



CITY OF LACKAWANNA OFFICE OF CODE ENFORCEMENT

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



Date 3/25/26

Agenda Checklist

Zoning Board of Appeals

Planning and Development Board

Property address 1255, 1265, 1269, 1271 ABBOTT ROAD.

Reason in front of the board VARIOUS AREA VARIANCES / SITE PLAN APPROVAL

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

Agenda Applicant ELYZIA JOSUN / SAMUEL J. BURDEN

Agenda item TO OPEN A NEW OREILLY AUTO PARTS STORE.

Zone NEIGHBORHOOD COMMERCIAL

Use variance needed? Yes/No No

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

Area variance needed? Yes/No

Description of area variances needed (Parking/ height ect...) VARIOUS VARIANCES LISTED IN ATTACHED PACKET

Description of agenda use? TO OPEN A NEW OREILLY AUTO PARTS RETAIL STORE, TO BUILD A NEW BUILDING

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



MEMORANDUM

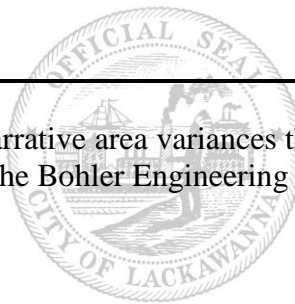
TO: Zoning Board of Appeals

FROM: Department of Development

RE: Elysia Joslin (O’Reilly Auto Enterprises) & Samuel J. Burden (Bohler Engineering) – 1255, 1265, 1269, 1271 Abbott Road

DATE: March 20, 2026

Below is a chart summarizing the project narrative area variances the applicant is requesting relating to parking, loading, signage, and setbacks, as found in the Bohler Engineering documentation:



<p align="center">§ 230-36-D-(1)</p> <p>Off-street parking shall be located to the side or rear of the principal building</p> <p>Development proposes parking in the front yard (Julian Avenue)</p>	<p align="center">§ 230-13-C</p> <p align="center">Yard sizes: Maximum Front Yard: 10'</p> <p>Proposed: 42.8'; Variance Sought: 32.8' (Julian Avenue)</p>
<p align="center">§ 230-37-G-(2)</p> <p>Required off-street loading facilities shall not face or be visible from the frontage street, shall not be located in a required front yard</p> <p>Development proposes loading facility in the front yard (Julian Avenue)</p>	<p align="center">§ 230-41-C</p> <p align="center">Max 100 SF. of Site Signage</p> <p>Allowed: 100 SF.; Proposed: 407 SF.; Variance Sought: 307 SF.</p>
<p align="center">§ 230-41-C</p> <p>Max attached signs not exceeding 1.0 SF. For every foot of building frontage</p> <p>Allowed: 90 SF. (Julian Avenue) + 85 SF. (Abbott Road) = 175 SF. // Proposed: 338 SF.; Variance Sought: 163 SF. (79 SF. Julian Avenue & 84 SF. Abbott Road)</p>	<p align="center">§ 230-41-F-(4)</p> <p>Internally lit signs should be limited to one per building</p> <p>Allowed: 1 Sign; Proposed: 3 Signs (2 Building & 1 Existing Freestanding Sign Cabinet); Variance Sought: 2 Internally lit building signs (one on east side and one on the north side of the building)</p>



**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: 02-27-2026

Application No. _____

Application Fee:

Fee

 Land Use Variance
✓ Zoning Law Appeal

\$ 250.00
\$ 250.00

Property Address: 1255,1265,1269,1271 Abbott Road, Lackawanna, NY, Erie County

S.B.L. No. 142.07-2-8,9,10&11

Description of Action to be Appealed: _____

Applicant is proposing area variances for building location, parking & loading

and signage. detailed descriptions of area variances being sought can be

found within the zoning board narrative.

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.

Director of Development

Elysa Joslin

Name of Applicant

[Redacted]

Address of Applicant

[Redacted]

Applicant's Email

[Redacted]

Signature of Applicant

[Redacted]

Applicant Phone No.

Purchaser

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

Property Owner:

NAME: Daniel Zielinski

Address: _____



17 Computer Drive West
Albany, NY 12205
518.438.9900

70 Linden Oaks, Third Floor
Rochester, NY 14625
585.866.1100

Via Electronic & FedEx Delivery

March 5th, 2026

Lackawanna City Hall
714 Ridge Road
Lackawanna, NY, 14218

Attention: Kimberly Smith - Planning & Development Board Chair
& Daniel Geercken – Zoning Board Chair

**Re: Site Plan Review & Zoning Board of Appeals Submissions.
Proposed O'Reilly Auto Parts Store
1255,1265,1269,1271 Abbott Road
Lackawanna, New York**

Dear Chairperson Smith & Geercken,

On behalf of our client, O'Reilly Auto Enterprises, LLC., we are pleased to submit the following materials to the City of Lackawanna for the proposed new ±7,650 SF O'Reilly Auto Parts Store. This application package includes a Site Plan Submission to the Planning Board and an Area Variance submission package to Zoning Board of Appeals. With this application we request to be placed on the March 25th Zoning Board of Appeals and Planning & Development Boards agenda to introduce the project to the City. Please see included with this letter the materials below in support of this application:

Site Plan Review Application to the Planning & Development Board:

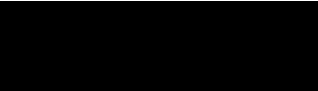
- A. Thirteen (13) copies of this Cover Letter & Project Narrative including Stormwater Narrative, dated March 5th, 2026, prepared by Bohler Engineering NY, PLLC.
- B. Thirteen (13) copies the "Letter of Authorization", signed by the current property owner, dated March 4, 2026
- C. Thirteen (13) copies of the signed "Application to the City of Lackawanna Planning & Development Board", dated February 27, 2026.
- D. Thirteen (13) copies of the signed "Short Environmental Assessment Form", dated March 4, 2026.
- E. Thirteen (13) copies of the "Architectural Elevations & Preliminary Floor Plan, prepared by O'Reilly Auto Enterprises, LLC, dated March 4, 2026.
- F. Thirteen (13) copies of the "Site Development Plans" that includes a Site and Landscape Plan, Grading and Drainage and Utility Plan, Prepared by Bohler Engineering NY, PLLC, dated February 26, 2026.
- G. Thirteen (13) copies of the "ALTA/NPS Land Title Survey of the lands of 1255 Abbott Road", prepared by Control Point Associates PC, dated November 25, 2025.
- H. A Check #581 in the amount \$450.00 to the City of Lackawanna for Site Plan & Development Plan Review.

Area Variance Application to the Zoning Board of Appeals:

- A. Nine (9) copies of this Cover Letter & Project Narrative including Stormwater Narrative, dated March 5th, 2026, prepared by Bohler Engineering NY, PLLC.
- B. Nine (9) copies of the "Area Variance Criteria Narrative" dated March 5th, prepared by Bohler Engineering NY, PLLC.
- C. Nine (9) copies the "Letter of Authorization", signed by the current property owner, dated March 4, 2026.
- D. Nine (9) copies of the signed "Application to the City of Lackawanna Zoning Board of Appeals", dated February 27, 2026.
- E. Nine (9) copies of the signed "City of Lackawanna Criteria for an Area Variance" February 27, 2026.
- F. Nine (9) copies of the signed "Short Environmental Assessment Form", dated March 4, 2026.
- G. Thirteen (13) copies of the "Architectural Elevations & Preliminary Floor Plan, prepared by O'Reilly Auto Enterprises, LLC, dated March 4, 2026.
- H. Nine (9) copies of the "Lackawanna, NY (LK1) Sign Plan", prepared by O'Reilly Auto Enterprises, LLC, dated February 26, 2026.
- I. Nine (9) copies of the "Lackawanna, NY (LK1) Pole Sign Rendering", prepared by O'Reilly Auto Enterprises, LLC, dated March 4, 2026.
- J. Nine (9) copies of the "Lackawanna, NY (LK1) Building Sign Cut Sheet", prepared by O'Reilly Auto Enterprises, LLC, dated September 2022.
- K. Nine (9) copies of the "ALTA/NPS Land Title Survey of the lands of 1255 Abbott Road", prepared by Control Point Associates PC, dated November 25, 2025.
- L. A Check #582 in the amount \$250.00 to the City of Lackawanna for Area Variance Application.

We look forward to introducing this new development to the City. If you have any questions, or need additional materials, please do not hesitate to contact our office.

Sincerely,
BOHLER ENGINEERING NY, PLLC



Samuel J. Burden

Enclosures:
Freya Sagvold: O'Reilly Auto Parts via Email

Proposed O'Reilly Auto Parts Project Narrative

Dated: March 4th, 2026

Existing Conditions

The ±1.19-acre project site currently consists of four (4) parcels (SBL 142.07-3-8,9,10,11) and is located at 1255,1265,1269 & 1271 Abbott Road in the City of Lackawanna, New York. The site is currently developed with an existing Auto Body Shop, associated curb cuts to Julian Ave and Abbott Road (3 curb cuts to Abbott and 1 to Julian), parking, storage and other site appurtenances. The remainder of the site is maintained grass area. The project site is located adjacent other commercial uses and borders residential to the west. The site appears to be serviced by municipal utilities based on a project survey.

Proposed Project

The proposed development involves the construction of a new ±7,650 SF O'Reilly Auto Parts Store. The site is proposed to include forty one (41) onsite parking spaces (including 2 ADA - van accessible spaces on site). Two access drives are proposed to be constructed. One (1) minor commercial driveway from Abbott Road (City Jurisdiction) that will services patrons and one (1) open curb cut to Julian Ave (City Jurisdiction) that will service patrons and delivery vehicles. Two (2) curb cuts on Abbott Road will be closed as part of the project and new curb and sidewalk installed. Truck circulation will be from Abbott Road to Julian Ave where the truck will stage and then circulate out to Ridge Road. Other site features will include new utility services, stormwater mitigation features, asphalt parking and drive lanes, concrete curbing and sidewalk, a dumpster enclosure, LED dark sky compliant site lighting fixtures, landscaping, and signage.

Operations

Below is a summary of the anticipated operations of the proposed auto parts store:

- Open 7-days a week, with typical hours of 7:30am to 9pm Monday – Saturday and 9am to 7pm on Sundays. (Store times will vary by region)
- No tire sales or on-site service.
- Typically, employees +/- 12 people with 3-8 employees in the store always. Multiple shifts per day.
- Deliveries typically occur a few times a week (off hours). Trash is collected once a week.

Zoning

The parcel is zoned, NC – Neighborhood Commercial where the retail sales of automobile parts are considered Retail and subject to Site Plan Review by the Planning & Development Board. The proposed layout and signage plans require area variances. The area variances proposed are as follows:

- Parking in Front Yard (Julian Ave)
- Loading in the Front Yard (Julian Ave)

- 10' Building Yard Maximum Setback (Julian Ave)
- Total Sign Area totaling greater than 100 SF.
- More than one (1) internally lit sign per building.
- Attached Signs exceeding 1SF/1LF of building frontage.

O'Reilly Auto Enterprises will be seeking relief from the City of Lackawanna Zoning Board of Appeals for the above-mentioned area variances.

Stormwater

This project proposes to disturb less than 1-acre of land; therefore, a Stormwater Pollution Prevention plan (SWPPP) is not required. The O'Reilly development proposes to increase impervious on the site by $\pm 6,500$ SF. and therefore requires quantity mitigation (peak rate) as required by NYSDEC. Stormwater from the existing site generally flows northwest across the property where it eventually infiltrates in the maintained lawn area. The remaining portion of the site flows into a network of catch basins along Julian Ave and Abbott Road.

The proposed development will capture stormwater onsite in a network of catch basins as well as capturing building runoff within a minor $\pm 2'$ deep depression along the western portion of the building. A pipe connecting the depression and catch basins is proposed to help drain the depression. A new stormwater connection to the Abbott Road system is proposed. A manhole with an outlet control device (weir) is proposed to help maintain discharge at less than predevelopment flow condition as required by NYSDEC. The remaining portion of site (loading and parking area) on the South side (Julian Ave) is proposed to be captured in an existing catch basin similar to existing condition. If the depression is to overtop, the lowest part of the depression will drain towards the catch basin within Julian Ave.

All stormwater requirements and design practices have been met and designed within strict accordance of the New York State Department of Environmental Conservation Stormwater Design Manual

Water Service

Currently, water service is located within the property; the applicant proposes to reuse the existing service onsite to the extent possible. The proposed water service reuse will be reviewed and approved by the water authority having jurisdiction. The backflow prevention device will be located within the building and reviewed and approved by the County Department of Health.

Fire Suppression

A municipal fire hydrant is located at the corner of Abbott Road and Julian Ave for fire suppression. Access to the proposed development has been designed to provide ingress/egress for fire trucks as needed. The building is not proposed to be sprinklered.

Sanitary Sewer

A new 4" SDR-21 PVC sanitary sewer lateral is proposed from the O'Reilly Auto Parts to tie into the existing municipal sanitary sewer main that is located on the property. A new manhole is proposed for this connection. The proposed sanitary sewer lateral connection will be reviewed and coordinated with the sewer authority.

Landscaping

New plantings as well as areas of sod & hydroseed are proposed throughout the site with careful attention to the City of Lackawanna landscaping requirements and the overall character of the surrounding neighborhood. A plan with detailed design of landscape features is included with this submission.

Lighting

New pole mounted dark sky compliant LED site lighting fixtures are proposed to illuminate the site and provide consistent lighting levels within the parking and drive lanes. Adherence to the City's lighting code is proposed and no waivers or variances are proposed at this time. The lighting has been designed to minimize light spill at the property lines.

Signage

O'Reilly Auto Parts standard signage is proposed which consists of a refacing of the existing digital display sign cabinet, as well as Two (2) building mounted signs on the northern (main entrance) face and eastern face (Abbott Roadside). Color elevations depicting signage are being submitted as part of this submission.

**Area Variance Project Narrative
Proposed O'Reilly Auto Parts Store
1255,1265,1269,1271 Abbott Road
City of Lackawanna
March 5th, 2026**

Introduction:

The proposed development involves the construction of a new ±7,650 SF O'Reilly Auto Parts Store. The site is proposed to include forty one (41) onsite parking spaces (including 2 ADA - van accessible spaces on site). Two access drives are proposed to be constructed. One (1) minor commercial driveway from Abbott Road (City Jurisdiction) that will services patrons and one (1) open curb cut to Julian Ave (City Jurisdiction) that will service patrons and delivery vehicles. Two (2) curb cuts on Abbott Road will be closed as part of the project and new curb and sidewalk will be installed. Truck circulation will be from Abbott Road to Julian Ave where the truck will stage and then circulate out to Ridge Road. Other site features will include new utility services, stormwater mitigation features, asphalt parking and drive lanes, concrete curbing and sidewalk, a dumpster enclosure, LED dark sky compliant site lighting fixtures, landscaping, and signage.

Application for Area Variance:

The applicant is seeking relief from the following variances.

- (A) §230-36-D-(1) Off-street parking shall be located to the side or rear of the principal building

Development proposes parking in the front yard.

- (B) §230-37-G-(2) Required off-street loading facilities shall not face or be visible from the frontage street, shall not be located in a required front yard.

Development proposed loading facility in the front yard (Julian Ave)

- (C) §230-13-C-Yard Sizes: Maximum Front Yard: 10'

Proposed: 42.8'; Variance Sought: 32.8'

- (D) §230-41-C: Max. 100 SF. of Site Signage

Allowed: 100 SF.; Proposed: 407 SF.; Variance Sought: 307 SF.

- (E) §230-41-C: Max. Attached Signs not exceeding 1.0 SF. for every foot of building frontage

Allowed: 90SF. (Julian) + 85 SF. (Abbott) = 175 SF.

Proposed: 338SF.; Variance Sought: 163 SF. (79SF. Julian Ave & 84SF. Abbott)

(F) §230-41-F-(4): Internally lit signs should be limited to one per building.

