June 5, 2019

Planning Board Members:

Neil Connelly, Chairman
Rebecca Anderson
Anthony Gorski
Joseph Keefe
Stanley Jay Keysa III
Lawrence Korzeniewski
Kristin McCracken

Town Board Members:

Johanna Coleman, Supervisor
Adam Dickman
Dawn Gaczewski
Ronald Ruffino, Sr.
Matthew Walter

Engineering Consultant:

Ed Schiller, Wm. Schutt & Associates

Town Attorney:

Kevin E. Loftus

Town Highway Superintendent:

Daniel J. Amatura

Building & Zoning Inspector:

Matthew Fischione

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held June 5, 2019. 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,

Neil R. Connelly
Planning Board Chairman

NRC:cm
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 5th day of June 2019 at 7:00 P.M. and there were present:

PRESENT: Neil Connelly, Chairman
Rebecca Anderson, Member
Anthony Gorski, Member
Joseph Keefe, Member
Stanley Jay Keysa III, Member
Lawrence Korzeniewski, Member
Kristin McCracken, Member

EXCUSED: Johanna Coleman, Town Supervisor

ALSO PRESENT: None

Town Board Members: None

Other Elected Officials: None

Town Staff: Ed Schiller, Engineering Consultant-Wm. Schutt & Assoc.
Kevin Loftus, Town Attorney
Matthew Fischione, Code Enforcement Officer
Cynthia Maciejewski, Recording Secretary
Meeting called to order by Chair Connelly at 7:00 P.M.

Pledge of Allegiance led by Member Korzeniewski and recognized the 75th Anniversary of D-Day.

Minutes-A motion was made by Rebecca Anderson to approve the minutes from the May 15, 2019 Planning Board Meeting with the addition of the word “floodplain” to identify the model during discussion of the Siebert Road Subdivision. Motion seconded by Lawrence Korzeniewski and unanimously carried.

There is training June 6, 2019 in the Town Hall Conference Room and on June 13, 2019 at the Millenium Hotel regarding Zoning and Land Use.

Town of Lancaster Planning Board
Communications-June 5, 2019

6.05.01 Letter dated 5/22/19 from Ed Schiller, Town Engineer, with comments regarding Towne Audi, Transit Rd. at Pasquale Drive.

6.05.02 SEQR response dated 5/14/19 from ECWA regarding Towne Audi.

6.05.03 SEQR response dated 5/14/19 from ECWA regarding 2 Wainwright Ct.

6.05.04 SEQR response dated 5/07/19 from Erie County Dept. of Environment and Planning regarding 2019 Local Law – Stormwater Revisions.

6.05.05 SEQR response dated 5/14/19 from ECWA regarding 10 Lancaster Pkwy.

6.05.06 SEQR response dated 5/07/19 from ECWA regarding 2019 Local Law – Small Wireless Facilities.

6.05.07 SEQR response dated 5/19/19 from US Army Corps of Engineers regarding Towne Audi.

6.05.08 SEQR response dated 5/14/19 from NYS DEC regarding Towne Audi.

6.05.09 SEQR response dated 5/22/19 from NYS DEC regarding Great Dane Parking Lot Reconstruction.

6.05.10 Letter dated 5/23/19 from Ed Schiller, Town Engineer, with comments regarding 12 Wendling Ct.

6.05.11 Memo dated 11/24/19 from Dan Amatura, Highway Superintendent, indicating no comment regarding 12 Wendling Ct.
6.05.12 Copy of resolution adopted by Town Board on 5/20/19 – Local Law No. 5, 2019, “Stormwater Control Revision”.

6.05.13 Notice of Public Hearing to be held for Special Use Permit – 5243 & 5255 Genesee St. and Home Rd., 6/03/19 at 7:15 P.M.

6.05.14 Copy of resolution adopted by Town Board on 5/20/19 – Local Law No. 6, 2019, “Chapter 25 Revision” (updates Town’s new refuse collection, disposal, etc.)

