

Kinney looking for Village Board approval of new Lewiston waterfront docking system

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GM/Managing Editor

Whirlpool Jet Boat Tours President John Kinney has proposed a docking system for the waterfront area parallel to his operation's staging area. He said the seawall there, as is, is not practically usable for transient boaters – or even for WJBT. Kinney would like to reconfigure the area to better accommodate his patrons. He has offered to donate his existing adjacent docking area to the municipality for the betterment of transient boaters.

Kinney's plan is expected to be on the agenda at the Village of Lewiston's monthly meeting on Monday, Aug. 21.

Over the weekend, some residents expressed concern via social media correspondence. A few went so far as to suggest Kinney is just arbitrarily taking portions of the waterfront.

On Monday, Kinney explained his lease allows for such improvements to his business – improvements, he noted, that ultimately benefit the community.

He said the amount of new docking space that would be taken up under his proposal “is negligible” relative to the space his existing docking area utilizes. “There is not a net loss by the village, or a net gain from Whirlpool, for configuring the docks the way we have.”

Moreover, Kinney said the seawall, in its present form, is wasted space.

To demonstrate that point, Kinney boarded a 19-foot boat and tied off on the dock area in question. Onboard, he stood several feet below the top of the seawall.

“Given our wet summer, our water levels have actually maintained very high here and, be-

tween now and the end of September, we're going to lose another 18 inches of water here,” Kinney said, noting the climb would only get more challenging as summer sets.

“This is what people would have to do to utilize this seawall, is to climb up here,” he said. “The issue is this: The seawall was built due to the flooding (in 2017 and 2019), which is great. But the problem is, this seawall ... the issue at hand is where do our transient boats go. Transient boats could never use this anyway – unless you've got a 60-footer. A 60-footer would probably mate up with this.”

Kinney said most boats in the Niagara Region are between 18 and 24 feet long. “They're never going to be able to use (this Village of Lewiston) seawall in this present form,” because of the effort needed to get up the wall.

Instead, Kinney has offered to gift the village his existing docking system.

“We said, ‘Well, I'll tell you what, we've got something we can do. We can reconfigure our docks, make this more utilitarian, and create a transient docking area that people can actually get into,’ ” he said.

Reiterating his first point, Kinney said his staff has seen “zero” boats tied up on the seawall.

“We have a seawall that can't accommodate any boats. And, you know, I consider myself to be reasonably fit, but to get back up here like this (is a challenge),” he said, as two people gave him a lift.



Whirlpool Jet Boat Tours President John Kinney stands on a boat to demonstrate the distance between this vessel and the top of the seawall he seeks to modify.

Details of WJBT Lease, Vision for Lewiston Waterfront

“We entered into an agreement with the village in '96,” Kinney said. “At that point in time, we were tenants here. We made the decision to purchase the Riverside Inn and make the improvements to the property – and dare I say, the start of the improvement to the waterfront.”

“I will tell you that (Mayor) Anne (Welch) deserves the lion's share of the credit for making this happen down here. Ernie Murdoch, about 45 years ago, he built this waterfront down here, and it's remarkable that it held up as well as it did, for as long as it did. We had

some pretty crazy flooding here in '17 and '19.

“But, when we came to the village, we said that we were going to improve the facilities here and make the waterfront more accessible, both for jetboaters and for the boating community.

“We needed to know that we were on solid ground here, and so we agreed to a 40-year lease. That 40-year lease, I didn't have any back out on it. I was committed to it. And so, the residents of Lewiston have benefited from that influx of money on an ongoing basis in the waterfront, which, compared to what it was then to what it is today, I think the residents have done very well for themselves.”

For 2023, WJBT is slated to pay the municipality a base rent of \$15,000, plus 1.5% of gross sales, for a maximum rent of \$45,000.

Kinney said WJBT entered into a new docking configuration agreement with the Village of Lewiston in the fall of 2002.

“What happened before the project was there were two transient slips here that had great difficulty getting in. So, we agreed to move (our passenger loading docks) all down for the betterment of these two slips. Because of the cross-currents here, that continued to be problematic. And so, I said, ‘You know what I'll do? I will reconfigure my docks into the configuration that we have here,’ so there would be no conflict with the first slip there.

“Again, these are things that I did all on my own accord, at our expense, etc., etc. So, when you move this down, this corresponds into about 12 feet that this dock had to be moved further down.”

Kinney said another docking reconfiguration was agreed upon in the fall of 2020. He presented a letter from

Empire State Development stating a matching grant was awarded for the current seawall project as part of the Lake Ontario Business Resiliency Program.

“Our application was accepted in February '21. So, the village has been aware of what we've been doing down here for a long time,” Kinney said. “It's been frustrating to me that there's been a suggestion that I'm just down here winging it. Since February of '21, the village knew that we were going to improve our docking facility, as per the specifications that are dictated by Empire State Development in this grant.”

He continued, “Now, as the timing of this progressed, obviously, there was a major project going on with the seawall here, and there was an Army Corps permit, which allowed for a certain amount of docking to be added to the area. And so, what happened was, in January of '23, I submitted to the village our docking plan; and (engineer) Mike Marino reviewed that, and it called for four sections of dock being added. Under the Army Corps permit, the amount of square footage that could be added to it on the existing permit only allowed for three sections of docking. So, hence, we are adding three sections, not four.”

Each dock would be 40 feet long, and there would be a gangway that is about 25 feet long.

Kinney said these docks would be “exactly the same size as the existing docks ... but configured in a way that is along a very high seawall that will make that seawall be able to be used as a seawall.”

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