

LEGAL NOTICE
CITY OF LACKAWANNA
PLANNING AND DEVELOPMENT BOARD AGENDA
COUNCIL CHAMBERS
TIME: 6:00 PM
Wednesday May 28, 2025

AGENDA:

- “Nomination and election of Vice Chair”
- Approval of minutes for meeting held on April 30, 2025

NEW BUSINESS

- Site Plan Approval

Mana Muhsen
2170 Abbott Rd
Requesting to open Bookkeeping Service
open to the Public
in Neighborhood Commercial

- Site Plan Approval

Ezzaldeen Mubarlat
3292 South Park Ave
Requesting to open a ice cream parlor and sweet
Shop with indoor seating
in Neighborhood Commercial



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
 PLANNING AND DEVELOPMENT BOARD

Date: 04/04/25

Application No. _____

Site Plan Review

Filing Fee \$10.00

<input checked="" type="checkbox"/> Less than 0.5 acres	\$ 50.00
<input type="checkbox"/> 0.5 to 1.0 acres	\$ 200.00
<input type="checkbox"/> 1.0 to 2.0 acres	\$ 400.00
<input type="checkbox"/> 2.0 to 5.0 acres	\$ 400.00
<input type="checkbox"/> Greater than 5 acres	
\$ 400.00 plus \$100.00 per acres	\$ _____
<input type="checkbox"/> Special Use Permit	\$ 500.00
<input type="checkbox"/> Development Plan Review	\$ 50.00

Property Address: 3292 South Park Ave

S.B.L. No. _____

Description of Proposed Project: Ice Cream Parlor and Sweet Shop with indoor seating

Director of Development

Erzalkan Mubarakat
Name of Applicant

Erzalkan Mubarakat
Signature of Applicant

3313 South Park Ave
Address of Applicant

[REDACTED]
Applicant Phone No.

[REDACTED]
Applicant's Email

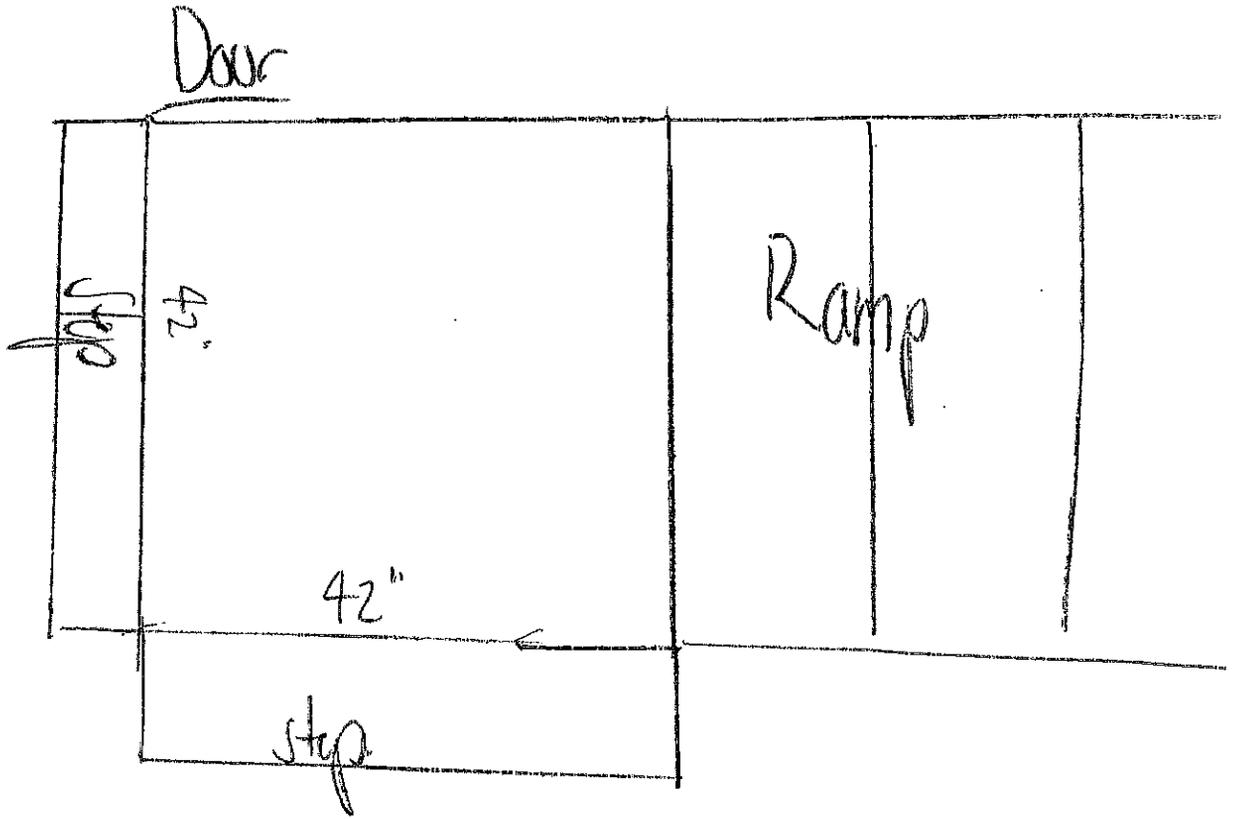
Owner
Role of Applicant to Project
(owner, attorney, lessee, agent,
architect, engineer, contractor...)

