

Town of Niagara: More work needed on zoning change

BY TIMOTHY CHIPP

Contributing Writer

Town of Niagara officials have more work to do before they can amend a local zoning law governing self-storage facilities.

Town Attorney Corey A. Auerbach said the law must go before Niagara County for approval before the four-member Town Board can take action.

"Because (the law) is townwide, it triggers a referral requirement," Auerbach said. "So, the town will (likely) take action at its November meeting."

If everything goes well at the county level, the board will meet at 6:30 p.m. Tuesday, Nov. 14 – a change from the normal third Tuesday meeting date due to the Thanksgiving holiday – to put a stamp of approval on the change.

The new law reverts to a previous zoning code restricting self-storage lots to industrial zoning.

Currently, the town allows them in commercial zones after an exception to the old rule became permanent and was overlooked.

Supervisor Lee Wallace, who will end his service at the conclusion of the year, said the change is needed to prevent more and more self-storage facilities from popping up.

"The board has concerns about there being too many of these things," he said.

In preparation for the vote next month, town officials held a public hearing before Tuesday's regular meeting. They learned there may be an overcorrection in the proposed change they could look into before the final vote.

Business owner Mike Richards questioned the wording of the new law including not just self-storage facilities, but any kind of warehouse at all.

He said he's got plans for de-

veloping one and wanted to know if he'd be OK to proceed or if the new law would hamper him.

Richards was told by Wallace during the hearing he'd be safe to proceed as the intent of the change is for addressing self-storage only.

"(Richards)'s point is well taken," Wallace said following the meeting. "Maybe we can tighten it up to reflect what he said. That certainly wasn't the intent."

Uniland Update

Despite appearing on the month's initial agenda, absent from a vote Tuesday was also the site plan and State Environmental Quality Review declaration for the proposed construction of an industrial facility at 3401 Military Road.

Amherst-based developer Uniland Development is in the final stages of planning the facility on a 26-acre parcel that would sit south of the railroad overpass south of Lockport Road.

However, Wallace said Tuesday, there is still some back-and-forth discussion over what the undeveloped land on the parcel will be zoned.

During a public hearing on the proposal in September, residents in the surrounding areas said they want what land Uniland isn't developing to be zoned either as R-1 (single-family residential) or LI (light industrial).

Uniland would prefer to zone the area R-3 (apartment residential), but stated there's no immediate intent to develop.

Wallace said Tuesday a resolution could happen "hopefully soon." He added the board has the ability to change the zoning to whatever it likes at any time, though.

Ultimately, the board will have final say, he said.

Tax Rate Update

Town officials are set to charge

residents new tax rates when the town's 2024 budget kicks into effect in January.

Five special districts will be funded by taxes this year, with rates set based on what category taxpayers fall into: homestead and non-homestead.

Homestead rates were set as follows: highway (\$2.46 per \$1,000 valuation); water improvement (\$0.55 per \$1,000 valuation); sewer operating (\$2.83 per \$1,000 valuation); fire protection (\$1.54 per \$1,000 valuation); and lighting (\$0.28 per \$1,000 valuation).

Non-homestead rates were set as follows: highway (\$4.59 per \$1,000 valuation); water improvement (\$0.91 per \$1,000 valuation); sewer operating (\$2.83 per \$1,000 valuation); fire protection (\$2.74 per \$1,000 valuation); and lighting (\$0.50 per \$1,000 valuation).

OPINIONS

Machelor weighs in on 'Lewiston Public Art Project' process

Norman Machelor, chairman of the Village of Lewiston Planning Commission, offered these remarks Monday at the Village of Lewiston's monthly meeting.

I am here this evening at the request of the mayor to attend a public meeting. I am here as the chairman of the Village Planning Commission.

This meeting has been called with prior notification as required and the majority of the Planning Board are in attendance.

That being the case, I have the option to call an official meeting of the Planning Board to consider the matters proposed for consideration this evening. I believe this option is also available for the Historic Preservation Commission.

This will not be necessary this evening if the mayor and the Board of Trustees will agree to send these matters to the Planning Board for due consideration, as required in the village code.

The proposed project, including a bike path, the art signs and the benches, have not been vetted, which means the questions of where, when, how, height, colors, materials, and the responsibility for erection and maintenance and, finally, upon whose property these items would be installed, has not been addressed, let alone answered.