6.05.15 SEQR response dated 5/24/19 from ECWA regarding Great Dane Parking.

6.05.16 SEQR response dated 5/21/19 from NYS DEC regarding small business 00 Lancaster Pkwy.

6.05.17 SEQR response dated 5/24/19 from ECWA regarding Windsor Ridge Phase 2.

6.05.18 SEQR response dated 5/24/19 from ECWA regarding 00 Lancaster Pkwy.

6.05.19 SEQR responses dated 5/06/19 and 5/23/19 from Erie County Division of Sewerage Management and Environment and Planning, respectively, regarding 10 Lancaster Pkwy.

6.05.20 SEQR responses dated 5/06/19 and 5/23/19 from Erie County Divisions of Sewerage Management and Environment and Planning respectively, regarding 5 Wainwright Ct.

6.05.21 SEQR responses dated 5/06/19 and 5/23/19 from Erie County Division of Sewerage Management and Environment and Planning respectively, regarding Towne Audi.

6.05.22 Agricultural Data Statement for Edwards 3-Lot Subdivision, 6466 Broadway.

6.05.23 SEQR responses dated 4/30/19 and 5/22/19 from Erie County Divisions of Sewerage Management and Environment and Planning respectively, regarding Edwards 3-Lot Subdivision.

6.05.24 SEQR response dated 5/29/19 from NYS DEC regarding Edwards 3-Lot Subdivision.

6.05.25 SEQR response dated 6/04/19 from Erie County Department of Public Works regarding 10 Lancaster Parkway.

6.05.26 Petition signed by over 70 residents in opposition of the Windsor Ridge South Subdivision.
Planning Board Minutes
SEQR Review
June 5, 2019

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 5th day of June 2019 at 7:06p.m. and there were

PRESENT: REBECCA ANDERSON, PLANNING BOARD MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER
JOSEPH KEEFE, PLANNING BOARD MEMBER
STANLEY JAY KEYSA III, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
KRISTIN MCCracken, PLANNING BOARD MEMBER
NEIL CONNELLY, PLANNING BOARD CHAIRMAN

EXCUSED: JOHANNA COLEMAN, SUPERVISOR

ALSO PRESENT: MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
KEVIN LOFTUS, TOWN ATTORNEY
CYNTHIA MACIEJEWSKI, RECORDING SECRETARY

PURPOSE OF MEETING:
IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
EDWARDS MINOR 3 LOT SUBDIVISION
LOCATED AT 6466 BROADWAY

The Planning Board reviewed the Short Environmental Assessment Form on the
splitting of one lot into three lots matter with an item for item review and discussion of the
project impact and magnitude as outlined on the Short Environmental Assessment Form
entitled “Part 2 Impact Assessment” which was provided to each member.

PLEASE TAKE NOTICE, that the Planning Board of the Town of Lancaster, acting as an
advisory committee to provide input to the Town Board, the designated lead agency under the
State Environmental Quality Review Act (SEQRA), has reviewed the following described
proposed action, which is an unlisted action, and that committee recommends that there are
no significant adverse environmental impacts relative to the criteria found in 6 NYCRR §617.d,
and further recommends that the lead agency issue a Negative Declaration for the purposes of
Article 8 of the Environmental Conservation Law in accordance with §617.12.
NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
Kevin Loftus, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 75.6 acres.

The location of the premises being reviewed is 6466 Broadway, Lancaster, New York 14086, Erie County.

This project described as a three lot minor subdivision on 2.05 acre physically disturbed area.