Allowed: 1 Sign; Proposed: 3 Signs (2 Building and 1 Existing Freestanding Sign Cabinet) Variance Sought: 2 Internally lit building signs (one on east side and one on the north side of the building)

CONSIDERATIONS OF APPROVAL: (Referenced from Area Variance Application)

1. Will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created by granting the area variance?

It is not anticipated that the proposed site related area variances will produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties. The requested variance (A) would allow for the construction of a new +/- 7,000 SF retail building and associated site features while minimizing the impact on the surrounding neighborhood by decreasing the amount of asphalt onsite and allowing for more lawn and landscaping areas on the main entrance side of the site. This side of the site is currently developed in the existing condition. Various other businesses along Abbott Road provide parking in the front yard as well (Taco Bell & McDonalds). The requested area variance (B) proposes to provide a loading facility along Julian Ave and is to be screened with an existing 6' tall board on board fence. The applicant is also proposing a mix of shrubs, evergreens and trees to further screen the neighbor and enhance the existing loading condition as the Automotive service center is less than ±12' from the residential neighbor to the west. The requested variance (C) is due to the unique configuration of the lot. The applicant is currently meeting the maximum front yard setback along Abbott Road but is unable to meet it along Julian. The granting of this variance allows for the construction of all necessary site appurtenances specifically parking and loading facilities and promotes the overall longevity and success of the proposed development.

It is not anticipated that the proposed signage variances will produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties. Due to the projects unique lot configuration and residential neighbor to the West, the applicant has proposed to keep signage to the east and north sides of the building. The applicant is a new to market Auto Parts store to the region and is reliant on signage for brand recognition. The granting of proposed area variances D,E & F. will allow for the overall success of the business. The applicant has also modeled their signage package around the neighboring commercial facilities to maintain the general character of the neighborhood. Examples of similar signage within Abbott corridor include Taco Bell, Walgreens and Advance Auto Parts.

2. Can the benefits sought by you, the applicant, be achieved by some other method for the applicant to pursue, other than an area variance and if not why not?

For Parking area variance (A) yes, but this would require the removal of extensive green space areas to the rear of the site and parking encroaching closer to the residential neighbors. For the loading in the front yard variance (B) no, as loading, and patron entry would all be required to happen on the same side of the building. Due to interior building constraints and customer safety, it is not feasible to have loading facilities on the same side as the main entry way. For setback variance (C), yes but this would create the same conditions as noted above and remove two (2) sides of the building for parking and loading. This would also require the applicant to further develop within the buffer of the residential neighbor.

For Sign Area Variances (D, E, F) no, none that would not require additional relief. The enhanced visibility granted by this relief is necessary for the overall site visibility, safe access to the site, and the long-term success of the new development along Abbott Road. In reviewing the surrounding neighborhood, the proposed signage is more in line with the character of the surrounding area.

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

The requested variances do not pose to be detriment to the surrounding community as the requests are consistent with the ongoing development along Abbott. Allowing for the relief of variances (A, B, C) would increase the amount of lawn and landscaped areas that border residential neighbors. Additional measures including providing a ±15-20' landscape buffer to residential districts, fencing and landscaping have also been proposed.

The area variance requested for (D, E, F) poses no impact on the surrounding community while maintaining greater visibility for a new development to advertise their new location to a new market. The applicant has proposed signage in locations that are not anticipated to impact residential neighbors, is in line with neighboring commercial development and promotes the long term overall success of the business.

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

The requested area variances (A, B, C) will minimize any adverse effects to the physical or environmental conditions of the neighborhood by reducing the amount of required impervious surfaces and allowing for more open space along neighboring residential properties where a commercial use abuts a residential use. The applicant also proposes to maintain the surrounding character of the neighborhood by providing landscape buffering, pedestrian access routes and enhanced drainage. The requested sign variance will have no impact on the physical or environmental conditions of the neighborhood as it is in line with the character of the neighborhood and will not propose signage along the building sides that abut residential uses .

5. Is the Alleged difficulty self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals but not necessarily preclude the granting of the requested area variance.


The alleged difficulty for the requested parking, loading and setback relief is a product of the unique lot configuration and multiple frontages (Julian Ave & Abbott Road), abutment of commercial and residential uses and the building size required to optimize the operations with additional back of house storage capacity that does not increase the need for additional parking spaces. Although the variance can be perceived as self-created, the variances are necessary to the overall operation, circulation and site efficiencies required for the overall long term success of the new to market auto parts store. The store has been sized with the minimum floor area necessary for its operations. The alleged difficulty with regard to sign variance could be considered self-created, however it is necessary for adequate visibility and, long term success of the store and brand recognition for a new to market Auto parts store.

To:

The City of Lackawanna, NY
Planning and Development Board
Lackawanna, NY 14218
(716)827-6421

Project:

O'Reilly Auto Parts
1263 Abbot Rd
Lackawanna, NY, 14218

I,  *Daniel Zielinski* (Owner) as Owner of the subject property located at 1263 Abbot Road hereby authorize O'Reilly Auto Parts (tenant), BOHLER ENGINEERING and Kinetic Design and Development (tenant's consultant) to act as an agent on my/our behalf in all matters related to obtaining a building permit for the above mentioned property.



3/4/2026

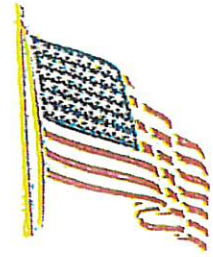
Signature of Property Owner

Date



**CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT**

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



City of Lackawanna Criteria for an Area Variance

(All applicants must answer questions below when an Area Variance is sought)

Before the Zoning Board of Appeals may grant an Area Variance the Applicant must provide proof of, and the ZBA must consider the following:

- (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
- (2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
- (3) whether the requested area variance is substantial;
- (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- (5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.

(c) The board of appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

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

Property Address: 1255, 1265, 1269, 1271 Abbott Road, Lackawanna, NY, Erie County

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?

Refer to attached project narrative for detailed description of requested variances.

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?

Refer to attached project narrative for detailed description of requested variances.

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

Refer to attached project narrative for detailed description of requested variances.

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

Refer to attached project narrative for detailed description of requested variances.

- _____
- _____
- _____
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?

Refer to attached project narrative for detailed description of requested variances.



Sign Above, Print Name Below

Short Environmental Assessment Form

Part 1 - Project Information

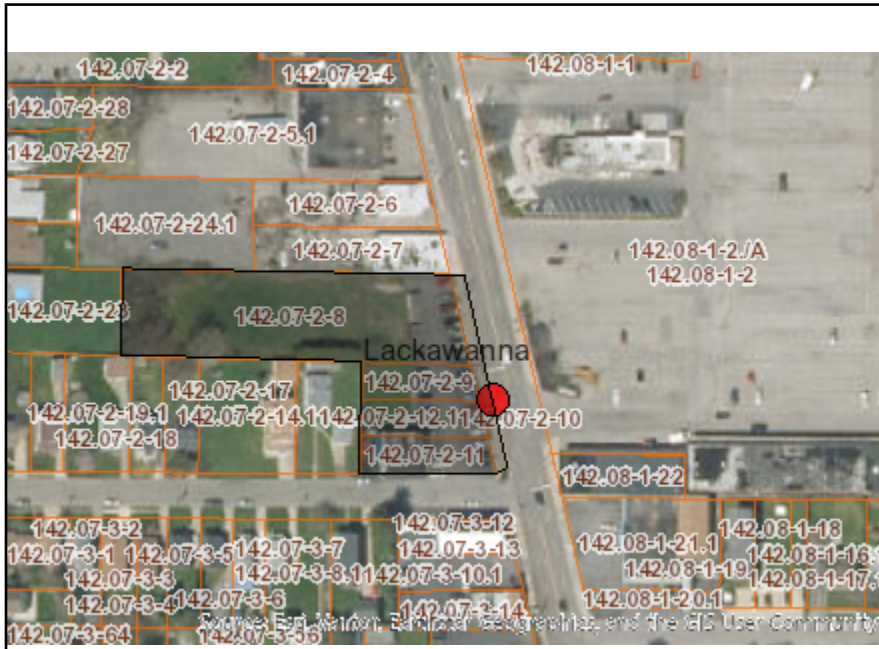
Instructions for Completing

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:			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor:		Telephone: [REDACTED]	
		E-Mail: [REDACTED]	
Address:			
City/PO: [REDACTED]		State: [REDACTED]	Zip Code: [REDACTED]
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: City of Lackawanna: Planning Board-Site Plan Approval, Zoning Board-Area Variance, Building Permit, DPW Permits- Driveway, Erie County Water/Sewer Permit		<input type="checkbox"/>	<input type="checkbox"/>
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)			
<input type="checkbox"/> Forest Agriculture Aquatic Other(Specify):			
<input type="checkbox"/> 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 type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources to confirm data provided by the Mapper or to obtain data not provided by the Mapper.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

O'Reilly AUTO PARTS

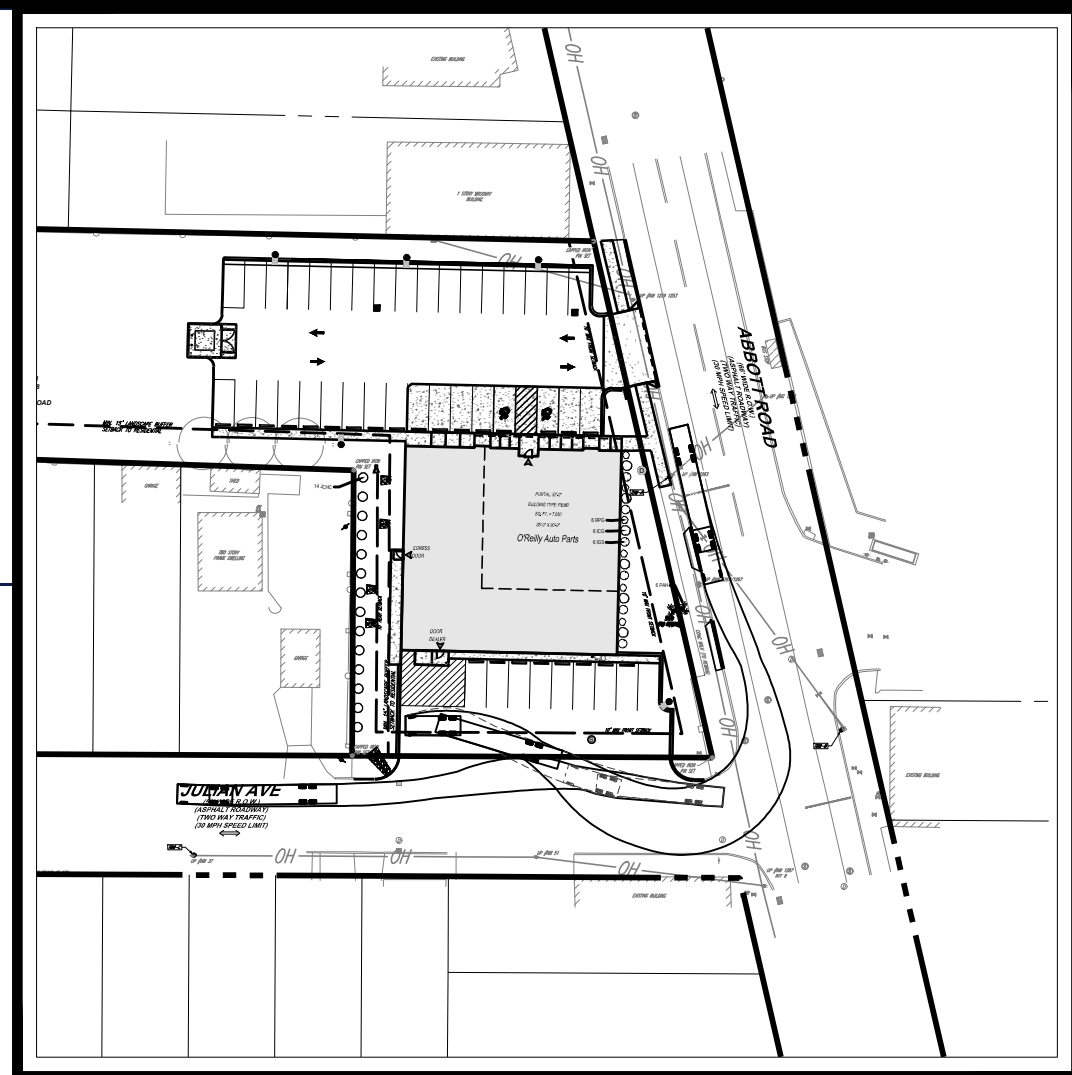


A large, single-story commercial building with a light beige corrugated metal exterior. A prominent red horizontal band runs across the upper portion of the building, featuring the O'Reilly Auto Parts logo and the text "O'Reilly AUTO PARTS". The building is situated on a dark asphalt parking lot under a clear blue sky with light clouds. A line of green trees is visible in the background.

O'Reilly AUTO PARTS







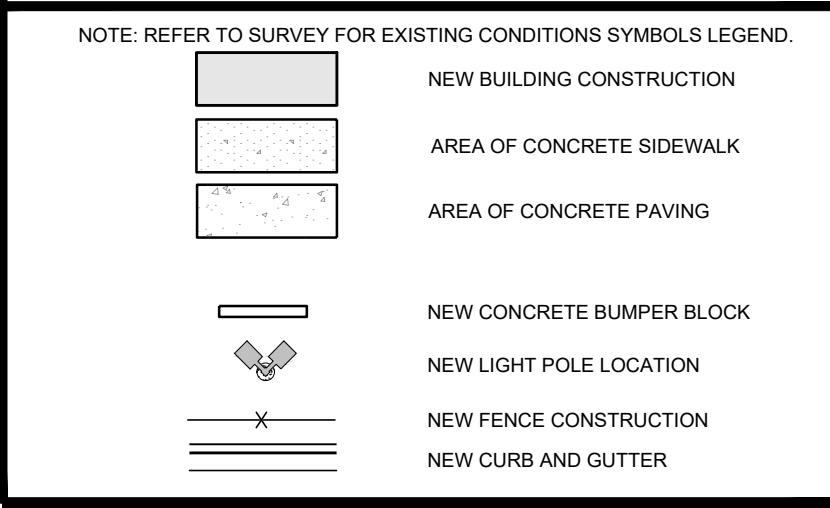
TRUCK TURN EXHIBIT (WB-50)
O'REILLY STANDARD DELIVERY VEHICLE
SCALE: 1" = 80'

LANDSCAPE SCHEDULE					
KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	CONT.
EVERGREEN SHRUBS					
ICG	6	ILEX X MESERVEAE 'CHINA GIRL'	CHINA GIRL HOLLY	30-36"	B+B
IGS	6	ILEX GLABRA 'SHAMROCK'	SHAMROCK INKBERRY HOLLY	24-30"	B+B
JCHC	14	JUNIPERUS CHINENSIS 'HETZLI COLUMNARIS'	COLUMNAR HETZ JUNIPER	4-5'	B+B
RPG	6	RHODODENDRON 'PURPLE GEM'	PURPLE GEM RHODODENDRON	24-30"	CONTAINER
SUBTOTAL: 32					
ORNAMENTAL GRASSES					
PAH	6	PENNISETUM ALOPECUROIDES 'HAMELIN'	DWARF FOUNTAIN GRASS	2 GAL.	CONTAINER
SUBTOTAL: 6					

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN THE AMOUNTS SHOWN IN THE PLAN AND THE PLANT LIST, THE PLAN WILL DICATE.