Property Owner:

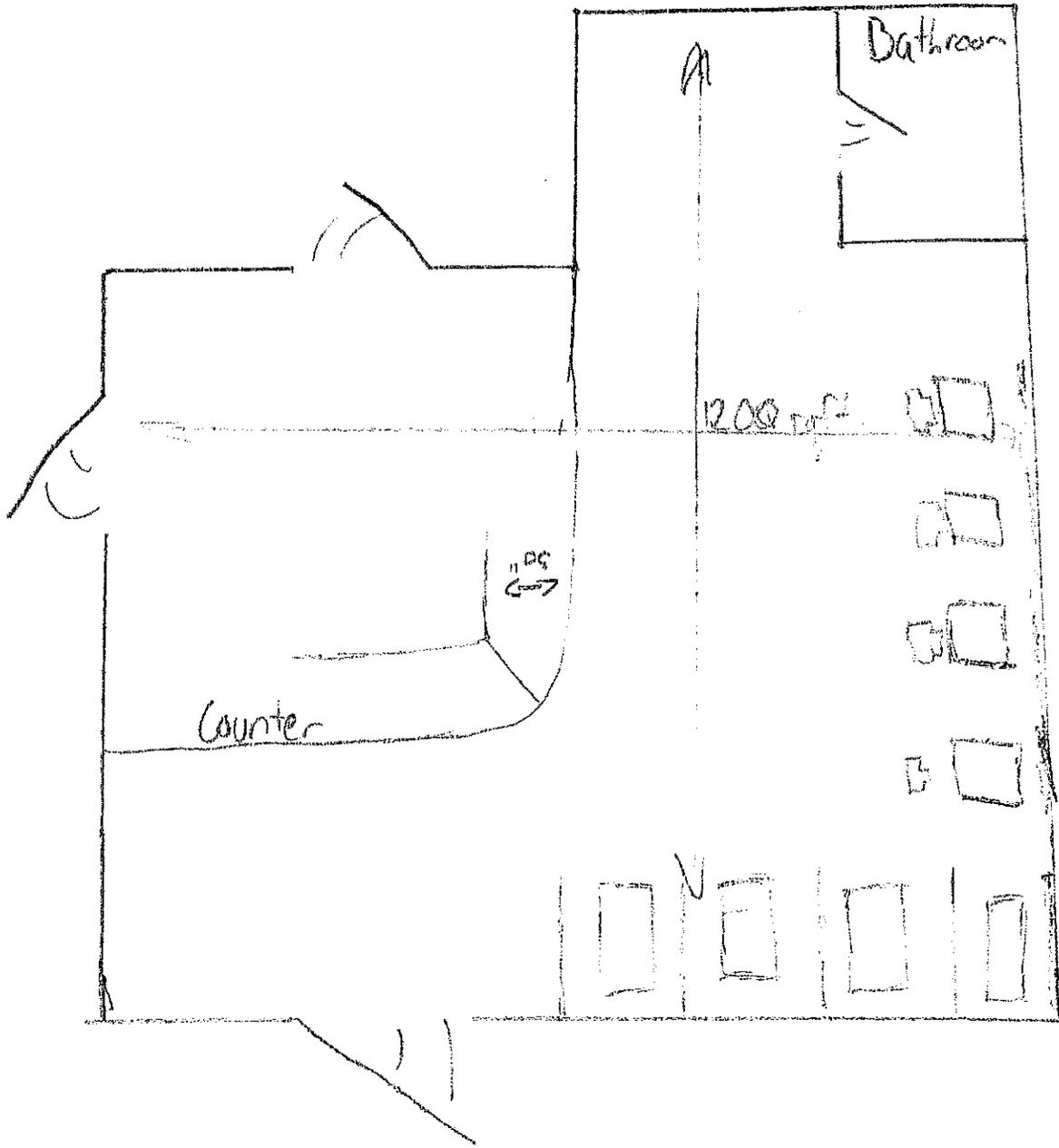
NAME: Alec Seffer

Address: 3292 South Park Ave

Front of Building



Floor plan for Cream City



PARKING LICENSE AGREEMENT

This Parking License Agreement (this "License Agreement") is made as of July 1, 2012, by and between SoPark Corp., a New York corporation having a mailing address of 3300 South Park Avenue, Buffalo, New York 14218 ("Licensor") and Wolf Fitness Inc. a New York corporation having a mailing address of 3292 South Park Avenue, Lackawanna, New York 14218 ("Licensee") (collectively referred to as the "Parties," and singularly as a "Party").

RECITALS

A. WHEREAS, Licensor is the owner of certain real property improved for its employee parking adjacent to its factory and office.

B. WHEREAS, Licensee's personal training and fitness facility abuts Licensor's parking lot.

C. WHEREAS, Licensor desires to convey to Licensee a revocable license for parking in a designated area comprised of ten (10) spaces for use by Licensee's clients and invitees as more particularly shown on Exhibit A attached hereto and made a part hereof, all as further described below.

NOW, THEREFORE, for One Hundred Dollars (\$100.00) per month, paid by the 1st of each month for the month that parking is granted by Licensor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Licensor and Licensee agree as follows:

1. Parking License.

a. Licensor hereby grants Licensee a license (the "Parking License") for vehicular parking, by Licensee's authorized clients and invitees on the ten (10) parking spaces identified on said Exhibit "A" (the "Parking License Area").

b. The License Agreement is effective for an "Initial Parking License Term" of month to month beginning on July 1, 2012.