THE FOLLOWING MOTION TO OFFER A NEGATIVE DECLARATION WAS OFFERED BY MEMBER KORZENIEWSKI, WHO MOVED ITS ADOPTION, SECONDED BY MEMBER MCCRACKEN TO WIT:

REASONS SUPPORTING RECOMMENDATION

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?
   No impact
2. Will the proposed action result in a change in the use or intensity of use of land?
   No impact
3. Will the proposed action impair the character or quality of the existing community?
   No impact
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?
   The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?
   No impact
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?
   No impact
7. Will the proposed action impact existing:
   a. Public/private water supplies? No impact
b. Public/private wastewater treatment utilities? No impact

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?
   No impact

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?
   No impact

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?
    No impact

11. Will the proposed action create a hazard to environmental resources or human health?
    No impact

and,

BE IT FURTHER
RESOLVED, that the Planning Board recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

REBECCA ANDERSON, PLANNING BOARD MEMBER   VOTED YES
ANTHONY GORSKI, PLANNING BOARD MEMBER       VOTED YES
JOSEPH KEEFE, PLANNING BOARD MEMBER          VOTED YES
STANLEY JAY KEYS III, PLANNING BOARD MEMBER  VOTED YES
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER VOTED YES
KRISTIN MCCRAKEN, PLANNING BOARD MEMBER      VOTED YES
NEIL CONNELLY, PLANNING BOARD CHAIRMAN        VOTED YES

The Motion to Recommend was thereupon adopted.

JUNE 5, 2019
PRELIMINARY PLAT PLAN-EDWARDS MINOR 3-LOT SUBDIVISION LOCATED AT 6466 BROADWAY.
To survey and sell 1.01 acres with a two family house and three car garage. To survey and sell a 1.0 acre lot. To survey and continue the agricultural use of the remaining 73.49 +/- acres. A negative declaration is recommended based on the above mentioned.

DETERMINATION
Based on the information presented to the Planning Board, a motion was made by Rebecca Anderson to recommend approval of the Preliminary Plat Plan to the Town Board. Motion seconded by Anthony Gorski.
Roll call as follows:
Chairman Connelly-Yes
Rebecca Anderson-Yes
Anthony Gorski-Yes
Joseph Keefe-Yes
Stanley Jay Keysa III-Yes
Lawrence Korzeniewski-Yes
Kristin McCracken-Yes
Motion carried.
Planning Board Minutes
SEQR Review
June 5, 2019

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 5th day of June 2019 at 7:11 p.m. and there were

PRESENT:
REBECCA ANDERSON, PLANNING BOARD MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER
JOSEPH KEEFE, PLANNING BOARD MEMBER
STANLEY JAY KEYSA III, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
KRISTIN MCCracken, PLANNING BOARD MEMBER
NEIL CONNELLY, PLANNING BOARD CHAIRMAN

EXCUSED:
JOHANNA COLEMAN, SUPERVISOR

ALSO PRESENT:
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
KEVIN LOFTUS, TOWN ATTORNEY
CYNTHIA MACIEJEWSKI, RECORDING SECRETARY

PURPOSE OF MEETING:
IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
OFFICE/WAREHOUSE
LOCATED AT 10 LANCASTER PARKWAY

The Planning Board reviewed the Short Environmental Assessment Form on the
proposed 4,000 sq. ft. office/warehouse with on-site utility and grading improvements matter
with an item for item review and discussion of the project impact and magnitude as outlined on
the Short Environmental Assessment Form entitled “Part 2 Impact Assessment” which was
provided to each member.

PLEASE TAKE NOTICE, that the Planning Board of the Town of Lancaster, acting as an
advisory committee to provide input to the Town Board, the designated lead agency under the
State Environmental Quality Review Act (SEQRA), has reviewed the following described
proposed action, which is an unlisted action, and that committee recommends that there are
no significant adverse environmental impacts relative to the criteria found in 6 NYCRR §617.d,
and further recommends that the lead agency issue a Negative Declaration for the purposes of
Article 8 of the Environmental Conservation Law in accordance with §617.12.
NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
Kevin Loftus, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 4.13 acres.

The location of the premises being reviewed is 10 Lancaster Parkway, Lancaster, New York 14086, Erie County.

