

March 17, 2010

Planning Board Members: Stanley J. Keysa, Chairman
Rebecca Anderson
Neil Connelly
Kristin Keane
Lawrence Korzeniewski
Steven Socha
Melvin Szymanski

Town Board Members: Robert H. Giza
John M. Abraham, Jr.
Mark Aquino
Ronald Ruffino, Sr.
Donna G. Stempniak

Engineering Consultant: Robert Harris, Wm. Schutt & Associates

Town Attorney: John M. Dudziak

Town Highway Superintendent: Daniel J. Amatura

Building & Zoning Inspector: Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held on March 17, 2010. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Stanley J. Keysa
Planning Board Chairman

SJK:mn
Encl.

A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the seventeenth day of March 2010, at 7:30P.M, and there were present:

PRESENT: Stanley J. Keysa, Chairman
Rebecca Anderson, Member
Neil Connelly, Member
Kristin Keane, Member
Lawrence Korzeniewski, Member
Steven Socha, Member
Melvin Szymanski, Member

EXCUSED: None

ABSENT: None

ALSO PRESENT:

Town Board Members: Donna G. Stempniak

Other Elected Officials: None

Town Staff: Robert Harris, Engineering Consultant - Wm. Schutt & Associates
Leonard Campisano, Assistant Building & Zoning Inspector
Nicholas LoCicero, Town Prosecutor
Mary Nowak, Recording Secretary

Meeting called to order by Chair Keysa at 7:32 PM.

Pledge of Allegiance led by Town Prosecutor Nicholas LoCicero

Minutes - Motion was made by Neil Connelly to approve the minutes from the March 3, 2010 Planning Board Meeting with the following correction made to the recommendation memo for Urgent Care Facility on the Roll Call vote: Steven Socha - Yes. Motion seconded by Melvin Szymanski and unanimously carried.

Administrative Items - Northwood Village - Chair Keysa asked Town Prosecutor Nick LoCicero if he had any information regarding the procedure to close off the William Street entrance/exit to Northwood Village if a petition for this request should come before the Planning Board. Town Prosecutor Nick LoCicero stated that currently there is no precedent in the Town of Lancaster for closing off an existing entrance/exit to a development. However, he stated that the following criteria would need to be met: 1.) An application must be made by the Homeowners Association including a petition with signatures, according to the by-laws of the Homeowners Association. At least 51% of the owners must be in favor. 2.) A traffic study must be done. 3.) The matter would then be referred to the Town Planning Board for review and recommendation. 4.) A public hearing would then need to be held. Chair Keysa stated that everything that was done originally for this project must be done again, and must pass the SEQR process. After the above is completed, the project would then go before the Town Board for decision.

ACTION ITEMS -

SITE PLAN REVIEW - TOOL RANCH, 3857 WALDEN AVENUE, 6,000 SQ, FT. ADDITION.
PROJECT. NO. 4523. CONTACT PERSON: JEFFREY W. LOEFFLER

Jeffrey Loeffler, owner, and Donald Allbrecht, architect, presented to the Planning Board the site plan review for the proposed 6,000 sq. ft. addition to the existing building located at 3857 Walden Avenue. The proposed addition will extend to the rear of the existing building. The additional space will be used for warehouse/storage space. The existing storage trailers on the site will be removed. The site plan shows a loading dock type door at the southeast corner of the southside of the building, additional employee parking, and a dumpster pad located at the rear of the building. The following items were discussed:

Archeologic study - Chair Keysa referred to com. 3-17-05 from NYSDEC which indicates that this site may be archeologically sensitive and will require a study. Although the SHIPPO map provided by Member Szymanski does not show this to be a sensitive area, the Planning Board stated the applicant needs to contact SHIPPO for confirmation.

Wetlands - A wetlands delineation must be done on this portion of the parcel. If there are wetlands, they may be under the jurisdiction of the Army Corp of Engineers. Mr. Loeffler stated that he has been in contact with Earth Dimensions to schedule a delineation.

Landscape plan - Chair Keysa referred to com. 3-17-11 from General Crew Chief Terrence McCracken regarding additional landscaping. Applicant will contact the General Crew Chief for clarification of location of additional landscaping.

