April 21, 2021

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
Mike Wozniak

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 April 21, 2021. 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 Town Hall, 21 Central Avenue, Lancaster NY, via Zoom on the 21st day of April 2021 at 7:00 P.M. and there were present:

PRESENT:  
Neil Connelly, Chairman  
Rebecca Anderson, Member  
Joseph Keefe, Member  
Lawrence Korzeniewski, Member  
Kristin McCracken, Member

EXCUSED:  
Anthony Gorski, Member  
Stanley Jay Keysa III, Member

ALSO PRESENT:  
None

Town Board Members:  
David Mazur, Councilmember  
Mike Wozniak, 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 7:00 P.M.

Pledge of Allegiance led by Chair Connelly.

Minutes-A motion was made by Kristin McCracken to approve the minutes from the April 7, 2021 Planning Board meeting. Motion seconded by Joseph Keefe and unanimously carried.

There is a Webinar on April 29th at 7 p.m. regarding Open Government for Planning and Zoning. Land Bank training is being offered April 28, 2021.

Chair Connelly will plan on meeting in person for the May 5, 2021 Planning Board Meeting.
SITE PLAN REVIEW - PROJECT #1468, PLEASANT VIEW GARDEN APARTMENTS (S.B.L. #94.15-1-23), LOCATED AT 538 PAVEMENT ROAD. DEVELOPMENT OF 3 BUILDINGS, 24 UNIT APARTMENT PROJECT LOCATED ON A 2.20 ACRE PARCEL. THE PROJECT SITE IS PROPERLY ZONED MFMU. THE PROJECT CONSISTS OF THREE, TWO STORY BUILDINGS WITH 8 UNITS PER BUILDING, ACCESSORY GARAGES, PARKING AND ALL RELATED SITE IMPROVEMENTS.

Ken Zollitsch of GPI and Elliot Lasky, developer presented the corner parcel of the Cross Creek Development. The original idea for this parcel was to use it for a commercial plaza but over 15 years of marketing as such has been unsuccessful. The current zoning would allow for mixed use in each building similar to the building at William and Aurora Street for businesses on the first floor and residences above. This is mentioned in the Comprehensive Plan.

**Buildings**: The three buildings are uniform in size and the number of units. There are no common hallways and each unit has a separate entrance.

**Variance**: A Variance is required for the number of apartments allowed per code. Matt Fischione, CEO is still reviewing for other possible variances needed which includes the size of the signage. Notification will be sent to the neighboring properties for the variances.

**Sidewalks**: Pedestrian access will be provided along Pleasant View, Pavement and Middlebury. There is a stretch of sidewalk that has not been installed over National Fuel property but it was discussed to have this sidewalk installed by Mr. Lasky to make the pedestrian access continuous. Sidewalk at the driveways will be kept flush and ADA compliant.

**Entrances**: There will be driveways from Pleasant View and Pavement Road. An effort was made to keep traffic for the apartments off of Middlebury Lane. Ed Schiller, Town Engineer has concerns regarding the additional driveway on Pavement and suggested it be relocated to Middlebury Lane. Erie County has not yet commented on the Pavement Road access.

**Drainage**: Drainage will be accommodated at the west end of the property and then flow into the Cross Creek Subdivision Storm Water Retention Pond. The pond will be added onto along the western end to comply with regulations.

**Garages**: 8 garages are on the plan with one garage being handicap accessible.

**Landscape Plan**: The landscape plan was submitted and it was recommended to switch the Colorado Spruce to a Norway due to possible blight seen in the southern tier.

**Lighting Plan**: The lights proposed for the parking area are on the site plan but clarification of the type and a lighting schematic will be provided.

**Communication with the neighbors**: There has not been any communication between the developer and the neighbors and Mr. Lasky is not opposed to discussions with the neighboring property owners.

**SEQR**: Letters to coordinate SEQR were just sent, so a possible return date of 6/2/21 was mentioned.

**DETERMINATION**

A motion was made by Chair Connelly to table the Site Plan to a future Planning Board Meeting.

Motion seconded by Rebecca Anderson.

Roll call as follows:

Chairman Connelly - Yes  Stanley Jay Keysa III - Excused
Rebecca Anderson-Yes
Anthony Gorski-Excused
Joseph Keefe-Yes
Lawrence Korzeniewski-Yes
Kristin McCracken-Yes

Motion carried.

Other items discussed:
Chair Connelly discussed the concept of a Concept Plan. Town Code does not include Concept Plans but does not prohibit them either. Concept and Informal plans have been brought before the Planning Board on a regular basis in the past. To deny an applicant the opportunity to present a Concept Plan is a disservice and as Public servants it is the duty of the Planning Board to acknowledge requests for discussion. Bethlehem NY has a code which allows a concept plan to give preliminary feedback prior to expending substantial funds to come before the Board.
Member Anderson agreed with the value of a concept plan and explained that it meant one more meeting for them to go through but was beneficial in creating their initial submittal.
Member McCracken felt that a code change would be necessary to allow everybody the opportunity of a concept plan.
Member Korzeniewski explained the need to codify the standards and that this cannot be arbitrary in what qualifies as a submittal.
The use of Sketch Plan standards was suggested but the feeling was to accept something less than a Sketch Plan but nothing too basic.
Chair Connelly will bring in Tom Fowler and his client as an informal presentation and will look further into the need for a concept plan code.

The DEC submitted a letter regarding the Summerfield Farm encroachments after discussing with Matt Fischione.

Member McCracken discussed the Implementation Committee meeting and the grant available for writing the new comprehensive plan. An action plan is needed to proceed. May 3, 2021 there will be a Public hearing for Re-codifying the E-Code. Code changes could need some corrections and edits and this would be a great opportunity to do as a group.

At the May 5, 2021 Planning Board meeting, the Mariely Ortiz comment letter, dated November 9, 2020, will be further addressed.

At 7:50 p.m. a motion was made by Chair Connelly and seconded by Rebecca Anderson to adjourn the meeting. Motion carried.