ZONING TABLE			
ZONING DISTRICT	NH - NEIGHBORHOOD COMMERCIAL		N/A - NOT APPLICABLE
OVERLAY DISTRICT	NO OVERLAY DISTRICT		N/S - NOT SPECIFIED
REQUIRED PERMIT	ANY REQUIRED PERMITS		(V) - VARIANCE REQUESTED (W) - WAIVER REQUESTED (E) - EXIST NON-COMFORMANCE
ZONING CRITERIA	REQUIRED	EXISTING	PROPOSED
MIN LOT AREA	40,000 SF	51,714 SF (±1.18 AC)	51,714 SF (±1.18 AC)
MIN LOT WIDTH	40'	122'	122'
MAX LOT COVERAGE	80%	±33.8%	±55.7%
MAX FRONT SETBACK	10'	±9.8'	±8.2'
MIN SIDE SETBACK	0'	N/A	N/A
MIN REAR SETBACK	10'	±14.9'	±20.1'
MAX BUILDING HEIGHT	30'	± 1-STORY	±20'
PARKING SPACES	31	0	41
ACCESS PARKING SPACES	2	0	2
PARKING STALL CRITERIA STANDARD: 9'X19'	EXISTING USE: RETAIL STORE PROPOSED USE/CATEGORY: RETAIL STORE REQUIRED PARKING: 1 SPACE / 250 SF OF SALES FLOOR AREA CALCULATION: 7,650 SF / 250 SF = 31 SPACES REQUIRED		
ACCESSIBLE PARKING CRITERIA	REQUIRED PARKING: 25-50 SPACE = 2 ACCESSIBLE SPACES		

SYMBOL LEGEND



GENERAL NOTES

- (A) REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS. ALL ON SITE CONCRETE TO BE 4,000 PSI.
- (B) SITE DIMENSIONS TO FACE OF CONCRETE FOUNDATION, SIDEWALK, CURB GUTTER LINE, PROPERTY LINE, OR CENTER LINE OF STRIPING UNLESS OTHERWISE NOTED.
- (C) COORDINATE WORK WITH OTHER SITE RELATED DEVELOPMENT DRAWINGS.
- (D) REFER TO STRUCTURAL DRAWINGS FOR BUILDING DIMENSIONS AND LAYOUT OF SIDEWALKS ADJACENT TO BUILDING PERIMETER.
- (E) PRIOR TO INSTALLATION, CONTRACTOR TO VERIFY LOCATIONS OF LIGHT POLES, LANDSCAPING, AND UTILITIES DO NOT CONFLICT WITH SITE SIGN LOCATION SHOWN. IF CONFLICT IS DISCOVERED, CONTRACTOR TO NOTIFY OWNER'S REPRESENTATIVE PRIOR TO PROCEEDING WITH THE WORK.
- (F) FOR BUILDING FRONT SIDEWALK GENERAL DEVELOPMENT LAYOUT CONCEPT, REFER TO DETAIL 12/C2.2.

KEY NOTES

- (1) CONCRETE PAVING (STANDARD DUTY) AT PARKING AREAS, (HEAVY DUTY) AT DRIVE AREAS, DRIVE APRONS, FIRE LANES, AND REFUSE AREA, REFER TO DETAIL 1/C2.2.
- (2A) ASPHALT PAVING (HEAVY DUTY) AT DRIVE AREAS, DRIVE APRONS, AND FIRE LANES, REFER TO DETAIL 2A/C2.2.
- (2B) ASPHALT PAVING (LIGHT DUTY) AT DRIVE AREAS, DRIVE APRONS, AND FIRE LANES, REFER TO DETAIL 2A/C2.3.
- (3) CONCRETE CURB, REFER TO DETAIL 3/C2.2.
- (4) CONCRETE SIDEWALK, REFER TO DETAIL 4/C2.2. REFER TO STRUCTURAL DRAWINGS FOR LAYOUT OF CONTROL AND EXPANSION JOINTS ADJACENT TO BUILDING PERIMETER.
- (5) CONCRETE DOOR LANDING, REFER TO DETAIL 5/C2.2 AND STRUCTURAL DRAWINGS. LANDINGS MAY BE POURED MONOLITHIC WITH PAVING IF CONCRETE PAVING IS PROVIDED.
- (6) ACCESSIBLE PARKING SYMBOL PAVEMENT STRIPING, REFER TO DETAIL 6/C2.2.
- (7) STEEL BOLLARD, REFER TO DETAIL 7/C2.2. PROVIDE (2) AT REFUSE CONTAINER AREA, (2) AT SECTIONAL OVERHEAD FREIGHT DOOR, AND (9) AT FRONT ENTRY. REFER TO STRUCTURAL DRAWINGS FOR LAYOUT OF BOLLARDS ADJACENT TO BUILDING PERIMETER.
- (8) ACCESSIBLE PARKING SIGN, REFER TO DETAIL 8/C2.2.
- (9) ACCESSIBLE AISLE TRANSITION **NOT USED**
- (10) ACCESSIBLE CONCRETE CURB RAMP TO BE INSTALLED PER CITY AND / OR STATE DESIGN STANDARDS. **NOT USED**
- (11) ACCESSIBLE PARKING SPACE WITH ACCESS AISLE (ADA COMPLIANT) TO SLOPE 2% MAXIMUM IN ALL DIRECTIONS. PROVIDE PAVEMENT MARKINGS TO MATCH STRIPING COLOR UNLESS OTHERWISE REQUIRED TO COMPLY WITH GOVERNING ACCESSIBILITY REGULATIONS.
- (12) REFUSE ENCLOSURE, REFER TO 1/C2.3.
- (13) CONCRETE BUMPER BLOCK (8" W X 5" H X 6'-0" LONG) ANCHORED TO PAVING WITH (2) 1"-6" LONG #4 REBAR.
- (14) PARKING LOT LIGHTING, REFER TO SITE UTILITY PLAN FOR TYPE AND CONSTRUCTION.
- (15) 4" WIDE PAVEMENT STRIPING AS SHOWN USING HIGHWAY MARKING PAINT - YELLOW (2 COATS).
- (16) SITE SIGN, REFER TO SHEET SG-1 FOR TYPE, CONSTRUCTION AND LOCATION. SIGN OWNER FURNISHED AND INSTALLED (REFER TO SCOPE OF WORK SCHEDULE). REFER TO SITE UTILITY PLAN FOR ADDITIONAL REQUIREMENTS.
- (17) CONCRETE DRIVE APRON TO BE INSTALLED PER CITY AND / OR STATE DESIGN STANDARDS. IF NO STANDARDS PROVIDE CONCRETE CONSTRUCTION PER DETAIL 2/C2.2.
- (18) LIMITS OF NEW PAVING. MATCH EXISTING PAVEMENT TRANSITION ELEVATIONS. AT TRANSITIONS OF NEW CONCRETE TO EXISTING CONCRETE PAVEMENT, EPOXY DOWEL 5" MINIMUM INTO EXISTING WITH #4 X 1'-4" SMOOTH DOWELS MATCHING NEW PAVEMENT REINFORCEMENT SPACING. PROVIDE SEALANT AT JOINTS.
- (19) ROLL DOWN CURB END TRANSITION SLOPING 1:2.
- (20) CONCRETE CURB IN RIGHT-OF-WAY TO MATCH EXISTING PER CITY AND / OR STATE DESIGN STANDARDS.
- (21) CURB OPENING, REFER TO SITE GRADING PLAN FOR ADDITIONAL REQUIREMENTS. **NOT USED**
- (22) CONCRETE SIDEWALK IN RIGHT-OF-WAY TO BE INSTALLED PER CITY AND / OR STATE DESIGN STANDARDS. IF NO STANDARDS PROVIDE CONCRETE CONSTRUCTION PER DETAIL 6/C2.2.
- (23) FLARED END SECTION
- (24) SANITARY MANHOLE
- (25) 4" WIDE PAVEMENT STRIPING AS SHOWN USING HIGHWAY MARKING PAINT - WHITE (2 COATS).

SPECIAL NOTE

PRIOR TO CONTRACT CLOSEOUT, CONTRACTOR SHALL SECURE THE SERVICES OF A REGISTERED LAND SURVEYOR TO PROVIDE SITE SURVEY OF COMPLETED PROJECT CONDITIONS AND SUBMIT FOR REVIEW AND APPROVAL BY OWNER. REFER TO PROJECT MANUAL FOR ADDITIONAL REQUIREMENTS.

PLAN REFERENCES

- REFER TO GENERAL NOTES SHEET FOR GENERAL NOTES
- THIS PLAN TO BE UTILIZED FOR SITE LAYOUT PURPOSES ONLY**



PROJECT NO: NYB250127-00-0A SCALE: 1" = 20'
DRAWN BY / CHECKED BY: KLR/TCF CAD I.D.: P-CIVL-PROP

PROJECT:
NEW O'REILLY AUTO PARTS STORE
1255, 1265, 1269, 1271 ABBOTT ROAD
LACKAWANNA, NY

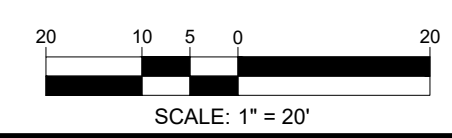


COMM # XXXX
DATE: 02/24/2026
REVISION DATE:
SIGNAGE PLAN

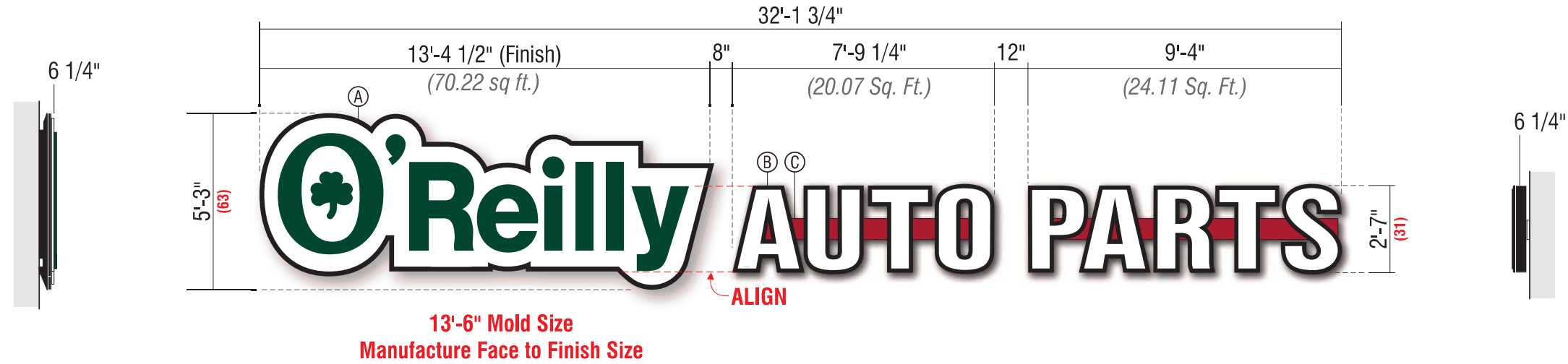
CAUTION:
INFORMATION ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO.

1 SITE DEVELOPMENT PLAN
C2.1 SCALE: 1" = 20'-0"

MAY 05, 2026 11:41:02AM NYB250127-00-0A-1-LAYOUT_C2.1 SITE







② Side View - Cloud
Scale: 3/16" = 1'-0"

① Front View
Scale: 3/16" = 1'-0"

(168.77 Sq. Ft.) Encompassed Rectangle
(114.40 Sq. Ft.) Combined Individual Components

③ Side View - Letters
Scale: 3/16" = 1'-0"

Manufacture & Supply One (1) Set of Illuminated Formed Cloud Logo & Channel Letters w/Formed Cap Faces - Wireways

Ⓐ Cloud Logo

- Formed polycarb with double embossment & 2nd surface painted graphics.
- Paint match to: Green (PMS# 342c), Black & White.
- Principal White 7100K LEDs (24V 60W Power Supply)
- Final electrical connection & supply by others

PAINT	Green PMS 342c
PAINT	Black
PAINT	White

Ⓑ Auto Parts Letters

- Formed polycarb caps with 1/4" (White) letter "bumps".
- Black 5" aluminum coil returns.
- 2nd surface Black & White paint.
- Principal White 7100K LEDs (24V 60W Power Supply)
- Final electrical connection & supply by others

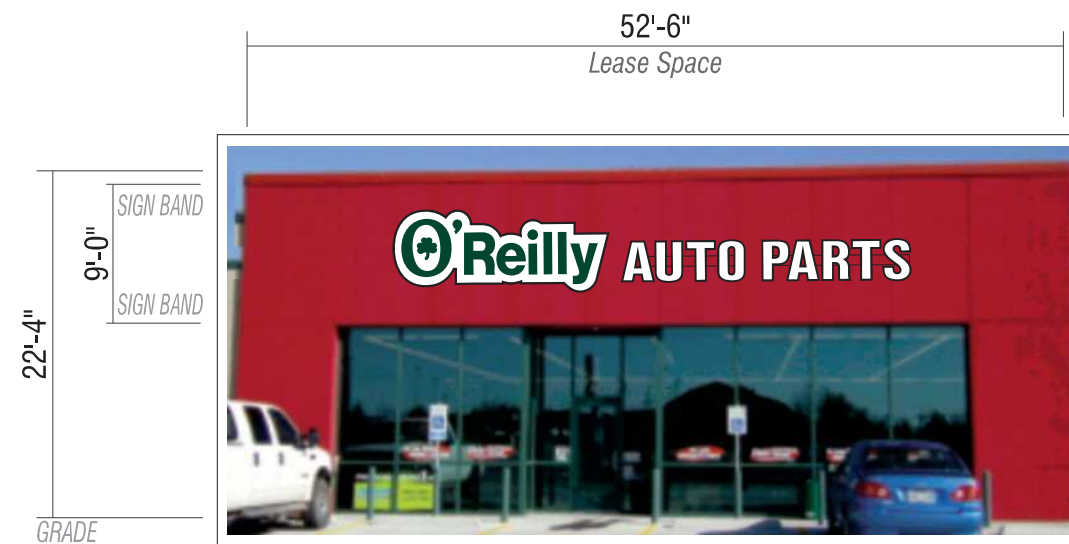
Ⓒ Wireways

- 7" x 1" Deep Fabricated alum. painted to match: **TBD**
- Mount w/required fasteners

***ALL SIGNS TO HAVE 15'-0" POWER WHIP**



④ Simulated Night View
*NTS



⑤ Front Elevation - North
Scale: 1/16" = 1'-0"