c. Licensor shall, at its expense, stripe a total of 10 parking spaces in the Parking License Area. Licensee's clients and invitees shall park only in the designated area.

2. Maintenance. Licensor agrees to maintain the parking areas located in the Parking License Area in good repair and operable condition, consistent with Licensor's normal obligations regarding its parking, including snow removal, striping, maintenance, repair and resurfacing as needed.

3. Indemnification. Licensee shall indemnify, defend and hold Licensor harmless from and against any claims, expenses, liabilities, loss, damage and costs, including reasonable attorney's fees, in any actions or proceedings in connection therewith, incurred in connection with, related to, arising from, or due to or as a result of the death of any person or any accident, injury, loss or damage, however caused, to any person or property, or any other type of claim or loss, arising from Licensee's exercise of, or use of, the License set forth herein ("Losses") (except Losses resulting from Licensor's failure to comply with its obligations under this License Agreement and/or the negligence or willful misconduct of Licensor, or any of the agents, servants or employees of Licensor.

4. Insurance. Licensee shall provide proof of insurance, with a minimum General Liability Coverage of \$500,000 per occurrence, which holds Licensor harmless for Licensee's use of Licensor's parking lot. Licensor and Licensee shall each cause the other to be a named insured on their general liability and premises liability insurance and shall provide an insurance certificate requiring thirty (30) days prior notice of cancellation to the certificate holder.

5. Remedies and Enforcement. In the event of a breach or threatened breach by a Party of the provisions hereof, the other party shall be entitled to full and adequate relief by injunction