This project described as an office/warehouse on 0.14 acre physically disturbed area.

THE FOLLOWING MOTION TO OFFER A NEGATIVE DECLARATION WAS OFFERED BY MEMBER MCCracken, WHO MOVED ITS ADOPTION, SECONDED BY MEMBER KEEFE

TO WIT:

REASONS SUPPORTING RECOMMENDATION

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?  
   No impact
2. Will the proposed action result in a change in the use or intensity of use of land?  
   No impact
3. Will the proposed action impair the character or quality of the existing community?  
   No impact
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?  
   The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?  
   No impact
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?  
   No impact
7. Will the proposed action impact existing:  
   a. Public/private water supplies? No impact
b. Public/private wastewater treatment utilities? No impact

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?
   No impact

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?
   No impact

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?
    No impact

11. Will the proposed action create a hazard to environmental resources or human health?
    No impact

and,

BE IT FURTHER

RESOLVED, that the Planning Board recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

REBECCA ANDERSON, PLANNING BOARD MEMBER
VOTED YES

ANTHONY GORSKI, PLANNING BOARD MEMBER
VOTED YES

JOSEPH KEEFE, PLANNING BOARD MEMBER
VOTED YES

STANLEY JAY KEYSA III, PLANNING BOARD MEMBER
VOTED YES

LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
VOTED YES

KRISTIN MCCRACKEN, PLANNING BOARD MEMBER
VOTED YES

NEIL CONNELLY, PLANNING BOARD CHAIRMAN
VOTED YES

The Motion to Recommend was thereupon adopted.

JUNE 5, 2019
SITE PLAN APPROVAL-PROJECT #1956, OFFICE/WAREHOUSE LOCATED AT 10 LANCASTER PARKWAY. PROPOSED 4,000 SQ FT OFFICE/WAREHOUSE WITH ON-SITE UTILITY AND GRADING IMPROVEMENTS.

Anthony Pandolfe of Carmina, Wood, Morris presented the 4,000 sq ft office/warehouse which will keep the same use but have an occupancy change. The stone parking out front will remain and there will be no new curb cuts. The existing detention basin designed for the industrial park will be used for drainage. Landscaping will be added along the east side.

DETERMINATION
Based on the information presented to the Planning Board, a motion was made by Stanley Keysa to recommend approval of the Site Plan to the Town Board with the following conditions:

1. Supply dumpster facility
2. Individual signage
3. Identify each building

Motion seconded by Kristin McCracken.

Roll call as follows:
Chairman Connelly-Yes
Rebecca Anderson-Yes
Anthony Gorski-Yes
Joseph Keefe-Yes
Stanley Jay Keysa III-Yes
Lawrence Korzeniewski-Yes
Kristin McCracken-Yes

Motion carried.

Other items:

Chair Connelly would like to look further into a PDR program – Purchase of Development Rights and a TDR – Transfer of Development Rights program for the Town of Lancaster. This would require a referendum. The state encourages this type of program and often grant money is available. Concurrently, perhaps the recreation fund could be used to purchase open space if it meets certain requirements. This is something that we need to look into further. Therefore, Chair Connelly moved to form an ad hoc committee. It was seconded by Kristin McCracken. The motion passed unanimously.

Stan Keysa and Kristin McCracken will serve on this committee which should also include a Town Board member, and representatives from the Western NY Land Conservancy and Erie County Department of Environment and Planning. The Town of Clarence should be consulted and perhaps Marilla as comparable models. Town Financial Director Dave Brown should also be in the loop. The committee may find this is not a good fit for Lancaster or that it is appropriate but at a smaller level. Chapter 1 of the Town Code refers to the acquisition of open spaces and this may be an avenue already in place that will facilitate the process. Tasks for the committee would be to identify possible properties and property owners. It would determine what would be the best way to preserve such open space. The properties are sold at fair market value.