Proposed New Sign

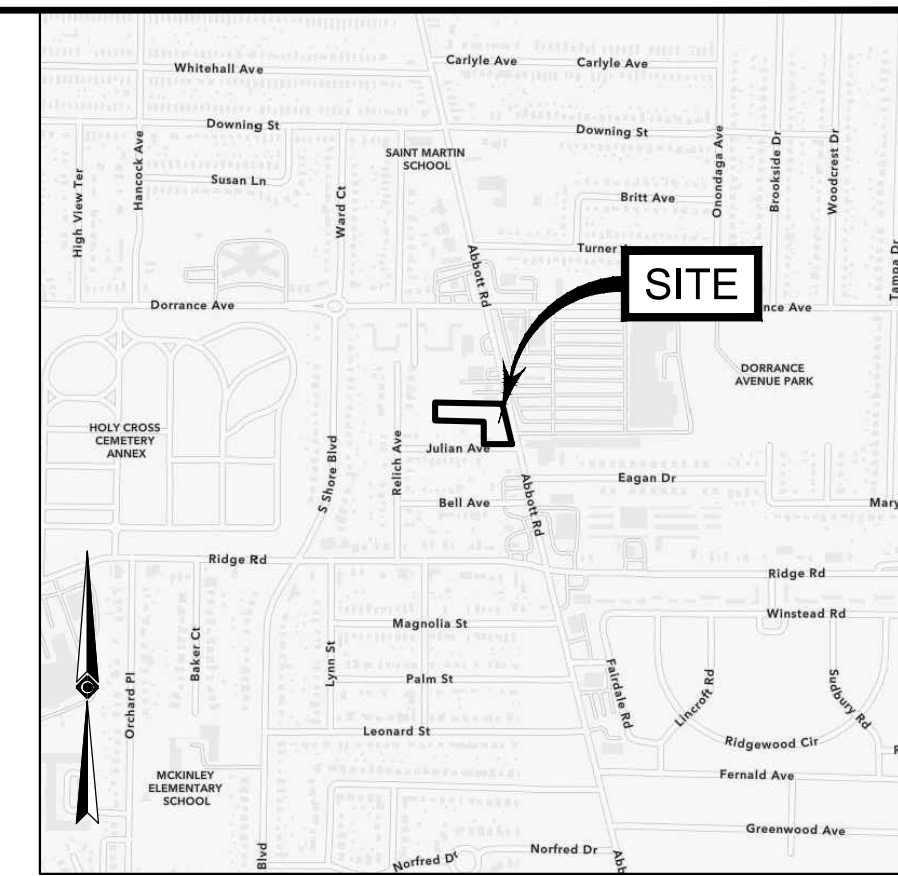
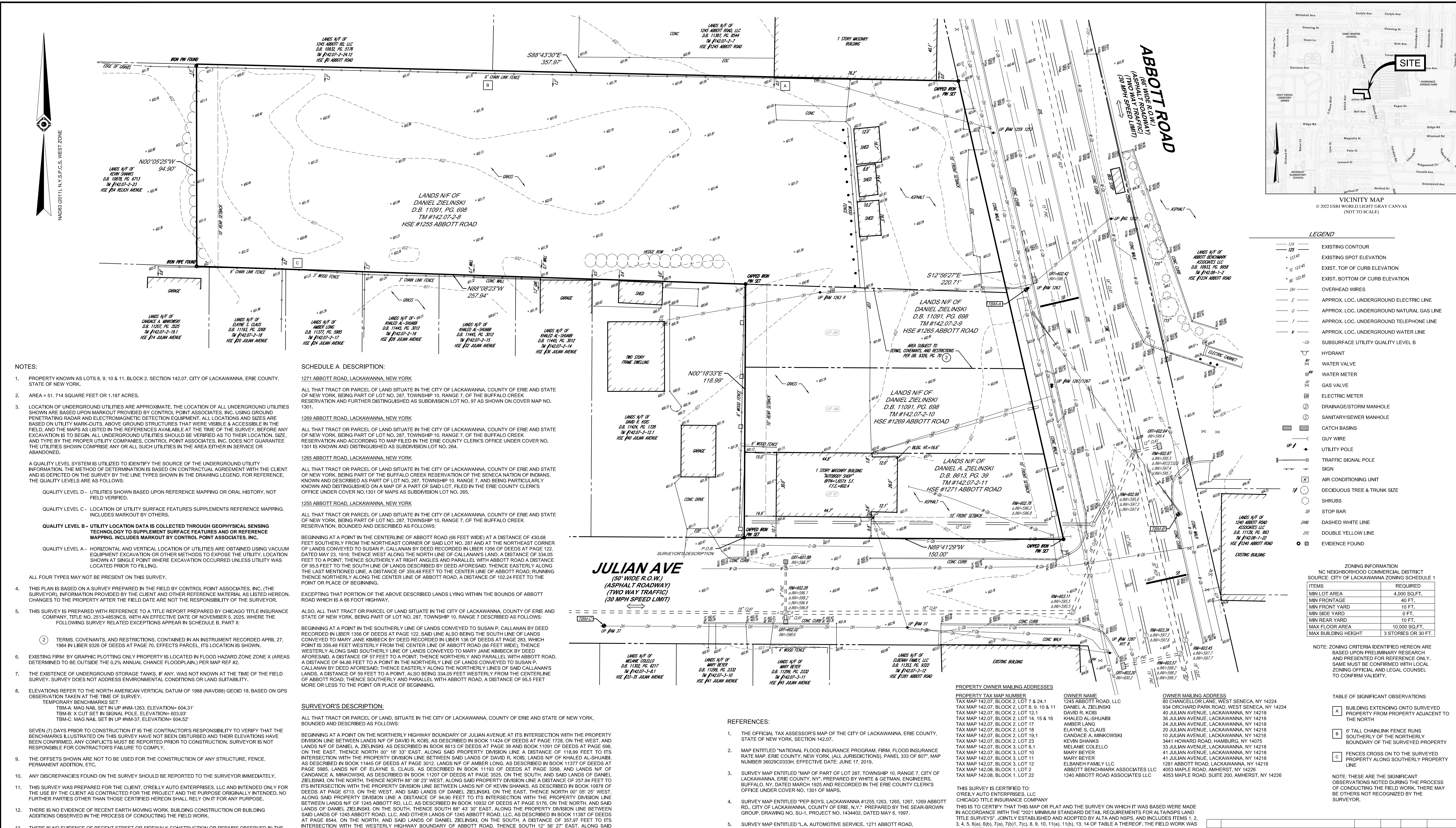


O'Reilly Auto Parts



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Formed Embossed Cloud Logo
AUTO PARTS Channel Letters
w/Formed Embossed Cap Faces
63/31-L-CldLogo&ChLtrs WFC-2022
SEPTEMBER 2022



VICINITY MAP
© 2022 ESRI WORLD LIGHT GRAY CANVAS
(NOT TO SCALE)

LEGEND

- 124 EXISTING CONTOUR
- 125 EXISTING SPOT ELEVATION
- 123.45 EXIST. TOP OF CURB ELEVATION
- 123.95 EXIST. BOTTOM OF CURB ELEVATION
- OHV OVERHEAD WIRES
- E APPROX. LOC. UNDERGROUND ELECTRIC LINE
- G APPROX. LOC. UNDERGROUND NATURAL GAS LINE
- T APPROX. LOC. UNDERGROUND TELEPHONE LINE
- W APPROX. LOC. UNDERGROUND WATER LINE
- UB SUBSURFACE UTILITY QUALITY LEVEL B
- HYDRANT
- WATER VALVE
- WATER METER
- GAZ VALVE
- ELECTRIC METER
- DRAINAGE/STORM MANHOLE
- CATCH BASINS
- GUY WIRE
- UTILITY POLE
- TRAFFIC SIGNAL POLE
- SIGN
- AIR CONDITIONING UNIT
- DECIDUOUS TREE & TRUNK SIZE
- SHRUBS
- STOP BAR
- DASHED WHITE LINE
- DOUBLE YELLOW LINE
- EVIDENCE FOUND

ZONING INFORMATION

NC NEIGHBORHOOD COMMERCIAL DISTRICT
SOURCE: CITY OF LACKAWANNA ZONING SCHEDULE 1

ITEMS	REQUIRED
MIN LOT AREA	4,000 SQ.FT.
MIN FRONT YARD	40 FT.
MIN FRONT YARD	10 FT.
MIN SIDE YARD	0 FT.
MIN REAR YARD	10 FT.
MAX FLOOR AREA	10,000 SQ.FT.
MAX BUILDING HEIGHT	3 STORIES OR 30 FT.

NOTE: ZONING CRITERIA IDENTIFIED HEREON ARE BASED UPON PRELIMINARY RESEARCH AND PRESENTED FOR REFERENCE ONLY. SAME MUST BE CONFIRMED WITH LOCAL ZONING OFFICIAL AND LEGAL COUNSEL TO CONFIRM VALIDITY.

TABLE OF SIGNIFICANT OBSERVATIONS

NO.	DESCRIPTION OF REVISION	FIELD CREW	DRAWN	APPROVED	DATE
A	BUILDING EXTENDING ONTO SURVEYED PROPERTY FROM PROPERTY ADJACENT TO THE NORTH				
B	6' TALL CHAINLINK FENCE RUNS SOUTHERLY OF THE NORTHERLY BOUNDARY OF THE SURVEYED PROPERTY				
C	FENCES CROSS ON TO THE SURVEYED PROPERTY ALONG SOUTHERLY PROPERTY LINE				

NOTE: THESE ARE THE SIGNIFICANT OBSERVATIONS NOTED DURING THE PROCESS OF CONDUCTING THE FIELD WORK. THERE MAY BE OTHERS NOT RECOGNIZED BY THE SURVEYOR.

NOTES:

- PROPERTY KNOWN AS LOTS 8, 9, 10 & 11, BLOCK 2, SECTION 142.07, CITY OF LACKAWANNA, ERIE COUNTY, STATE OF NEW YORK.
- AREA = 51,714 SQUARE FEET OR 1.187 ACRES.
- LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE, THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN ARE BASED UPON MARKOUT PROVIDED BY CONTROL POINT ASSOCIATES, INC. USING GROUND PENETRATING RADAR AND ELECTROMAGNETIC DETECTION EQUIPMENT. ALL LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE, AND TYPE BY THE PROPER UTILITY COMPANIES. CONTROL POINT ASSOCIATES, INC. DOES NOT GUARANTEE THE UTILITIES SHOWN COMPRISE ANY OR ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED.
- A QUALITY LEVEL SYSTEM IS UTILIZED TO IDENTIFY THE SOURCE OF THE UNDERGROUND UTILITY INFORMATION. THE METHOD OF DETERMINATION IS BASED ON CONTRACTUAL AGREEMENT WITH THE CLIENT AND IS DEPICTED ON THE SURVEY BY THE LINE TYPES SHOWN IN THE DRAWING LEGEND, FOR REFERENCE, THE QUALITY LEVELS ARE AS FOLLOWS:
 - QUALITY LEVEL D - UTILITIES SHOWN BASED UPON REFERENCE MAPPING OR ORAL HISTORY, NOT FIELD VERIFIED.
 - QUALITY LEVEL C - LOCATION OF UTILITY SURFACE FEATURES SUPPLEMENTS REFERENCE MAPPING, INCLUDES MARKOUT BY OTHERS.
 - QUALITY LEVEL B - UTILITY LOCATION DATA IS COLLECTED THROUGH GEOPHYSICAL SENSING TECHNOLOGY TO SUPPLEMENT SURFACE FEATURES AND OR REFERENCE MAPPING, INCLUDES MARKOUT BY CONTROL POINT ASSOCIATES, INC.
 - QUALITY LEVEL A - HORIZONTAL AND VERTICAL LOCATION OF UTILITIES ARE OBTAINED USING VACUUM EQUIPMENT EXCAVATION OR OTHER METHODS TO EXPOSE THE UTILITY, LOCATION SHOWN AT SINGLE POINT WHERE EXCAVATION OCCURRED UNLESS UTILITY WAS LOCATED PRIOR TO FILLING.
- ALL FOUR TYPES MAY NOT BE PRESENT ON THIS SURVEY.
- THIS PLAN IS BASED ON A SURVEY PREPARED IN THE FIELD BY CONTROL POINT ASSOCIATES, INC. (THE SURVEYOR), INFORMATION PROVIDED BY THE CLIENT AND OTHER REFERENCE MATERIAL AS LISTED HEREON. CHANGES TO THE PROPERTY AFTER THE FIELD DATE ARE NOT THE RESPONSIBILITY OF THE SURVEYOR.
- THIS SURVEY IS PREPARED WITH REFERENCE TO A TITLE REPORT PREPARED BY CHICAGO TITLE INSURANCE COMPANY, TITLE NO. 2513-ABSANCE, WITH AN EFFECTIVE DATE OF NOVEMBER 5, 2025, WHERE THE FOLLOWING SURVEY RELATED EXCEPTIONS APPEAR IN SCHEDULE B, PART II:
 - TERMS, COVENANTS, AND RESTRICTIONS, CONTAINED IN AN INSTRUMENT RECORDED APRIL 27, 1984 IN LIBER 9326 OF DEEDS AT PAGE 70, EFFECTS PARCEL, ITS LOCATION IS SHOWN.
- EXISTING FIRM: BY GRAPHIC PLOTTING ONLY PROPERTY IS LOCATED IN FLOOD HAZARD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), PER MAP REF #2.
- THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE TIME OF THE FIELD SURVEY. SURVEY DOES NOT ADDRESS ENVIRONMENTAL CONDITIONS OR LAND SUITABILITY.
- ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) GEOID 18, BASED ON GPS OBSERVATION TAKEN AT THE TIME OF SURVEY.
 - TEMPORARY BENCHMARKS SET:
 - TBM-A: MAG NAIL SET IN UP #MM-1263, ELEVATION= 604.31'
 - TBM-B: X CUT SET IN SIGNAL POLE, ELEVATION= 603.93'
 - TBM-C: MAG NAIL SET IN UP #MM-37, ELEVATION= 604.62'

SEVEN (7) DAYS PRIOR TO CONSTRUCTION IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT THE BENCHMARKS ILLUSTRATED ON THIS SURVEY HAVE NOT BEEN DISTURBED AND THEIR ELEVATIONS HAVE BEEN CONFIRMED, ANY CONFLICTS MUST BE REPORTED PRIOR TO CONSTRUCTION, SURVEYOR IS NOT RESPONSIBLE FOR CONTRACTOR'S FAILURE TO COMPLY.

THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT ADDITION, ETC.

ANY DISCREPANCIES FOUND ON THE SURVEY SHOULD BE REPORTED TO THE SURVEYOR IMMEDIATELY.

THIS SURVEY WAS PREPARED FOR THE CLIENT, O'REILLY AUTO ENTERPRISES, LLC AND INTENDED ONLY FOR THE USE BY THE CLIENT AS CONTRACTED FOR THE PROJECT AND THE PURPOSE ORIGINALLY INTENDED, NO FURTHER PARTIES OTHER THAN THOSE CERTIFIED HEREON SHALL RELY ON IT FOR ANY PURPOSE.

THERE IS NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK.

THERE IS NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK.

NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES HAVE BEEN MADE AVAILABLE TO THE SURVEYOR BY THE CONTROLLING JURISDICTION, ENTITIES CONTACTED: WWW.DOT.NY.GOV/PROJECTS.N.Y.S. DEPARTMENT OF TRANSPORTATION PROJECT SEARCH INTERACTIVE WEBSITE.

THIS SITE HAS DIRECT ACCESS TO ABBOTT ROAD AND JULIAN AVENUE.

THE CURRENT ZONING CLASSIFICATION TABLE A ITEM 6(a), 6(b) WAS NOT PROVIDED BY THE CLIENT, IN THE FORM OF A ZONING REPORT OR ZONING LETTER AS REQUIRED BY THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS.

THERE WERE NO DESIGNATED PARKING SPACES OBSERVED AT TIME OF SURVEY.

THERE WERE NO COMMON WALLS WITH BUILDINGS ON ADJOINING PROPERTIES OBSERVED AT TIME OF SURVEY.

SCHEDULE A DESCRIPTION:

1271 ABBOTT ROAD, LACKAWANNA, NEW YORK
ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF LOT NO. 287, TOWNSHIP 10, RANGE 7, OF THE BUFFALO CREEK RESERVATION AND FURTHER DISTINGUISHED AS SUBDIVISION LOT NO. 97 AS SHOWN ON COVER MAP NO. 1301.

1269 ABBOTT ROAD, LACKAWANNA, NEW YORK
ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF LOT NO. 287, TOWNSHIP 10, RANGE 7, OF THE BUFFALO CREEK RESERVATION AND ACCORDING TO MAP FILED IN THE ERIE COUNTY CLERK'S OFFICE UNDER COVER NO. 1301 IS KNOWN AND DISTINGUISHED AS SUBDIVISION LOT NO. 264.

1265 ABBOTT ROAD, LACKAWANNA, NEW YORK
ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF THE BUFFALO CREEK RESERVATION OF THE SENECA NATION OF INDIANS, KNOWN AND DESCRIBED AS PART OF LOT NO. 287, TOWNSHIP 10, RANGE 7, AND BEING PARTICULARLY KNOWN AND DISTINGUISHED ON A MAP OF A PART OF SAID LOT, FILED IN THE ERIE COUNTY CLERK'S OFFICE UNDER COVER NO. 1301 OF MAPS AS SUBDIVISION LOT NO. 265.

