do not want to add to existing traffic and want to do things that are the easiest and safest.

Member DeSantis stated that the trucks will want to go through Commerce as that appears to be the easiest.

Director Clark explained the negative declaration

Attorney Gaughan stated the seeker needs to be addressed before any plan is approved.

Motion for negative declaration for the environmental assessment plan: DeSantis: Second: Gable
All yeas carried 6-0

Motion to approve site plan: Zambron: Second: DeSantis
All yeas carried 6-0



Director Clark asked of UFP what the board can expect next to which the CPL team stated they have design plans and are looking for permits to construct and demolish as needed, and to present engineering plans to the board.

Buffalo Construction Representative Pete Decker stated they'd like to meet with all stakeholders regarding the progress of their timeline and if everything is good with those parties, then to submit for a building permit.

Code Enforcement Officer Steve Balon stated a demo permit can be provided, but for a foundation permit they'd need plans for it before one can be provided.

Motion to adjourn: Abdullah Second: DeSantis

All yeas carried 6-0