6. Successors and Assigns. This License Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors and permitted assigns. No third party shall be entitled to enforce any term, covenant or condition of this License Agreement, or have any rights hereunder.
7. Amendment. This License Agreement may only be amended by a document executed by the Parties to this License Agreement or their successors or permitted assigns.
8. Waiver. No waiver of, acquiescence in, or consent to any breach of any term, covenant or condition of this License Agreement shall be construed as a waiver of or acquiescence in, or consent to any other, further, or succeeding breach of the same or any other term, covenant or condition.
9. Severability. If any term or provisions of this License Agreement shall, to any extent, be invalid or unenforceable under applicable law, then the remaining terms and provisions of this License Agreement shall not be affected thereby, and each such remaining terms and provisions shall be valid and enforced to the extent permitted by law.
10. Applicable Law. The License Agreement shall be construed, governed and enforced in accordance with the laws of the State of New York.
11. No Partnership or Joint Venture. Nothing in this License Agreement shall be construed to make the Parties hereto partners or joint ventures or render any of said Parties liable for the debts or obligations of the others.
12. Section Headings. The section headings used herein are for reference and convenience only, and shall not enter into the interpretation hereof.
13. Entire Agreement. This License Agreement sets forth the entire agreement between the

...writings, oral or written, not herein expressed.

Notice. Any notice to be given hereunder shall be directed as follows:
If to Licensor:

SoPark Corp.
3300 South Park Avenue
Buffalo, New York 14218
Attn: Gerry Murak, President

If to Licensee:

Wolf Fitness Inc.
3292 South Park Avenue
Lackawanna, New York 14218
Attn: Elizabeth L. Wolf, CEO

15. **No Recordation.** This License Agreement shall not be recorded by either Party.

16. **Counterparts/Facsimile.** To facilitate execution, this License Agreement may be executed by facsimile or electronic mail in .pdf format and in as many counterparts as may be deemed appropriate by the parties, all of which when taken together shall be deemed an original and shall comprise one (1) agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first written above.

LICENSOR:

SoPark Corp.

By: [Signature]
Gerry Murak, President

[Signature] 6/21/12

[Signature] 6/21/12
Witness
JOHN P. KASPEREK

LICENSEE:

Wolf Fitness Inc.

By: [Signature]
Elizabeth L. Wolf, CEO

[Signature]
Witness

The Property 3292 South Park ave
has 10 parking spaces in total.
4 will be designated to Cream City.

~ Alec Seifer
~~Alec Seifer~~



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. Variance
5. Zoning Law Appeals

Property owner: Ezzaldean Mubarlat

Address: 3292 South Park Ave

In reference to: Request to open a ice cream palor and sweet shop with indoor seating

You are entitled to appear at the public hearing scheduled for **5/28/25@ 6:00pm** 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

Application Notice

May 19, 2025

Ezzaldean Mubarlat
3292 South Park Ave
Lackawanna, NY 14218

Re: 3292 South Park 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: May 28, 2025

Date:

Time: 6:00 pm

Time:

City Council Chambers Room 241
Lackawanna City Hall

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

Boarding Neighbors
Mural Properties LLC- 3296 South Park
Mohamed Hussains- 15 East Milnor



CITY OF LACKAWANNA
OFFICE OF CODE ENFORCEMENT

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



Date 5/28/25

Agenda Checklist
Zoning Board of Appeals
Planning and Development Board

Property address 2170 ABBOTT ROAD

Reason in front of the board SITE PLAN REVIEW TO OPEN BOOK KEEPING SERVICE

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

Agenda Applicant MANA MUHSEN

Agenda item TO OPEN BOOK KEEPING SERVICE TO THE PUBLIC

Zone NEIGHBORHOOD COMMERCIAL

Use variance needed? Yes/No No

Description of use variance (not allowed in that zone) ✓

Area variance needed? Yes/No No

Description of area variances needed (Parking/ height' ect...) ✓

Description of agenda use? BOOK KEEPING SERVICE

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
 PLANNING AND DEVELOPMENT BOARD

Date: 05-08-25

Application No. _____

Site Plan Review

~~Filing Fee \$10.00~~

_____ Less than 0.5 acres	\$ 50.00
_____ 0.5 to 1.0 acres	\$ 200.00
_____ 1.0 to 2.0 acres	\$ 400.00
_____ 2.0 to 5.0 acres	\$ 400.00
_____ Greater than 5 acres	
\$ 400.00 plus \$100.00 per acres	\$ _____
_____ Special Use Permit	\$ 500.00
_____ Development Plan Review	\$ 50.00

Property Address: 2170 Abbott Rd Lackawanna 14218

S.B.L. No. _____

Description of Proposed Project: Bookkeeping Services

Open to the public.

APPLICATION IS HEREBY MADE to the City of Lackawanna Planning and Development Board for a site plan review, special use permit, development plan review or subdivision review 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.