1255 ABBOTT ROAD, LACKAWANNA, NEW YORK
ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF LOT NO. 287, TOWNSHIP 10, RANGE 7, OF THE BUFFALO CREEK RESERVATION, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF ABBOTT ROAD (66 FEET WIDE) AT A DISTANCE OF 436.68 FEET SOUTHERLY FROM THE NORTHEAST CORNER OF SAID LOT NO. 287 AND AT THE NORTHEAST CORNER OF LANDS CONVEYED TO SUSAN P. CALLANAN BY DEED RECORDED IN LIBER 1356 OF DEEDS AT PAGE 122, DATED MAY 23, 1916, THENCE WEST ALONG THE NORTH LINE OF CALLANAN'S LAND, A DISTANCE OF 334.05 FEET TO A POINT, THENCE SOUTHERLY AT RIGHT ANGLES AND PARALLEL WITH ABBOTT ROAD A DISTANCE OF 95.5 FEET TO THE SOUTH LINE OF LANDS DESCRIBED BY DEED AFORESAID, THENCE EASTERLY ALONG THE LAST MENTIONED LINE, A DISTANCE OF 359.48 FEET TO THE CENTER LINE OF ABBOTT ROAD, RUNNING THENCE NORTHERLY ALONG THE CENTER LINE OF ABBOTT ROAD, A DISTANCE OF 102.24 FEET TO THE POINT OR PLACE OF BEGINNING.

EXCEPTING THAT PORTION OF THE ABOVE DESCRIBED LANDS LYING WITHIN THE BOUNDS OF ABBOTT ROAD WHICH IS A 66 FOOT HIGHWAY.

ALSO, ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF LOT NO. 287, TOWNSHIP 10, RANGE 7 DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF LANDS CONVEYED TO SUSAN P. CALLANAN BY DEED RECORDED IN LIBER 1356 OF DEEDS AT PAGE 122, SAID LINE ALSO BEING THE SOUTH LINE OF LANDS CONVEYED TO MARY JANE KIMBECK BY DEED RECORDED IN LIBER 138 OF DEEDS AT PAGE 293, WHICH POINT IS 359.48 FEET WESTERLY FROM THE CENTER LINE OF ABBOTT ROAD (66 FEET WIDE), THENCE WESTERLY ALONG SAID SOUTHERLY LINE OF LANDS CONVEYED TO MARY JANE KIMBECK BY DEED AFORESAID, A DISTANCE OF 57 FEET WESTERLY AND PARALLEL WITH ABBOTT ROAD, A DISTANCE OF 94.86 FEET TO A POINT IN THE NORTHERLY LINE OF LANDS CONVEYED TO SUSAN P. CALLANAN BY DEED AFORESAID, THENCE EASTERLY ALONG THE NORTHERLY LINES OF SAID CALLANAN'S LANDS, A DISTANCE OF 59 FEET TO A POINT, ALSO BEING 334.05 FEET WESTERLY FROM THE CENTERLINE OF ABBOTT ROAD, THENCE PARALLEL WITH ABBOTT ROAD, A DISTANCE OF 95.5 FEET MORE OR LESS TO THE POINT OR PLACE OF BEGINNING.

SURVEYOR'S DESCRIPTION:

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE CITY OF LACKAWANNA, COUNTY OF ERIE AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY HIGHWAY BOUNDARY OF JULIAN AVENUE AT ITS INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN LANDS N/F OF DAVID R. KOIS, AS DESCRIBED IN BOOK 11424 OF DEEDS AT PAGE 1728, ON THE WEST, AND LANDS N/F OF DANIEL A. ZIELINSKI, AS DESCRIBED IN BOOK 8613 OF DEEDS AT PAGE 39 AND BOOK 11091 OF DEEDS AT PAGE 698, ON THE EAST, THENCE NORTH 00° 16' 33" EAST, ALONG SAID PROPERTY DIVISION LINE A DISTANCE OF 118.89 FEET TO ITS INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN SAID LANDS OF DAVID R. KOIS, LANDS N/F OF KHALED AL-SHUAIBI, AS DESCRIBED IN BOOK 11445 OF DEEDS AT PAGE 3012, LANDS N/F OF AMBER LANG, AS DESCRIBED IN BOOK 11377 OF DEEDS AT PAGE 5985, LANDS N/F OF ELAYNE S. CLAUS, AS DESCRIBED IN BOOK 11193 OF DEEDS AT PAGE 3088, AND LANDS N/F OF CANDANCE A. MINIKOWSKI, AS DESCRIBED IN BOOK 11407 OF DEEDS AT PAGE 8526, ON THE SOUTH, AND SAID LANDS OF DANIEL ZIELINSKI, ON THE NORTH, THENCE NORTH 88° 08' 23" WEST, ALONG SAID PROPERTY DIVISION LINE A DISTANCE OF 257.94 FEET TO ITS INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN LANDS N/F OF KEVIN SHANKS, AS DESCRIBED IN BOOK 10878 OF DEEDS AT PAGE 6713, ON THE WEST, AND SAID LANDS OF DANIEL ZIELINSKI, ON THE EAST, THENCE NORTH 00° 09' 25" WEST, ALONG SAID PROPERTY DIVISION LINE A DISTANCE OF 94.30 FEET TO ITS INTERSECTION WITH THE PROPERTY DIVISION LINE BETWEEN LANDS N/F OF 1245 ABBOTT RD, LLC, AS DESCRIBED IN BOOK 10932 OF DEEDS AT PAGE 5176, ON THE NORTH, AND SAID LANDS OF DANIEL ZIELINSKI, ON THE SOUTH, THENCE SOUTH 88° 43' 30" EAST, ALONG THE PROPERTY DIVISION LINE BETWEEN SAID LANDS OF 1245 ABBOTT RD, LLC, AND OTHER LANDS OF 1245 ABBOTT ROAD, LLC, AS DESCRIBED IN BOOK 11387 OF DEEDS AT PAGE 8544, ON THE NORTH, AND SAID LANDS OF DANIEL ZIELINSKI, ON THE SOUTH, A DISTANCE OF 357.97 FEET TO ITS INTERSECTION WITH THE WESTERLY HIGHWAY BOUNDARY OF ABBOTT ROAD, THENCE SOUTH 12° 56' 27" EAST, ALONG SAID HIGHWAY BOUNDARY LINE A DISTANCE OF 220.71 FEET TO ITS INTERSECTION WITH THE FIRST MENTIONED NORTHERLY HIGHWAY BOUNDARY OF JULIAN AVENUE, THENCE NORTH 89° 41' 29" WEST, ALONG SAID HIGHWAY BOUNDARY LINE A DISTANCE OF 150.00 FEET TO THE POINT OR PLACE OF BEGINNING.

UTILITIES:

THE FOLLOWING COMPANIES WERE NOTIFIED BY NEW YORK DIG SAFELY (1-800-272-1000) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING AND SERVICING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS BASED UPON THE UTILITY COMPANIES RESPONSE TO THIS REQUEST. SERIAL NUMBER(S): 10125-000-073-00

UTILITY COMPANY	PHONE NUMBER
CHARTER COM NORTHEAST WESTERN NY	720-482-4449
ERIE COUNTY DIVISION OF SEWER MANAGEMENT	716-858-8760
ERIE COUNTY WATER AUTHORITY	716-858-8207
KIANTONE PIPELINE CORPORATION	814-688-4340
LIGHTOWER FIBER TECHNOLOGIES	800-654-3110
NATIONAL FUEL GAS BUFFALO/REGINA	716-857-7431
NATIONAL GRID / WEST / ELECTRIC	680-244-2036
VERIZON / BUFFALO	315-937-2515

REFERENCES:

- THE OFFICIAL TAX ASSESSOR'S MAP OF THE CITY OF LACKAWANNA, ERIE COUNTY, STATE OF NEW YORK, SECTION 142.07.
- MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, ERIE COUNTY, NEW YORK, (ALL JURISDICTIONS), PANEL 333 OF 807", MAP NUMBER 360290033H, EFFECTIVE DATE: JUNE 17, 2019.
- SURVEY MAP ENTITLED "MAP OF PART OF LOT 287, TOWNSHIP 10, RANGE 7, CITY OF LACKAWANNA, ERIE COUNTY, NY", PREPARED BY WHITE & GETTMAN, ENGINEERS, BUFFALO, NY, DATED MARCH 1925 AND RECORDED IN THE ERIE COUNTY CLERK'S OFFICE UNDER COVER NO. 1301 OF MAPS.
- SURVEY MAP ENTITLED "PEP BOYS, LACKAWANNA #1265, 1269, 1267, 1269 ABBOTT RD, CITY OF LACKAWANNA, COUNTY OF ERIE, N.Y.", PREPARED BY THE SEAR-BROWN GROUP, DRAWING NO. SU-1, PROJECT NO. 1434402, DATED MAY 6, 1997.
- SURVEY MAP ENTITLED "L.A. AUTOMOTIVE SERVICE, 1271 ABBOTT ROAD, LACKAWANNA, N.Y.", DATED APRIL 25, 1991, DRAWN BY: RBT

GRAPHIC SCALE



UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 2709, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

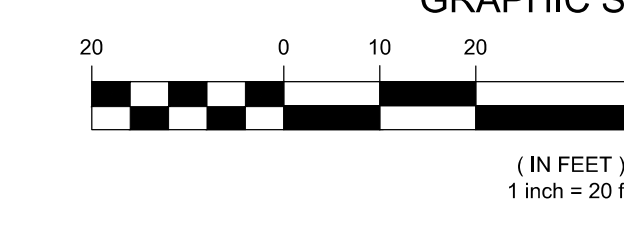
ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

PROPERTY OWNER MAILING ADDRESSES

PROPERTY TAX MAP NUMBER	OWNER NAME	OWNER MAILING ADDRESS
1245 ABBOTT, BLOCK 2, LOT 7 & 24.1	DANIEL A. ZIELINSKI	934 ORCHARD PARK ROAD, WEST SENeca, NY 14224
TAX MAP 142.07, BLOCK 2, LOT 8, 9, 10 & 11	DAVID R. KOIS	40 JULIAN AVENUE, LACKAWANNA, NY 14218
TAX MAP 142.07, BLOCK 2, LOT 12.1	KHALED AL-SHUAIBI	36 JULIAN AVENUE, LACKAWANNA, NY 14218
TAX MAP 142.07, BLOCK 2, LOT 14, 15 & 16	AMBER LANG	24 JULIAN AVENUE, LACKAWANNA, NY 14218
TAX MAP 142.07, BLOCK 2, LOT 17	ELAYNE S. CLAUS	20 JULIAN AVENUE, LACKAWANNA, NY 14218
TAX MAP 142.07, BLOCK 2, LOT 18	CANDACE A. MINIKOWSKI	10 JULIAN AVENUE, LACKAWANNA, NY 14218
TAX MAP 142.07, BLOCK 2, LOT 19.1	KEVIN SHANKS	3441 HOWARD ROAD, HAMBURG, NY 14075
TAX MAP 142.07, BLOCK 2, LOT 23	MELANIE COLELLO	33 JULIAN AVENUE, LACKAWANNA, NY 14218
TAX MAP 142.07, BLOCK 3, LOT 8.1	MARY BEYER	41 JULIAN AVENUE, LACKAWANNA, NY 14218
TAX MAP 142.07, BLOCK 3, LOT 10	MARY BEYER	41 JULIAN AVENUE, LACKAWANNA, NY 14218
TAX MAP 142.07, BLOCK 3, LOT 11	ELBAENH FAMILY LLC	1281 ABBOTT ROAD, LACKAWANNA, NY 14218
TAX MAP 142.08, BLOCK 1, LOT 1	ABBOTT BENCHMARK ASSOCIATES LLC	4053 MAPLE ROAD, AMHERST, NY 14226
TAX MAP 142.08, BLOCK 1, LOT 2	ABBOTT BENCHMARK ASSOCIATES LLC	4053 MAPLE ROAD, SUITE 200, AMHERST, NY 14226

THIS SURVEY IS CERTIFIED TO: O'REILLY AUTO ENTERPRISES, LLC CHICAGO TITLE INSURANCE COMPANY THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT WAS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTNSPS LAND TITLE SURVEYS. JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a), 6(b), 7(a), 7(b), 7(c), 8, 9, 10, 11(a), 11(b), 13, 14 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON OCTOBER 15, 2025.

THIS SURVEY HAS BEEN PERFORMED IN THE FIELD UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION, THIS SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH CURRENTLY APPLICABLE ACCURACY STANDARDS.



UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 2709, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

DATE: 10-15-2025
FIELD BOOK NO: 25-15
FIELD BOOK PG: 63

FIELD CREW: L.P./J.M.
DRAWN: L.G.K.

APPROVED: J.J.L.
DATE: 11-25-2025
SCALE: 1" = 20'
FILE NO: 09-230063

ALTNSPS LAND TITLE SURVEY
1255 ABBOTT ROAD
TM #142.07-2-8, 9, 10 & 11
CITY OF LACKAWANNA
ERIE COUNTY, STATE OF NEW YORK



CONTROL POINT ASSOCIATES INC P C
ASSOCIATES INC P C
ROCHESTER, NY 14623

NOVEMBER 25, 2025
DATE

REVIEWED: J.J.L.
APPROVED: J.J.L.

SHEET 1 OF 1

CONTROL POINT ASSOCIATES INC. PC ALL RIGHTS RESERVED. THIS PRODUCT OR SERVICE IS PROVIDED WITHOUT WARRANTY. THE USER ASSUMES ALL LIABILITY FOR THE USE OF THIS PRODUCT OR SERVICE.

WARRANTY: 90 DAYS. CONTROL POINT ASSOCIATES INC. SHALL DEFEND AND HOLD HARMLESS THE CLIENT FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING OUT OF OR FROM THE PERFORMANCE OF THIS SURVEY. THIS WARRANTY DOES NOT COVER NEGLIGENCE OR WILLFUL OR WANTON MISFEASANCE. THIS WARRANTY IS LIMITED TO THE SURVEY AND DOES NOT COVER ANY OTHER SERVICES PROVIDED BY CONTROL POINT ASSOCIATES INC. OR ANY OF ITS AFFILIATES.

PHILADELPHIA, PA 19104-3899
ALBANY, NY 12242-3899
SOUTH BORO, MA 01886-3899
MILWAUKEE, WI 53211-3899



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Application Notice

March 18, 2026

Elysia Joslin//O' Reilly Auto Enterprises



Re: 1255, 1265, 1269 & 1271 Abbott Road

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: March 25, 2026

Date: March 25, 2026

Time: 6:00pm

Time: 5:00pm

City Council Chambers Room 241
Lackawanna City Hall

If you have any questions please feel free to call (716) 827-6421.

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Joseph Petronsky – 42 Relich Ave
James Lasota – 48 Relich Ave
Jessica Cervoni – 52 Relich Ave

Kevin Shanks – 54 Relich Ave
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Vincent Swaydis – 7 Julian Ave
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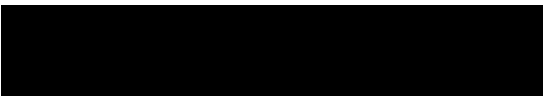


CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Application Notice

March 18, 2026

Samuel Burden//Bohler Engineering



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CITY OF LACKAWANNA
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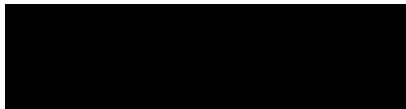


CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Application Notice

March 18, 2026

Daniel Zielinski



Re: 1255, 1265, 1269 & 1271 Abbott Road

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Planning and Development Board

Zoning Board of Appeals

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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 follows;

1. _____ Site Plan Review
2. _____ Special Use Permit
3. _____ Development Plan Review
4. X Variance
5. X Zoning Law Appeals

Property owner: Daniel Zielinski

Applicant: Elysia Joslin (O'Reilly Auto Enterprises) & Samuel J. Burden (Bohler Engineering)

Address: 1255, 1265, 1269 & 1271 Abbott Road

In reference to: Requesting various areas variances related to parking, loading, signage, and setbacks to support a new ± 7,650 SF. O'Reilly Auto Parts retail store

You are entitled to appear at the public hearing scheduled for **3/25/26 @ 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 311
Lackawanna, NY 14218

If you have any questions regarding the meeting, please call 716-827-6421

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



CITY OF LACKAWANNA
OFFICE OF CODE ENFORCEMENT

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



Date 3/25/26

Agenda Checklist
Zoning Board of Appeals
Planning and Development Board

Property address 43 RICH PLACE

Reason in front of the board AREA VARIANCE FOR DECK ROOF

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

Agenda Applicant EILEEN FUCINA

Agenda item TO BUILD A COVERED PORCH ROOF NEAR PROPERTY

Zone MIXED RESIDENTIAL

LINE.

