August 5, 2020

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

Town Board Members:  Ronald Ruffino, Sr., Supervisor  
Adam Dickman  
Robert Leary  
David Mazur  

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 August 5, 2020. 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,

[signature]
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 via Teleconference Bridge, on the 5th day of August 2020 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: None

ALSO PRESENT: None

Town Board Members: David Mazur, Councilmember

Other Elected Officials: None

Town Staff: Ed Schiller, Engineering Consultant  
Emily Orlando, Deputy Town Attorney  
Matt Fischione, Code Enforcement Officer  
Cynthia Maciejewski, Recording Secretary
Meeting called to order by Chair Connelly at 7:07 P.M.

Pledge of Allegiance led by Chair Connelly.

Minutes—A motion was made by Kristen McCracken to approve the minutes from the July 15, 2020 Planning Board meeting. Motion seconded by Anthony Gorski and unanimously carried.
8.05.01 Memos dated 7/17/20 from Kevin Loftus, Town Attorney, indicating SEQR reviews will be held on 8/05/20 for Commerce Heritage and the proposed Fieldstream Subdivision.

8.05.02 SEQR response dated 7/22/20 from Erie County Department of Public Works regarding Fieldstream Subdivision.

8.05.03 Memos dated 7/21/20 from Michelle Barbaro, Park Crew Chief, indicating no issues with Commerce Heritage and the Fieldstream Subdivision.

8.05.04 Email thread between Mike Metzger, representing Lancaster Parkway, and Matt Fischione, Code Enforcement Officer, discussing timeliness and requirements for that project.

8.05.05 Email thread dated 7/20/20 - 7/21/20 between John Garas and Matt Fischione regarding property at William and Bowen.

8.05.06 Information from Matt Fischione regarding a Webinar to be presented by NYSERDA on 8/04/20 regarding their "Build - Ready" program.

8.05.07 Letter dated 7/24/20 from Victor and Dawn Rizzi indicating their interest in purchasing lot 2 at 272 Nicter Rd.

8.05.08 Letter dated 7/29/20 from Ed Schiller, Town Engineer, with comments regarding Orville's Appliance addition on Walden Ave.

8.05.09 Email thread dated 7/29/20 between Brian Kulbacki and Matt Fischione, regarding materials and requirements for the Orville's project.

8.05.10 Email dated 8/03/20 from Mike Metzger, representing the Lancaster Parkway project, in response to Matt Fischione's comment letter of 7/13/20.
Planning Board Minutes
SEQR Review
AUGUST 5, 2020

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 5th day of August 2020 at 7:17 p.m. and there were

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

EXCUSED: NONE

ALSO PRESENT: DAVID MAZUR, COUNCILMEMBER
EMILY ORLANDO, DEPUTY TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
CYNTHIA MACIEJEWSKI, RECORDING SECRETARY

PURPOSE OF MEETING:
IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
COMMERCE HERITAGE WAREHOUSE
0 WALTER WINTER DRIVE

The Planning Board reviewed the Full Environmental Assessment Form on the
construction of a 271,000 sq. ft. manufacturing and warehouse with associated infrastructure
matter with an item for item review and discussion of the project impact and magnitude as
outlined on the Full Environmental Assessment Form entitled “Part 2 Identification of Potential
Project Impacts” 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 73.26 acres.

The location of the premises being reviewed is 0 Walter Winter Drive, Lancaster, New York 14086, Erie County.

This project described as a 270,700 single story warehouse/distribution building on 19 acres physically disturbed area.

THE FOLLOWING MOTION TO OFFER A NEGATIVE DECLARATION WAS OFFERED BY MEMBER ANDERSON, WHO MOVED ITS ADOPTION, SECONDED BY MEMBER KEYSA, WITH COMMENT REGARDING BUFFER. 100’ OF BUFFER WILL BE LEFT AND VEGETATION ADDED AS PER THE LANDSCAPE PLAN WITH A 3-5 YEAR GROWTH OUTLOOK. SITE PLAN WAS APPROVED 7/15/2020 WITH THE CONDITION OF: ENGINEERING COMMENTS NEED TO BE ADDRESSED AND SPECIFICALLY, ASSURANCE THAT THE WETLANDS ARE MITIGATED.