I will read from one section of the village code concerning one of the most controversial sections of the project, the signs. Here is the

definition of the Term "sign":

"The term sign shall mean any material, structure or device or part thereof, composed of lettered, or pictorial matter, or upon which lettered or pictorial matter is placed when used or located out-of-doors or outside or on the exterior of any building including window display areas, for display of an advertisement, announcement, notice, directional matter or name, and includes frames, billboards, sign boards, painted wall signs, hanging signs, illuminated signs, pennants, fluttering devices, projecting signs or ground signs and shall also include any announcement, declaration, demonstration, display, illustration, insignia used to advertise or promote

the interests of any person or business when the sign is placed in view of the general public."

This statement is followed by 25 individual items on signage details. As we say, "Look it up."

This is why the Planning Board insists that this portion of the proposed project must be referred to the Planning Board for vetting and recommendation to the Village Board.

Sign regulations section 13. A.2. states:

"No signs shall be erected except monuments, historic markers, or other public information or directory devices erected by a public agency, unless approval of the Board of Trustees is obtained after recommendations of the

Historic Preservation / Planning Commission."

I am not here this evening to render an opinion of the project as a whole or in the individual components of a larger project. I am only here to formally request that the Villager Board follow the village regulations and code and refer this project to the Planning Commission and our sister body, the Historic Preservation Commission, as appropriate in the law.

The two commissions have served this village faithfully. Your opportunity as citizens to vet these projects is through the commission's public investigations, open to each of you; that is where the answers to your questions, in detail, will be available.

Leave 'The Spirit of Victory' where she is!

Lewiston is blessed with an identity defined by both art and history. These two forces meld in the "Spirit of Victory." She is, of course, art; but she also has a specific history that brought her to her current location. We take issue with the statement in a recent newspaper article that, in moving the sculpture to Academy Park, she is somehow "making her way back home."

She. Is. Home.

After her majestic siting at Artpark where she inspired visitors as a major element of an installation titled "Drums Along the Niagara," the piece, like all the projects, was dismantled at the end of the summer.

Too large to be dealt with, the "Iroquois Angel" was discarded and smaller components of the installation (including her wings) were carried away.

Some know the story of how we did our best to gather the lost elements and reunite them with the "Iroquois Angel." We brought back Tom Mullany, the artist, to give the pieces a new life in what we all agreed was the perfect location.

The river at her back is a tangible reference to the original installation "Drums Along the Niagara." But, of course, she became some-

thing different from the original. So, as she rose literally with broken wings, from a pile of rusty metal to a new life, we gave her a new home and Tom gave her a new name, "The Spirit of Victory" ... to signify her triumphant return. Her location is paramount to the story she tells.

The Village Board recently voted to move "The Spirit of Victory" to Academy Park, with a reason being so that more people would see her. The sculpture, however, adds nothing to that location, nor does the location enhance the sculpture.

Academy Park already has a lot going on without the addition

of a large-scale sculpture. Picture it: There is the Alphonso DiMino Bandshell, the veterans memorial, the historic Simon House (Chamber Office), the toll booth, the bathroom building, and in the future ... an entrance gate, 10 metal art frames and a picnic pavilion.

Instead of spending money to move "The Spirit of Victory" to Academy Park, a modest investment in landscaping, a bench or two, a bike rack and better signage would make her current location the perfect pocket park pull-off for visitors and residents, whether walking, cycling or driving.

She should be the linchpin of an

art trail of "jewels" along the Greenway corridor, some of which already exist: "Freedom Crossing" at the waterfront; "The Pod" and "Archangel Michael" at Stella Niagara; "Tango" at the Lewiston Senior Center; and "The Spirit of Victory" at Joe Davis State Park. These are a good start to the thoughtful development of an art trail that leads people along one of the most picturesque roadways in the region.

Given the scale of the sculpture, its current location is perfect and it functions as the centerpiece of a contemplative space that just needs a little TLC. Please leave "The Spirit of Victory" where she

is – that is her home.

Irene Rykaszewski
Eva Nicklas

• Sculpture artist Tom Mullany added, "Since this 'Angel' came down from its perch in Artpark, I was always glad that Lewiston and the Lewiston Arts Council had found her a landing place, in a clearing on the bluff above the Niagara River. It's a wonderful location and, over the years, I continue to receive comments and mentions from visitors to the statue; people who came upon it while driving up and down River Road or cycling the path there. As a final destination, I've always felt that it was perfect."

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