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...) TO BUILD A PORCH ROOF
NEAR PROPERTY LINE, CODE NEEDS 5 FOOT FROM
PROPERTY LINE

Description of agenda use? SAME

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: 3-6-26

Application No. _____

Application Fee:

Fee

Land Use Variance
 Zoning Law Appeal

\$ 250.00
\$ 250.00

Property Address: 43 RICH PLACE

S.B.L. No. 142.45-4-11

Description of Action to be Appealed: ATTACH 14' x 16'
METAL Roof over Existing Deck.
Roof will be attached to the
back of the house.

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.

Director of Development

EILEEN FULCINA

Name of Applicant



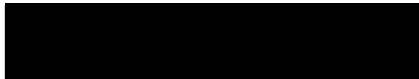
Signature of Applicant



Address of Applicant



Applicant Phone No.



Applicant's Email

HOME OWNER

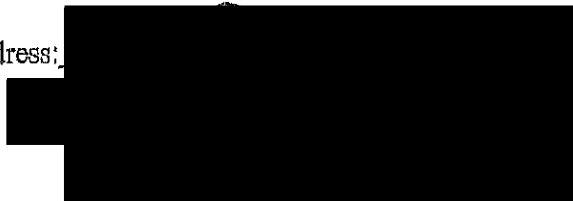
Role of Applicant to Project

(owner, attorney, lessee, agent,
architect, engineer, contractor...)

Property Owner:

NAME: EILEEN FULCINA

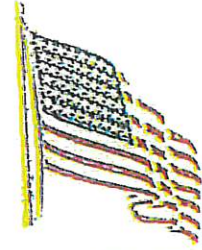
Address:





**CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT**

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



City of Lackawanna Criteria for an Area Variance

(All applicants must answer questions below when an Area Variance is sought)

Before the Zoning Board of Appeals may grant an Area Variance the Applicant must provide proof of, and the ZBA must consider the following:

- (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
 - (2) whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance;
 - (3) whether the requested area variance is substantial;
 - (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
 - (5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance.
- (c) The board of appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

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

Property Address: 43 RICH PLACE

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. Metal roofing being attached to back of house over existing Deck. West side of deck is even with west side of existing house + WILL NOT overlap over neighbors property

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. Existing House + Existing Deck IS NOT 10 feet away from property line

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

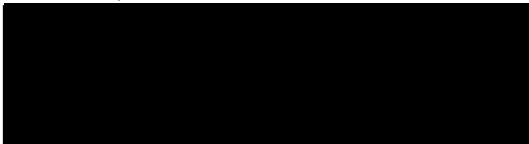
yes

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

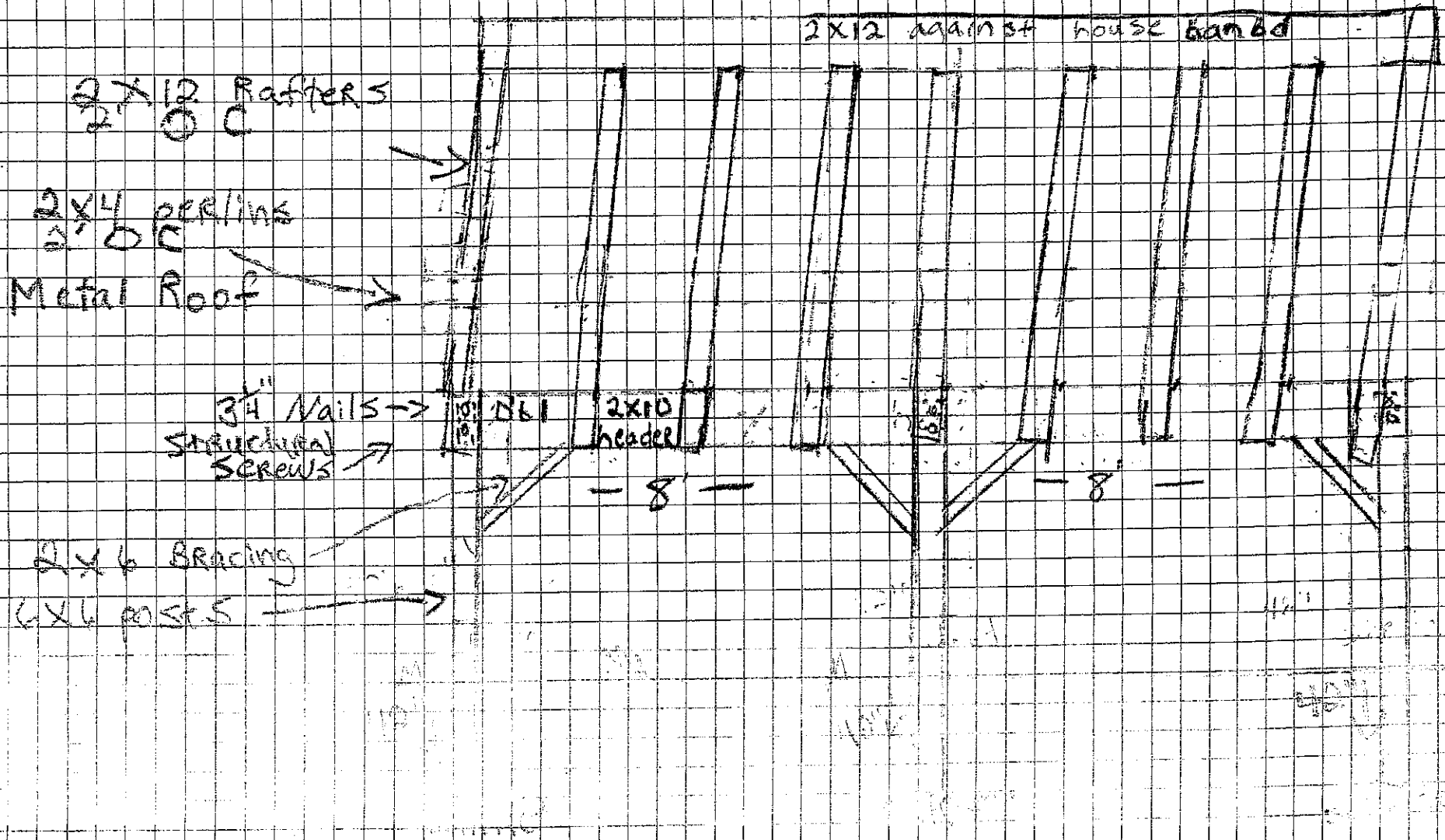
EILEEN FUCINA

Roof on Rich

16' wide structure

2' oh on eave
1' oh on sides

BACK of House



SIDE VIEW

2x12 against
bar bd

2x12 Rafters

Metal Roof

2x6 ceiling Joist

2x4 per/ins 2' OC

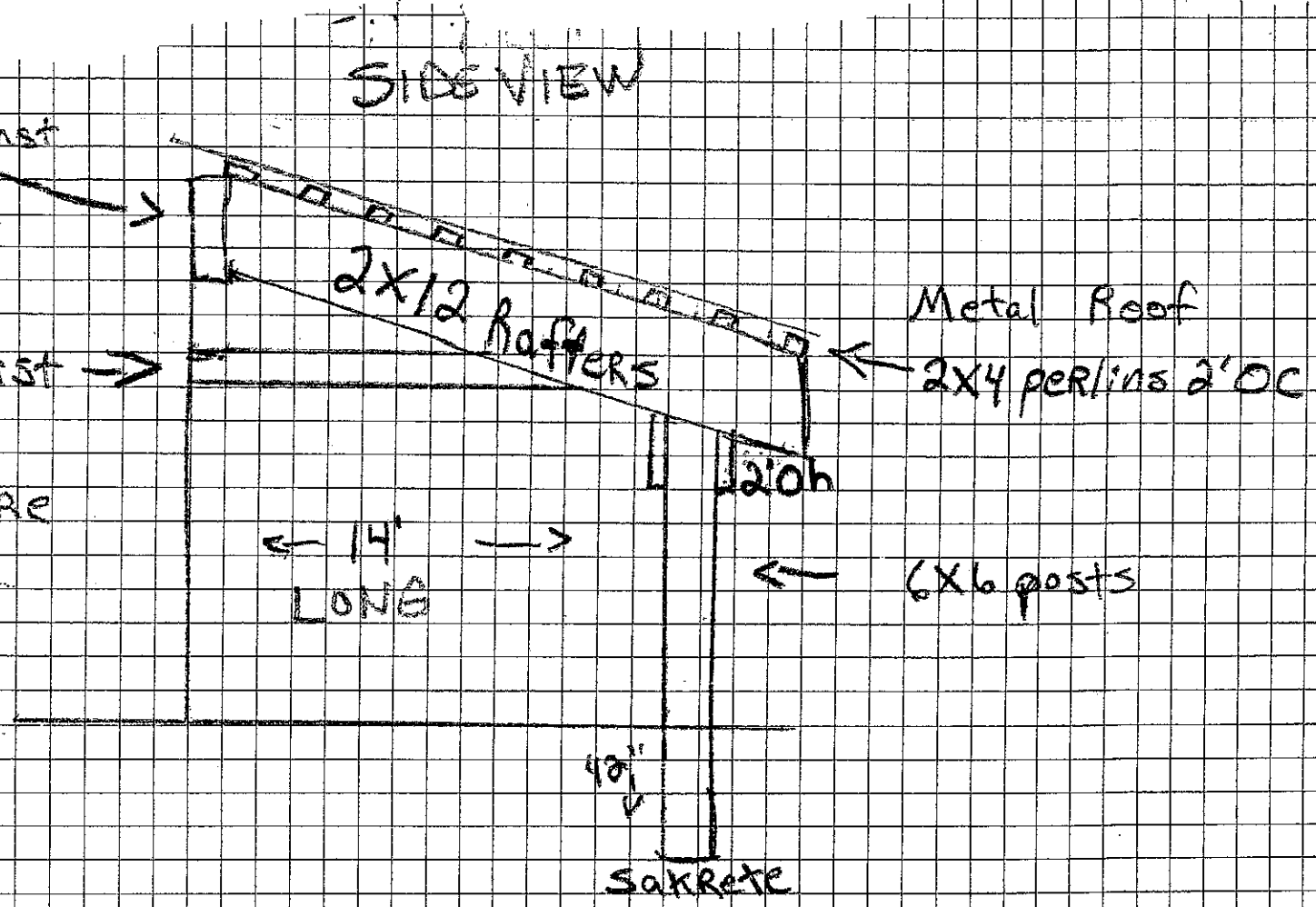
BACK OF
house is here

← 14' →
LONG

6x6 posts

42"

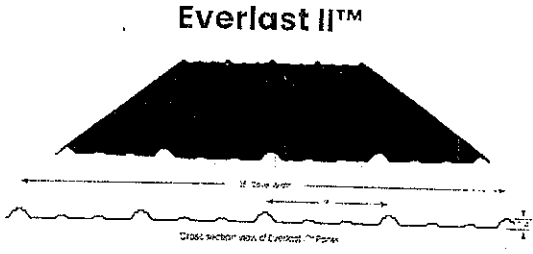
Concrete



SYNERGY®

Paint System

Everlast II™ & Everdrain™	PBR™	Everloc™	
ECONOMY	PBR26	EVERLOC26	COIL



* Profiles are available unpainted with acrylic coating for a mill finish appearance.

FADE RATE: LOWER IS BETTER

	0	5	10	15	20	25	30	YEARS
SYNERGY® PAINT SYSTEM	0	1	1	2	3	4	5	
OLD TECHNOLOGY	0	2	3	4	5	6	7	
COMPETITOR	0	3	4	6	9	11	14	

CHALK RATE: HIGHER IS BETTER

	0	5	10	15	20	25	30	YEARS
SYNERGY® PAINT SYSTEM	10	9	8.5	8.5	8.2	8.1	8	
OLD TECHNOLOGY	10	8	6.2	6.1	5.7	5.1	4.9	
COMPETITOR	10	6	5	4.5	4	3.5	3	



LEBANON, PA
888.339.0059

ORWELL, OH
877.866.9955

HOWE, IN
866.562.3782

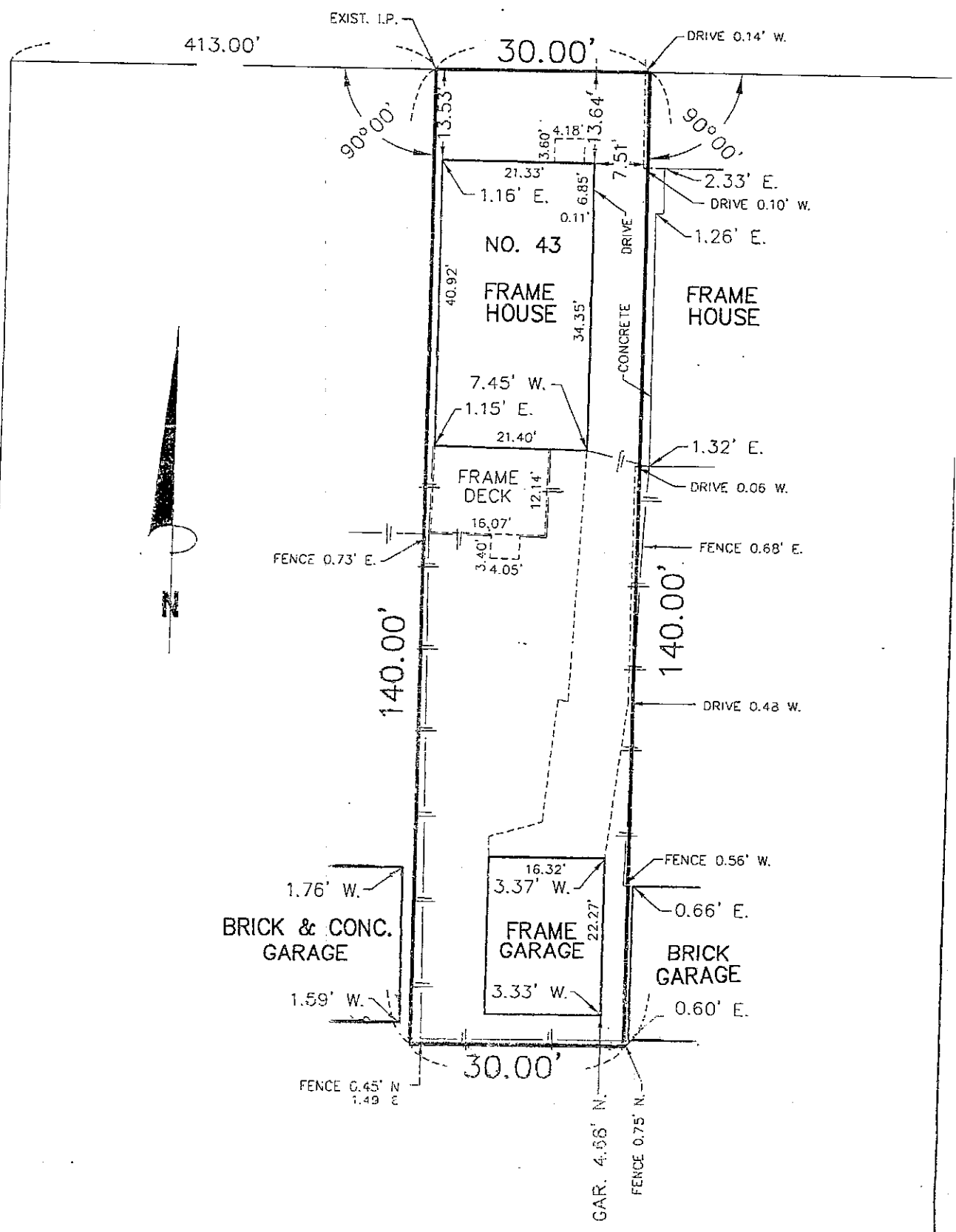
BRIDGTON, ME
800.677.2060

FEET	INCHES	FEET	INCHES
0.08	1	0.58	7
0.17	2	0.87	8
0.25	3	0.75	9
0.33	4	0.83	10
0.42	5	0.92	11
0.50	6	1.00	12

NOTE: 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.