TO WIT:

REASONS SUPPORTING RECOMMENDATION
1. Impact on land – No impact. (a) This is a fully drained site. Information submitted by the applicant showed a ½’ of ground water. Jim Churchill clarified that ground water was found at 22’ and 41’ down in two test spots.
   (e) Construction will be completed within one year
   (f) Small impact
2. Impact on Geological Features – No impact
3. Impacts on Surface Water – No impact. (j) The area will not be treated with pesticides or herbicides.
4. Impact on Groundwater – No impact
5. Impact on Flooding – No impact
6. Impact on Air – No impact
7. Impact on Plants and Animals – No impact
8. Impact on Agricultural Resources – No impact
9. Impact on Aesthetic Resources – Yes there will be an impact.
   (a) Buffer required to Heritage Trail
   (c) Moderate to large. This impact can be mitigated by retention of
       the existing buffer and adding additional buffer as needed.
   (d) This is a local recreational use. See comments in letter c.
   (e) No, if mitigated.
   (f) Adjacent to Industrial Park
10. Impact on Historic and Archeological Resources – No impact
11. Impact on Open Space and Recreation – No impact
12. Impact on Critical Environmental Areas – N/A
   - The Town of Lancaster has not established a Critical
     Environmental Area (CEA).
13. Impact on Transportation – No impact
14. Impact on Energy – Small impact due to (d), heating or cooling of
   more than 100,000 square feet of building area.
15. Impact on Noise, Odor and Light – No impact. Security lights will all
   be down lighting.
16. Impact on Human Health – No impact
17. Consistency with Community Plans – No impact. Use is to assemble
   components before shipping out. Erie County Department Environment
   and Planning noted that this would attract business to the area.
18. Consistency with Community Character – 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 KEYSAL 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.

August 5, 2020
SKETCH PLAN REVIEW-PROJECT #2020, FIELDSTREAM SUBDIVISION, S.B.L. 116.00-2-24.1 LOCATED AT 6061 BROADWAY. DEVELOPMENT OF A 52+/- LOT SINGLE FAMILY DETACHED RESIDENTIAL SUBDIVISION ON 50 ACRES OF BACKLAND, FRONTING ON WILLIAM STREET BEHIND THE LANCASTER COUNTRY CLUB GOLF COURSE. SEQR WILL NOT BE REVIEWED TONIGHT.

Ken Zollitsch of GPI Engineering was present with the developer Dave Capretto of Forbes-Capretto Homes. Forbes-Capretto is in the process of purchasing the property.

Environmental issues include:
Displacement of wildlife
Destruction of Meadows
Intrusive on grassland in that area

SEQR review-This will need a very detailed SEQR review and may not receive a Negative Declaration.
Design-This is a large number of homes on a loop street with lots extending into the wetlands. The 20’ access road to the back 9 should be modified to eliminate creating a flag lot.
The access road provides a trail for atv’s and other activities on the property. A sketch plan with fewer lots was suggested. The question was raised as to why the lot lines facing William Street do not run parallel with William Street. Lot lines within the Storm Water Retention areas need to be cleaned up.
Lots #37 and #42 are less desirable lots but affordable housing according to the developer. They are designed according to customer preferences.
Traffic-A traffic study will be required for SEQR. The traffic study is to be conducted when school is in session and the bridge is open. There is a previous study from the Windsor Ridge subdivision that does include intersection counts at William and Bowen. Mitigation at that same intersection may include the installation of turning lanes. Traffic and public safety are paramount.
Zoning-The land is zoned properly for single family homes and the lots do meet Town code.
Barrier/berm-Parcels are being encroached on by neighboring property owners so a barrier at the end of these lots would be preferred. Wetlands that are in the back will need to be monumented.
Other subdivisions would have benefitted by a barrier at the end of each lot.
The approval of a sketch plan allows for coordination to begin. Items such as the traffic study can be called for in the coordinated review after sketch plan is approved.
The Planning Board did not receive any comments from agencies such as Police, Assessor, Highway and Town Clerk which put the applicant at a disadvantage. Now is the time for comments.

DETERMINATION
A motion was made by Chair Connelly to recommend approval of the Sketch Plan. Motion seconded by Rebecca Anderson.
Roll call as follows:
Chairman Connelly-Yes
Rebecca Anderson-Yes
Anthony Gorski-Recuse
Joseph Keefe-No
Stanley Jay Keysa III-Yes
Lawrence Korzeniewski-Yes
Kristin McCracken-Yes
Motion carried.
SITE PLAN REVIEW-PROJECT #1856, LANCASTER PARKWAY COMMERCIAL DEVELOPMENT, S.B.L. #94.00-3-33.2. CONSTRUCTION OF A 11,400 SQ FT HIGH BAY STORAGE BUILDING UTILIZED FOR LEASE SPACE FOR SMALL COMMERCIAL BUSINESSES. ADDITIONAL SITE PLAN IMPROVEMENTS INCLUDE SERVICE UTILITIES TO SERVE THE BUILDING AS WELL AS ASPHALT PAVEMENT AND STORM WATER MANAGEMENT INFRASTRUCTURE.