DETERMINATION

At the request of the applicant, this project is tabled until the Planning Board meeting on April 21, 2010, at which time the applicant will address the following items: 1.) Archeologic study. 2.) Wetlands delineation. 3.) Location of additional landscaping. Motion to table made by Rebecca Anderson, seconded by Kristin Keane and unanimously carried. Roll call vote as follows:

Chair Keysa :	Aye	Lawrence Korzeniewski:	Aye
Rebecca Anderson:	Aye	Steven Socha:	Aye
Neil Connelly :	Aye	Melvin Szymanski:	Aye
Kristin Keane:	Aye		

REZONE PETITION - GOLD SEAL EQUITY PARTNERSHIP, PORTION OF 5872 GENESEE STREET AT GUNNVILLE ROAD. PRESENT ZONING IS RCO - RESIDENTIAL COMMERCIAL OFFICE DISTRICT. PROPOSED ZONING IS LI - LIGHT INDUSTRIAL DISTRICT. PROPOSED USE OF PREMISES IS A LIGHT MANUFACTURING FACILITY. CONTACT PERSON: CHRISTOPHER STRENG.

Christopher Streng and Anthony Marino, engineer, presented to the Planning Board the rezone petition for a 9.4-acre portion of the parcel located at 5872 Genesee St. at Gunnvile Rd. The proposed use of the parcel is for a 50,000 sq. ft. building for the relocation of Buffalo Filter Company, and the possibility of a 50,000 sq. ft. addition in the future. The proposed facility would be the headquarters for Buffalo Filter Co. The facility will be used for assembling medical filters, light shipping, and office space. The following issues were discussed:

Entrances - The plan shows two entrances. The entrance on Genesee Street would be for truck deliveries. This entrance is near the property line. The entrance on Gunnvile Road would be for employees. Mr.

Streng stated that there would be approximately 2 large box trucks per day, not tractor trailers.

Drainage - Mr. Marino stated that this portion of the parcel drains internally to weathered bedrock. There do not seem to be any visible offsite drainage issues.

Setback - The building will be setback from Genesee Street. A question was raised as to whether an additional sideyard setback would be necessary for LI zoning when adjacent to RCO zoning. A 50-ft. minimum setback would be necessary if the adjacent property is for residential use.

Spot zoning - The Planning Board stated that since this parcel is adjacent to the NYS Thruway, and the parcel to the north across the NYS Thruway is zoned LI, and the parcel to the south is also zoned LI, this would not be spot zoning.

Loading dock - Chair Keysa referred to com. 3-17-08 from R&P Oak Hill Development (owners of property to the west) expressing opposition to the proposed rezone petition. Chair Keysa asked the applicant if it would be possible to move the loading dock shown on the plan from the west side of the building to the Thruway (north) side. Mr. Streng stated that since this a very preliminary plan this issue can certainly be discussed.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Neil Connelly to recommend approval of the rezone petition to the Town Board with the following findings: 1.) This project is an appropriate use of this land. 2.) Project is adjacent to the NYS Thruway. Parcel across the NYS Thruway is zoned light industrial. Parcel to the south is also zoned light industrial. 3.) Proposed use is recognized as a clean use. 4.) Petitioner is willing to explore moving the loading dock to the north side of the building to accommodate neighbor to the west. 5.) Project is consistent with the Town's Master Plan. 6.) Town has encouraged this type of manufacturing through the years. Motion seconded by Lawrence Korzeniewski and unanimously carried. Roll call vote as follows:

Chair Keysa :	Aye	Lawrence Korzeniewski:	Aye
Rebecca Anderson:	Aye	Steven Socha:	Aye
Neil Connelly :	Aye	Melvin Szymanski:	Aye
Kristin Keane:	Aye		

OTHER MATTERS -

Urgent Care Facility - Council Member Donna Stempniak asked the Planning Board for clarification of the March 3, 2010 Recommendation Memo for this project. Ms. Stempniak stated that some of the ten conditions listed seemed redundant and she also wanted to know who was going to oversee the co-ordinating of these conditions. Chair Keysa explained the conditions in question. Town Engineer Robert Harris stated that he would oversee the coordinating of the conditions.

At 8:37 PM Steven Socha made a motion to adjourn the meeting. Motion seconded by Kristin Keane and unanimously carried.