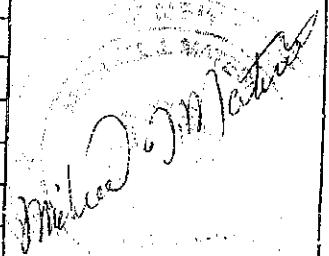
RICH PLACE (48.00' WIDE)

CENTER STREET (40.00' WIDE)



ALTERING ANY ITEM ON THIS MAP IS IN VIOLATION OF THE LAW, EXCEPTING AS PROVIDED IN SECTION 7209; PART 2 OF THE NEW YORK STATE EDUCATION LAW.

THIS MAP VOID UNLESS STAMPED WITH NEW YORK STATE LICENSED LAND SURVEYOR'S SEAL NO. 49857

SURVEY OF		SUBLOT 29 OF SUBDIVISION 2 COVER 679	
PART OF LOT 29, TOWNSHIP 10, RANGE 8, BUFFALO CREEK RESERVATION			
LOCATION		CITY OF LACKAWANNA, ERIE COUNTY, N.Y.	
MICHAEL J. MATESIC LICENSED LAND SURVEYOR N.Y.S.P.L.S. 49657 156 MEADOWBROOK DRIVE LACKAWANNA, N.Y. 14218 PHONE (716) 822-0480	JOB NO.	24-2780	
	DATE	9/10/2024	SCALE 1" = 20'
	RESURVEYED		
			



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Application Notice

March 18, 2026

Eileen Fucina



Re: 43 Rich Place

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: N/A

Date: March 25, 2026

Time: N/A

Time: 5:00PM

City Council Chambers Room 241
Lackawanna City Hall

If you have any questions please feel free to call (716) 827-6421.

Boarding Neighbors
Dennis Patronik – 37 Rich Pl
Marie Miller – 45 Rich Pl
Carolyn Mazur – 40 Pulaski St
Jason Krol – 44 Pulaski St



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 follows;

1. _____ Site Plan Review
2. _____ Special Use Permit
3. _____ Development Plan Review
4. X Variance
5. _____ Zoning Law Appeals

Property owner: Eileen Fucina

Applicant: Eileen Fucina

Address: 43 Rich Place

In reference to: Requesting side yard variance to build a metal roof over existing rear deck within 5 feet of property line

You are entitled to appear at the public hearing scheduled for **3/25/26 @ 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 311
Lackawanna, NY 14218

If you have any questions regarding the meeting, please call 716-827-6421

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



CITY OF LACKAWANNA OFFICE OF CODE ENFORCEMENT

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



Date ~~JAN 20 2026~~
MAR 25 2026

Agenda Checklist
Zoning Board of Appeals
Planning and Development Board

Property address 34 INGHAM AVE

Reason in front of the board REQUESTING SIDELOT VARIANCE

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

Agenda Applicant LUKMAN MOHAMAD

Agenda item REQUESTING SIDELOT VARIANCE

Zone MIXED RESIDENTIAL

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...) SIDE LOT VARIANCE FOR NEW ATTACHED GARAGE FOR MULTI FAMILY CODE SAYS 30' REQUESTING 5' 25' VARIANCE.

Description of agenda use? 25' SIDE LOT VARIANCE.

Code enforcement research (attached if applicable) YES.

Legal opinion/ research (attached if applicable) _____

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: 1-7-26

Application No. _____

Application Fee:

Land Use Variance
 Zoning Law Appeal

Fee

\$ 250.00
 \$ 250.00

Property Address: 34 INGHAM.

S.B.L. No. _____

Description of Action to be Appealed: I Have 30 Feet by 140 Feet
Yard Space need to build garage. (attached) ↓
off of my House. There was a House
then before

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.

Director of Development

Lutfiman mohamad

Lutfiman Mohamad.

Name of Applicant

[Redacted]

Address of Applicant

[Redacted]

Applicant's Email

[Redacted]

Signature of Applicant

[Redacted]

Applicant Phone No.

self

Role of Applicant to Project

(owner, attorney, lessee, agent,
architect, engineer, contractor...)

Property Owner:

NAME: Lutfiman Mohamad.

Address:

[Redacted]

Property Address: 34 Ingham ave Lackawanna NY 14218

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 undesirable change to the character of the neighborhood or detriment to nearby properties will be created by granting the requested area variance. The proposed attached garage addition is consistent with the scale, design, and residential use of surrounding homes in the neighborhood. The structure will be attached to the existing dwelling, will not introduce a new or different use, and will not create increased noise, traffic, or activity. Similar garages and accessory structures exist on nearby properties, and the addition will maintain the residential character of the area.

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 ?

The benefit sought by the applicant cannot be achieved by a feasible alternative other than an area variance. Due to the existing lot width, placement of the existing house, and required setbacks, there is no reasonable location on the property where an attached garage can be constructed in full compliance with zoning without eliminating functional access, encroaching on required yard areas, or requiring extensive and impractical alterations to the existing structure. A detached garage or a smaller structure would not meet the intended functional needs or would still require similar dimensional relief.

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

While the requested area variance involves a dimensional deviation from the adopted zoning regulations, it is not substantial when considered in context. The variance is limited to what is necessary to allow construction of an attached garage, does not exceed what is required for reasonable use of the property, and does not result in overcrowding or overdevelopment of the lot. The proposed addition remains proportionate to the existing dwelling and lot size.

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

The proposed area variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district. The addition will not affect drainage, light, air, or emergency access, and will be constructed in compliance with

applicable building codes. There will be no environmental disturbance, and all construction will remain confined to the existing residential lot.

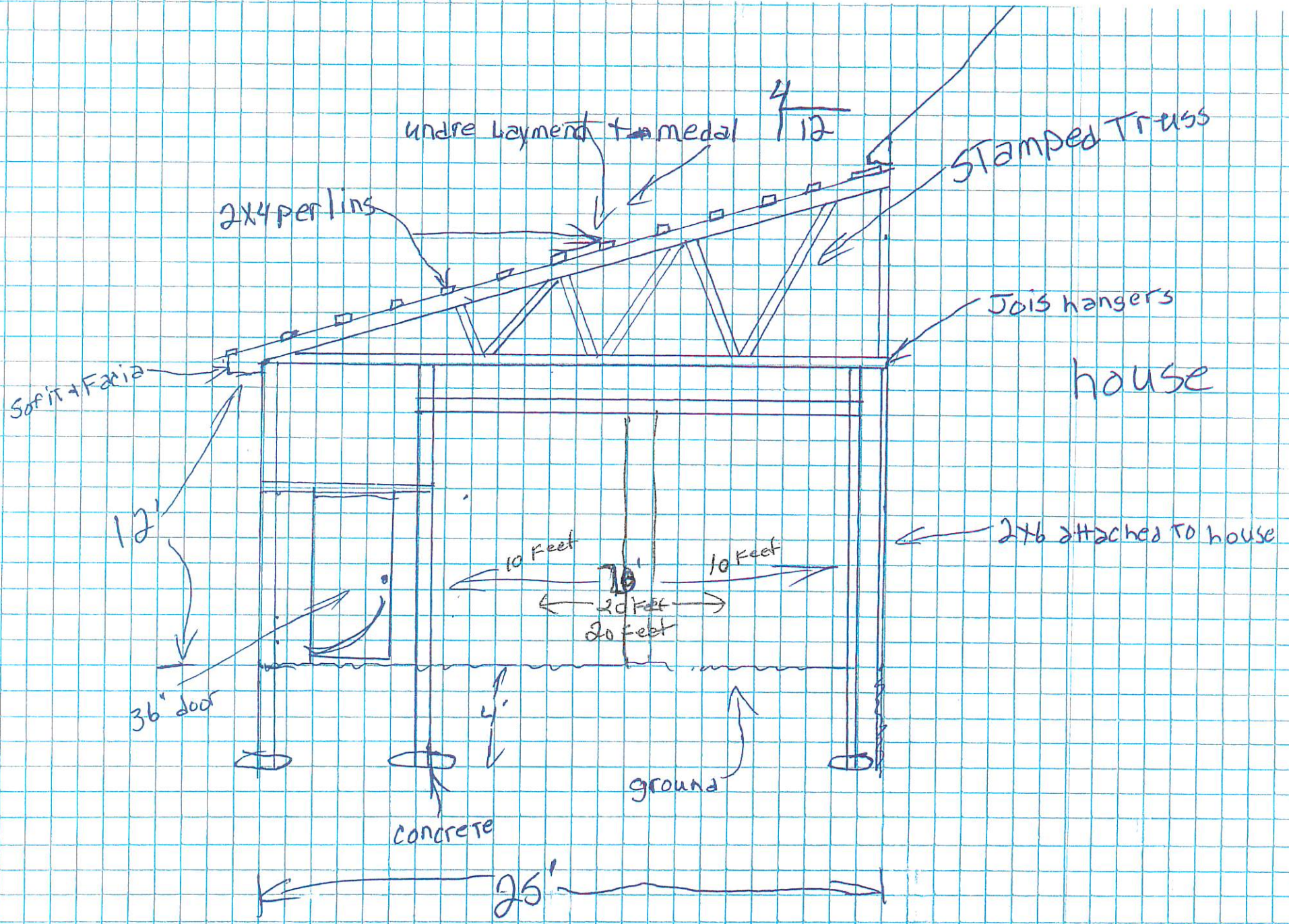
5. Is the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance?

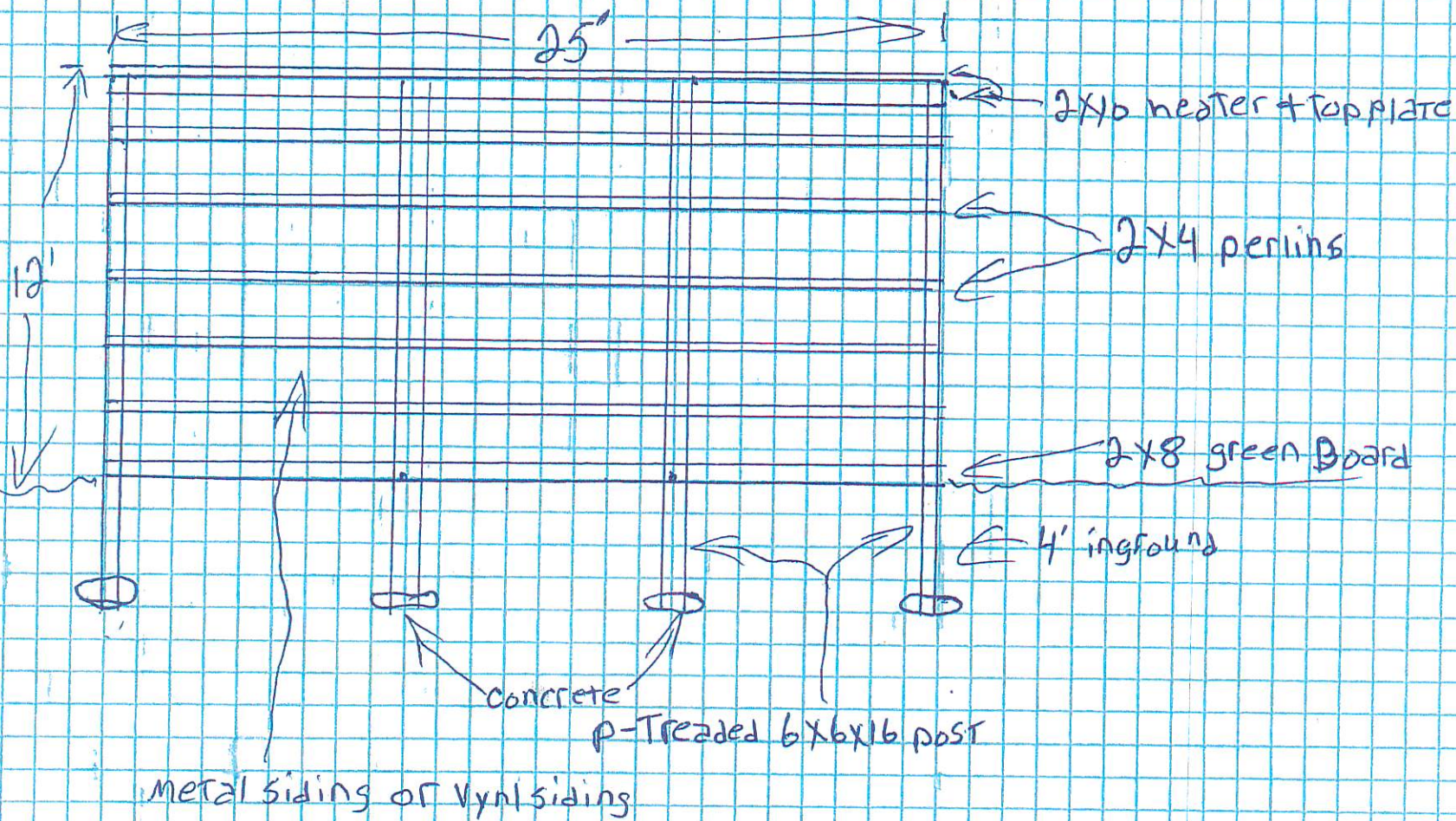
While the need for the area variance arises from the existing lot configuration and placement of the house, the difficulty was not self-created. The lot dimensions and building placement predate the proposed project and limit where an attached garage can reasonably be located. Even if considered partially self-created, this factor should not preclude the granting of the area variance, as the request is modest, reasonable, and consistent with neighborhood conditions.