Motion was made by Chair Connelly to form a committee to look into the feasibility of using a PDR or TDR program in the Town of Lancaster, or other methods of preserving open space. Motion seconded by Kristin McCracken.
Roll call as follows:
Chairman Connelly-Yes
Rebecca Anderson-Yes
Anthony Gorski-Yes
Joseph Keefe-Yes
Stanley Jay Keysa III-Yes
Lawrence Korzeniewski-Yes
Kristin McCracken-Yes

Motion carried.

Matt Fischione, Code Enforcement Officer spoke to the board regarding three projects that cannot provide the parking required for tenants. A building permit was applied for at 4931 Transit Rd. for Rachel’s Mediterranean but the plaza behind Aldi’s does not have parking spaces for the proposed 50 seats in the restaurant. Linguine’s at 5354 Genesee St. altered their plan for a storage room into additional seating and now finds the project short of the required parking spaces for their customers. 473 Aurora St. has changed the plans involving Leo’s Pizza which removed two of the upstairs apartments and provided a mezzanine and banquet room for 50 additional seats. A parking agreement with the neighboring day care center will be considered since the properties have the same owner. A pedestrian walkway that is ADA compliant would be needed also. The land cannot support the occupancies at an already busy intersection.

Developers have the right to put up spec. buildings but to pre-determine if the parking provided is sufficient is very difficult to do. When an application is made for a new tenant the parking spaces available is reviewed. If there is not sufficient parking for that occupancy, a building permit is not issued. If changes are made to a permitted project and there is not enough parking as per code then the project is stopped. A variance has been the resolution for this problem in the past. Taking a harder look at the possible occupancies and providing for them ahead of time is a better option. Depending on the changes made to an approved site plan, an amended site plan application may be required. Review of water and sewer availability may be required on some changes to site plans.

Looking forward, there are other projects that will encounter problems with meeting the required parking spaces in relation to the actual work being conducted inside the building. Successful businesses need an appropriate site and that is the responsibility of the designer to provide. Interconnectivity of certain sites comes into question to provide parking and the cumulative effect of each project has to be considered. When parking agreements are made, all parties, including individual business owners, must be included in the discussion. Projects nearing their build out need to be monitored for compliance and if it is existing and a new business comes in and does not meet code, then an Operational Permit is not issued and the business does not open. Redevelopment projects such as the former Bowmansville school on Genesee St. is an example of a parking review that was needed to prevent future headaches. The Town of Elma issues a business license for businesses in their community.

At 7:55p.m. a motion was made by Neil Connelly and seconded by Stanley Keysa to adjourn the meeting. Motion carried.
MEMO

TO: Honorable Town Board
    Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: June 5, 2019

RE: Edwards Minor 3-Lot Subdivision

PROJECT#: 6268

LOCATION: 6466 Broadway

TYPE: Preliminary Plat Plan

RECOMMENDATION: Approval
    Roll call vote: Chair Connelly-Yes
    Rebecca Anderson-Yes
    Anthony Gorski-Yes
    Joseph Keefe-Yes
    Stanley Jay Keysa III-Yes
    Lawrence Korzeniewski-Yes
    Kristin McCracken-Yes

CONDITIONS: N/A

COMMENTS: N/A
MEMO

TO: Honorable Town Board
    Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: June 5, 2019

RE: Office/Warehouse

PROJECT#: 1956

LOCATION: 10 Lancaster Parkway

TYPE: Site Plan

RECOMMENDATION: Approval
    Roll call vote:
    Chair Connelly-Yes
    Rebecca Anderson-Yes
    Anthony Gorski-Yes
    Joseph Keefe-Yes

    Stanley Jay Keysa III-Yes
    Lawrence Korzeniewski-Yes
    Kristin McCracken-Yes

CONDITIONS:
- Supply dumpster facility
- Individual signage
- Identify each building

COMMENTS: N/A