Mawa Muhsen

Name of Applicant

[Handwritten Signature]
Signature of Applicant

18 Minton St Buffalo 14210

Address of Applicant

[Redacted]
Applicant Phone No.

[Redacted]
Applicant's Email

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

Property Owner:

NAME: 2170 ABBOTT LLC

Address: 2170 ABBOTT Rd

Lackawanna NY 14218





Google

Image capture: Jul 2022 © 2025 Google





Image capture: Jul 2022 © 2025 Google



Google

Image capture: Jul 2022 © 2025 Google

[Back to search](#)



[Save](#)

[Share](#)

[More](#)

[Home value](#)

[Cost calculator](#)

[Owner options](#)

[Home details](#)

[Neighborhood](#)

What's special

Updated 1 bedroom 1 bath apartment. Refrigerator and stove included. Water/Electric included. Off street parking. 5 min from Highmark stadium!

1st month/security due at signing. 1 year lease.

Facts & features

Interior

Bedrooms & bathrooms

- Bedrooms: 1
- Bathrooms: 1

Cooling

- None

Appliances

- Included: Drvr. Washer

[Show more](#)

Chapter 230. Zoning

Article III. District Regulations

§ 230-13. Neighborhood Commercial - NC.

A. Purpose. The purpose of the Neighborhood Commercial Districts is to encourage the development of commercial uses serving the day-to-day needs of local residents, to support neighborhood activities and insure the compatibility of commercial development with the surrounding residential districts.

B. Use regulations.

Permitted Uses and Structures

None

Permitted Accessory Uses (subject to the provisions of this chapter)

Picnic and transit shelters

Off-street parking and loading facilities

Signs

Private swimming pools

Fences, walls and hedges

Satellite television receiving antenna

Solar collection apparatus

Accessory storage buildings

Pedestrian oriented commercial uses, including small retail and/or personal service establishments, convenience businesses, restaurants, taverns, and professional offices

Child-care centers

Drive-through commercial facilities

Automotive service stations

Animal service facilities

Health-care facilities

Houses of worship

Public buildings and uses

Multifamily dwellings or apartment building

Site Plan Review Uses

C. Site area requirements.

Lot Dimensions

Minimum Lot Size

4,000 square feet

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:

Use/Facility	Requirement (spaces)
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

Use/Facility	Requirement (spaces)
Residential (group home for elderly, disabled)	more bedroom units 1/2 per dwelling unit or if public transportation is available within 500 feet, 1/4 per dwelling unit
Restaurant and banquet hall	1 per 3 seats plus 2 for every 3 employees on the maximum shift
Restaurant - take out only	1 per 10 square feet of net floor area
Retail stores (detached)	1 per 250 square feet of sales floor area
Schools (nursery and primary)	1 per employee
Schools (secondary)	1 per 10 student instruction seats or if no fixed seats, 1 per 100 square feet of instructional space
Schools (trade)	1 space per 4 students
Shelters	1 per 2 employees
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"

Use	Square Feet	Number of Bays
	5,001 - 40,000	2
	40,001 - 50,000	3
	50,000+	4
Wholesale and industrial operations	Under 40,000	1
	40,001 - 100,000	2
	100,000+	3
Office buildings	100,000+	1
Health-care facilities with ambulatory service	50,000+	2 bays, 1 of which is for emergency vehicles

H. Stacking.

- (1) In addition to minimum parking and loading requirements, drive-in facilities shall provide five spaces per lane, booth, customer facility or service window.
- (2) Drive-in facilities shall be sited so as to facilitate principal on-site vehicular circulation and discourage vehicle stacking on the adjacent street.
- (3) The size of each stacking space shall be 20 feet in length by nine feet in width.



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Application Notice

May 19, 2025

Mana Muhsen
18 Minton St
Buffalo, NY 14210

Re: 2170 Abbott 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: May 28, 2025

Date:

Time: 6:00 pm

Time:

City Council Chambers Room 241
Lackawanna City Hall

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

Boarding Neighbors
Elizabeth Satko-2176 Abbott Rd
Christopher Caber-27 Pellman Pl



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. Variance
5. Zoning Law Appeals

Property owner: Mana Muhsen

Address: 2170 Abbott Rd

In reference to: Request to open a bookkeeping service to the public

You are entitled to appear at the public hearing scheduled for **5/28/25@ 6:00pm** 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