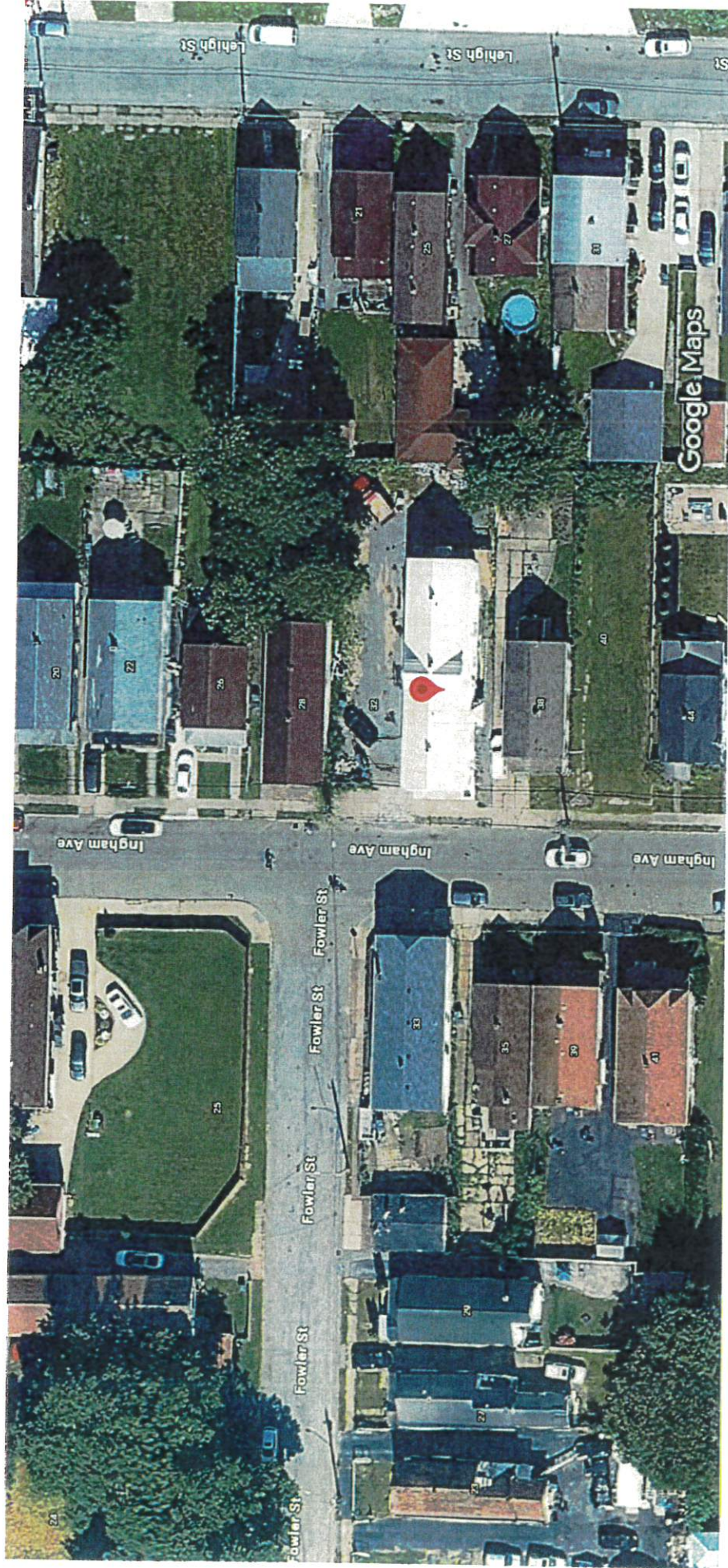


Sign Above, Print Name Below

L. A. Kuman redacted





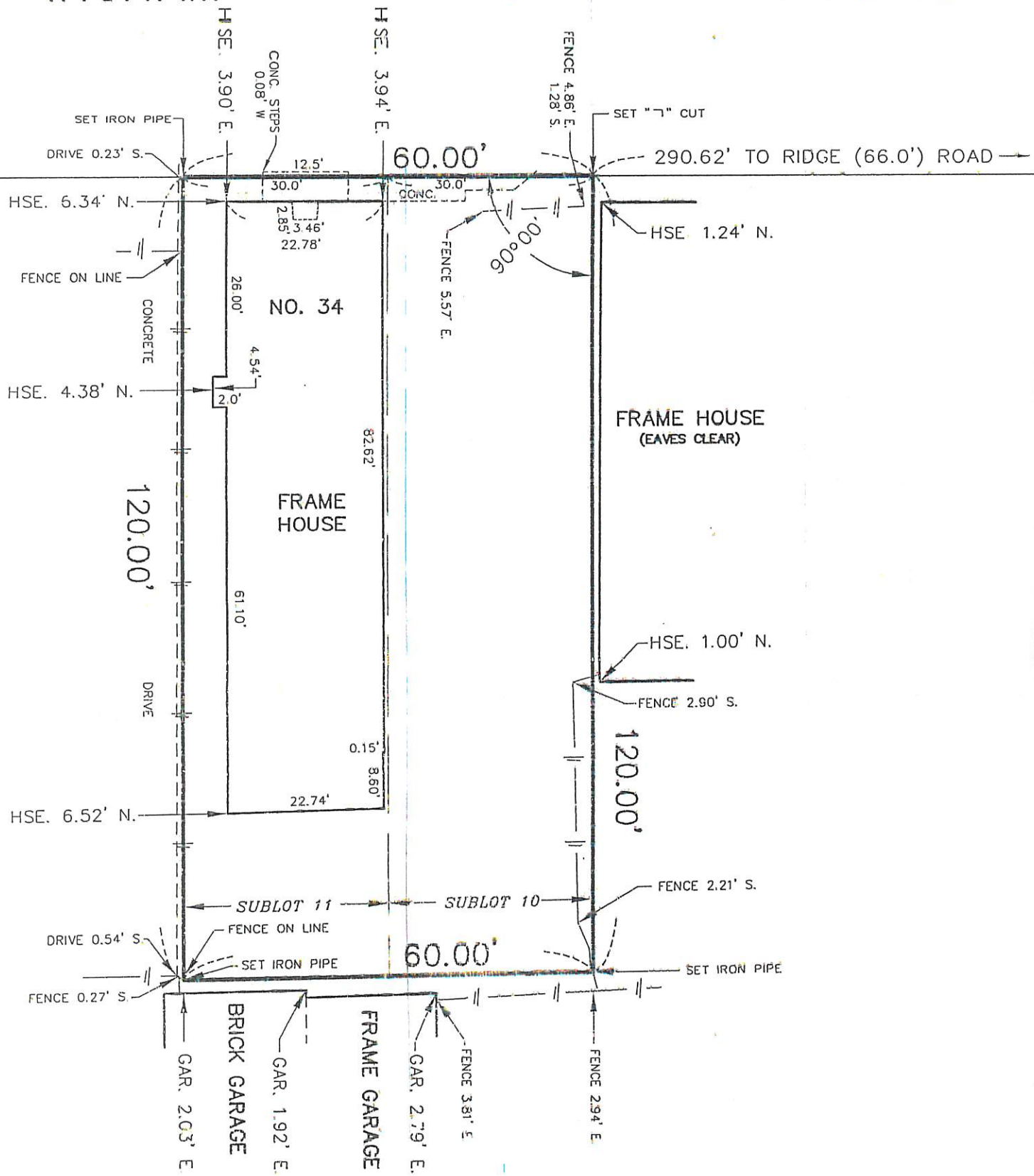


FEET	INCHES	FEET	INCHES
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0.17	2	0.87	10
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NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH.



INGHAM AVENUE (50.00' WIDE)



ALTERING ANY ITEM ON THIS MAP IS IN VIOLATION OF THE LAW, EXCEPTING AS PROVIDED IN SECTION 7209, PART 2 OF THE NEW YORK STATE EDUCATION LAW.

THIS MAP VOID UNLESS STAMPED WITH NEW YORK STATE LICENSED LAND SURVEYOR'S SEAL NO. 49657

SUBLOTS 10 & 11, BLOCK "E", COVER 459
 SURVEY OF PART OF LOT 32, TOWNSHIP 10, RANGE 8, BUFFALO CREEK RESERVATION
 LOCATION CITY OF LACKAWANNA, ERIE COUNTY, N.Y.

MICHAEL J. MATESIC
 LICENSED LAND SURVEYOR
 N.Y.S.P.L.S. 49657
 156 MEADOWBROOK DRIVE
 LACKAWANNA, N.Y. 14218
 PHONE (716) 822-0480

JOB NO. 21-2754	SCALE 1" = 20'
DATE 7/5/2021	RESURVEYED

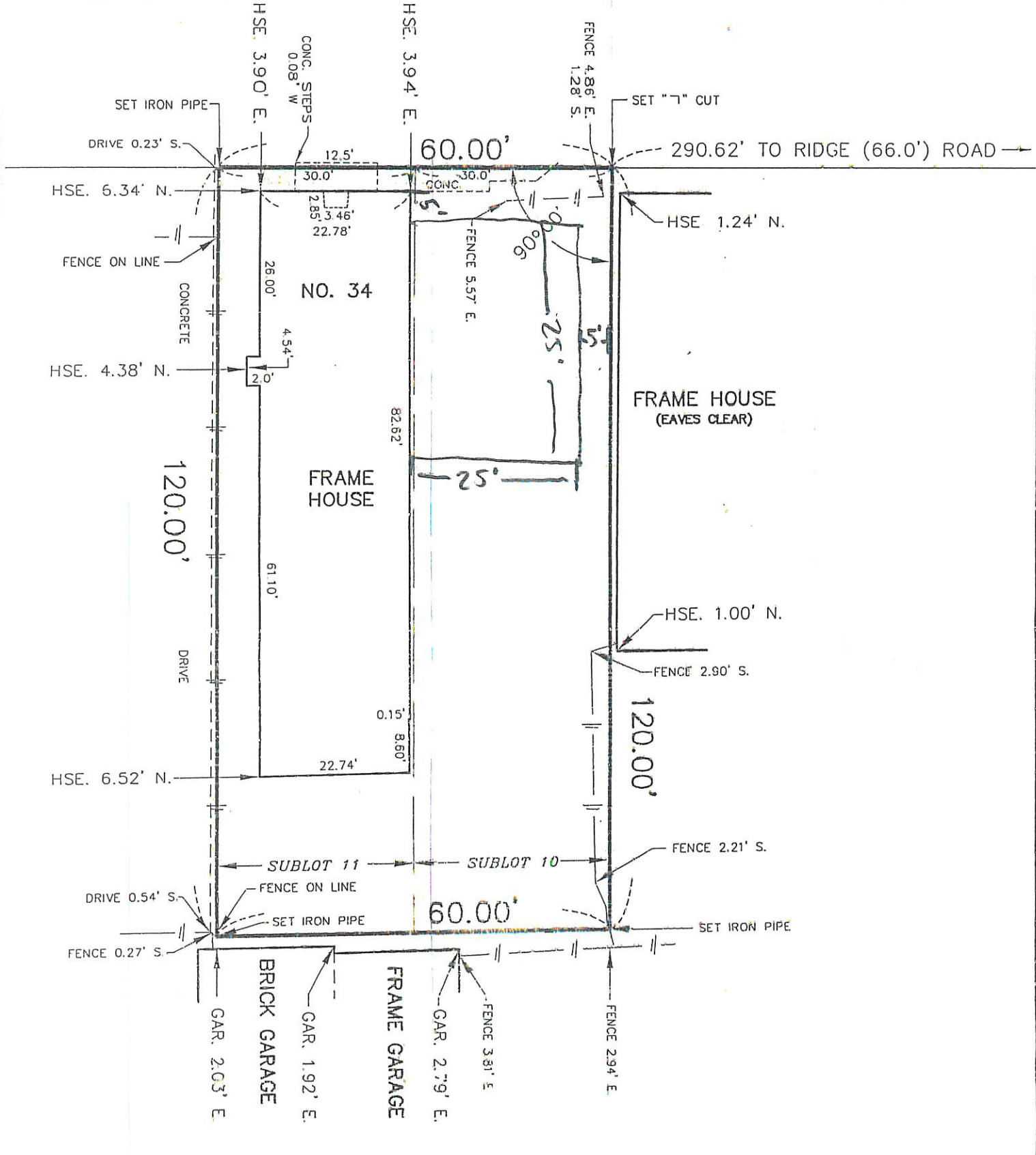


FEET	INCHES	FEET	INCHES
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0.42	- 5	0.92	- 11
0.50	- 6	1.00	- 12

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INGHAM (50.00' WIDE) AVENUE



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SURVEY OF **SUBLOTS 10 & 11, BLOCK "E", COVER 459**
 PART OF LOT 32, TOWNSHIP 10, RANGE 8, BUFFALO CREEK RESERVATION
 LOCATION CITY OF LACKAWANNA, ERIE COUNTY, N.Y.

MICHAEL J. MATESIC
 LICENSED LAND SURVEYOR
 N.Y.S.P.L.S. 49657
 156 MEADOWBROOK DRIVE
 LACKAWANNA, N.Y. 14218
 PHONE (716) 822-0480

JOB NO. 21-2754	SCALE 1" = 20'
DATE 7/5/2021	RESURVEYED





City of Lackawanna
Department of Development
714 Ridge Road – Room 309
Lackawanna, NY 14218
Tel: (716) 827-6421 Fax: (716) 827-1866



MEMORANDUM

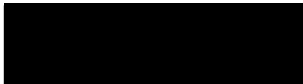
TO: Zoning Board of Appeals
FROM: Department of Development
RE: Applicant Lukman Mohamad – 34 Ingham Avenue Neighbor Letter
DATE: January 28, 2026



Attached is a two (2) page opposition letter from Izzadin Alderwish, property owner of 25 Lehigh Avenue, received January 28, 2026. The property at 25 Lehigh Avenue is located directly behind the agenda property, which is 34 Ingham Avenue.

Thank you.

To : Planning & Development Board /Zoning Board
Department of Development
714 Ridge Road, Room 311
Lackawanna, NY, 14218

From: Izzadin Alderwish


Date: 1/28/2026

Dear Members of the Board,

**RE: Request By My Neighbor Amani Hasan – 34 Ingham Ave, to Build New
Garage Adjoining My Property on 25 Lehigh Street**

I am writing to formally object to the variance request submitted by my neighbor regarding the construction of a proposed garage on the property adjoining mine.

The proposed garage is intended to be constructed directly along, and adjoining my shared property line. From what I understand it, the zoning regulations of the City of Lackawanna do not permit new accessory structures to be constructed in this manner, and therefore the applicant is seeking relief from the zoning code.

While I do respect my neighbor's desire to add a garage to their property, I object specifically to the requested variance, as it would result in a direct and negative impact on my property.

My objections are based on the following considerations:

1. Impact on My Property: for my neighbor to be permitted to construct a garage at the shared property line a serious problem for me as raises legitimate concerns regarding fire safety, drainage, snow accumulation, maintenance access, and the overall enjoyment and use of my property.

2. Noncompliance with Zoning Requirements: I believe that granting a variance in this case would undermine the intent of the zoning regulations and set an unfavorable precedent.
3. Hardship Being Created: The need for a variance appears to arise from the applicant's proposed placement of the garage, rather than from conditions of the property itself. There may be alternative locations available which would comply with zoning requirements
4. Neighborhood Character: Granting the requested variance would alter the established character of the neighborhood by allowing construction that zoning regulations were specifically designed to prevent.

For these reasons, I respectfully request that the Zoning Board to deny the requested variance.

Thank you

IZZAH Alderwish

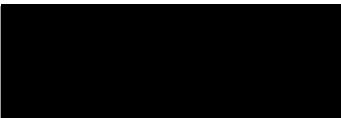


CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Application Notice

March 18, 2026

Lukman Mohamad



Re: 34 Ingham 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: N/A

Date: March 25, 2026

Time: N/A

Time: 5:00pm

City Council Chambers Room 241
Lackawanna City Hall

If you have any questions please feel free to call (716) 827-6421.

Boarding Neighbors
WNY360 LLC – 28 Ingham Ave
Hosn Yahya – 38 Ingham Ave
Izzadin Alderwish – 25 Lehigh St
Izzadin Alderwish – 27 Lehigh St



CITY OF LACKAWANNA
DEPARTMENT OF DEVELOPMENT

Application Notice

March 18, 2026

Lukman Mohamad



Re: 34 Ingham 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: N/A

Date: March 25, 2026

Time: N/A

Time: 5:00pm

City Council Chambers Room 241
Lackawanna City Hall

If you have any questions please feel free to call (716) 827-6421.

Boarding Neighbors
WNY360 LLC – 28 Ingham Ave
Hosn Yahya – 38 Ingham Ave
Izzadin Alderwish – 25 Lehigh St
Izzadin Alderwish – 27 Lehigh St



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 follows;

1. _____ Site Plan Review
2. _____ Special Use Permit
3. _____ Development Plan Review
4. X Variance
5. _____ Zoning Law Appeals

Property owner: Amani Hasan

Applicant: Lukman Mohamad

Address: 34 Ingham Ave

In reference to: Requesting side yard variance for new garage attached to multifamily residence

You are entitled to appear at the public hearing scheduled for 3/25/26 @ 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 311
Lackawanna, NY 14218

If you have any questions regarding the meeting, please call 716-827-6421

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