Michael Metzger of Metzger Civil Engineering PLLC. along with Dr. Kolber, property owner presented the plans to erect one building for the purpose of leasing space to businesses on a three acre parcel. Currently Dr. Kolber has two or three tentative tenants and one is in a time crunch to move in. The same plan was submitted for an adjacent parcel to the east and has had the Wetland Permit expire. The Wetland permit for 9 Lancaster Parkway expires in September 2020. The proposed use is consistent with the area and is located in the business park. SEQR will be needed prior to approval by the Planning Board. There are currently no plans for any other buildings on this parcel.

**Easement**-There is a 50’ wide easement for drainage on the parcel and there is paving proposed over the easement. The easement is town owned and the Town would prefer the easement not be developed in any way. The applicant does not want to move the paved area but is open to suggestions.

**Landscape plan**-The landscape plan is incomplete and insufficient.

**Stormwater**-A construction fence will be installed to secure the site and maintain the less than one acre area being disturbed. One acre is the threshold for a SWPPP. The one pond provided by the business park is not sufficient in quality or quantity according to Ed Schiller, Town Engineer. The pond is marsh like and the applicant would agree to a SWPPP Permit for the project. Mike Metzger explained that the business park was built to provide water quality and retention.

**Tenants**-A building built on spec is always difficult to predict tenants and if parking proposed is sufficient. The site is monitored by Code Enforcement for code compliance. Additional parking could be made available on asphalt area. Possible tenants include: studio space for infomercials, distribution space and dental supplier.

**DETERMINATION**

A motion was made by Chair Connelly to table the Site Plan to the 8/19/2020 Planning Board meeting for review along with SEQR review. 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.
AMENDED SITE PLAN REVIEW-PROJECT #1751, ADDITION TO ORVILLE’S APPLIANCE WAREHOUSE LOCATED AT 3979 WALDEN AVENUE. DEVELOP AND CONSTRUCT A 33, 150 SQ. FT. SINGLE STORY PRE-ENGINEERED WAREHOUSE AND TRUCK DOCK ADDITION.

Andrew Marino of Tredo Engineers reviewed the addition that was presented in June, 2020. At that time there were a few items that needed to be taken care of. The dumpster will be moved to the rear of the property. The parking count has been increased to 10 spaces over the code requirement. The existing truck dock will remain and an additional dock will be added. A private hydrant will be installed and a turn-around will be provided to the south side.

Engineering-The site is comingleed with Superior Pallets. A separate SWPPP will be opened for Orville’s and the Superior Pallet will be closed. A Notice of Determination will be forwarded to the Town Supervisor to sign and close out the SWPPP.

DETERMINATION
A motion was made by Chair Connelly to recommend approving the Site Plan to the Town Board. Motion seconded by Stanley Jay Keysa III.
Roll call as follows:
Chairman Connelly-Yes                      Stanley Jay Keysa III-Yes
Rebecca Anderson-Yes                       Lawrence Korzeniewski-Yes
Anthony Gorski-Yes                         Kristin McCracken-Yes
Joseph Keefe-Yes                            
Motion carried.

Other items discussed:
272 Nichter Road-3 lot split-It is being proposed that the developer of 272 Nichter Road be allowed to build on two lots and that the third lot be restricted from development until all issues are addressed. The difficult part of this split is recording and stopping development on the third lot in the future if the issues are not addressed. The issues include site line, steep slope, speed limit and truck traffic. A mechanism to stop the building on the lot may include a deed restriction and flagging the lot in the Building Permit system. Review of the subdivision will be added to the 8/19/2020 Planning Board agenda and a condition referring to safety issues will be addressed.

Matt Fischione, CEO will continue forwarding training opportunities to the Planning Board.
Kris McCracken addressed the fact that local agencies are not responding to the request for comment. Last year a letter was sent to the Department Heads reminding them of the requirement by code. Councilmember Mazur will mention this at the next Town Board meeting.

At 9:13 p.m. a motion was made by Kristin McCracken and seconded by Rebecca Anderson to adjourn the meeting. Motion carried.
Town of Lancaster
TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

MEMO

TO: Honorable Town Board
   Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: August 5, 2020

RE: Orville’s Appliance Warehouse

PROJECT #: 1751

LOCATION: 3979 Walden Avenue

TYPE: Amended Site Plan Review

RECOMMENDATION: APPROVE
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

CONCERNS: N/A
Town of Lancaster
TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

MEMO

TO: Honorable Town Board
   Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: August 5, 2020

RE: Fieldstream Subdivision

PROJECT #: 2020

LOCATION: 6061 Broadway, S.B.L. 116.00-2-24.1
   Fronting on William Street

TYPE: Sketch Plan Review

RECOMMENDATION: APPROVE
   Roll call vote:
   Chair Connelly-Yes                Stanley Jay Keysa III-Yes
   Rebecca Anderson-Yes              Lawrence Korzeniewski-Yes
   Anthony Gorski-Recuse             Kristin McCracken-Yes
   Joseph Keefe-No                   

CONDITIONS: N/A

CONCERNS: N/A