



Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

July 7, 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 July 7, 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,

A handwritten signature in cursive script that reads "Neil R. Connelly".

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, on the 7th day of July 2021 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

EXCUSED: Kristin McCracken, Member
Councilman Mike Wozniak

ABSENT: None

ALSO PRESENT: None

Town Board Members: Councilman Dave Mazur

Other Elected Officials: None

Town Staff: Emily Orlando, Deputy Town Attorney
Ed Schiller of Wm. Schutt & Assoc.
Matt Fischione, Code Enforcement Officer
Cynthia Maciejewski, Recording Secretary

Meeting called to order by Chair Connelly at 7:00p.m.

Pledge of Allegiance led by Chair Connelly.

Roll Call of Planning Board Members

Chairman Connelly-Present

Rebecca Anderson-Present

Anthony Gorski-Present

Joseph Keefe-Present

Stanley Jay Keysa III-Present

Lawrence Korzeniewski-Present

Kristin McCracken-Excused

Minutes-A motion was made by Lawrence Korzeniewski to approve the minutes from the June 2, 2021 Planning Board Meeting with the additional information regarding the location of the trunk line for the Pavement Rd. Storage Facility. Motion seconded by Rebecca Anderson and unanimously carried.

TOWN OF LANCASTER PLANNING BOARD

COMMUNICATIONS LIST - JULY 7, 2021

- 7.07.01 SEQR response dated 2/12/21 from the NYS Parks, Recreation, and Historic Preservation, indicating no impact regarding the proposed Pleasant View Gardens Apartments.
- 7.07.02 SEQR response dated 6/03/21 from the NYS DEC regarding the proposed Car Wash at Walden Ave. at Central Ave.
- 7.07.03 SEQR response dated 6/10/21 from the NYS DOT regarding the amended site plan for Greenfield's Parking Lot Improvement, 5949 Broadway.
- 7.07.04 SEQR responses dated 5/7/21 and 6/2/21 from Erie County Division of Sewerage Management and Erie County Division of Environment and Planning, with comments regarding the amended site plan for the Angry Buffalo, Wehrle Dr.
- 7.07.05 SEQR response dated 6/21/21 from Erie County DPW with comments regarding the Pavement Rd. storage facility.
- 7.07.06 SEQR response dated 6/22/21 from NYS DEC regarding the Pavement Rd. storage facility.
- 7.07.07 SEQR responses dated 6/2/21 and 6/16/21 from the Erie County Divisions of Sewerage Management, and the Division of Environment and Planning, respectively, with comments regarding the Pavement Rd. storage facility.
- 7.07.08 Copy of Town of Lancaster Reimbursement Policy.
- 7.07.09 Copy of letter dated 7/01/21 from the Town Attorney's Office, to Ralph Lorigo, representing Kulback's Pavement Rd. storage facility, proposing changes to the Declaration of Restrictions to facilitate Town approval.
- 7.07.10 Response dated 7/02/21 from Mr. Lorigo with incorporated changes to the Declaration of Restrictions.
- 7.07.11 SEQR response dated 5/24/21 from Erie County DPW with comments regarding the proposed Car Wash on Walden at Central.
- 7.07.12 Letter dated 5/13/21 from Matt Fischione, Code Enforcement Officer, to Barb Hoy, 1765 Como Park Blvd., indicating items that will be necessary for approval of 2 lot subdivision of Schwartz Rd.

- 7.07.13 Letter dated 6/17/21 from Matt Fischione, Code Enforcement Officer, with comments regarding the 2 lot minor subdivision on Schwartz Rd.
- 7.07.14 Letter dated 6/09/21 from Ken Zollitsch, representing Pleasant View Gardens Apartments asking to be placed on the 6/16/21 agenda.
- 7.07.15 Response to above letter dated 6/10/21 from Neil Connelly, Planning Board Chair, indicating that the above project could not be placed on the upcoming agenda due to pending reviews and responses from interested agencies, as well as the need for the ZBA to rule on variances.
- 7,07.16 Letter dated 7/02/21 from Ed Schiller, Town Engineer, with comments regarding the proposed Pavement Rd. Storage Facility.
- 7.07.17 Letter dated 7/02/21 from Ed Schiller, Town Engineer, with comments regarding the Pleasant View Gardens Apartments.

Planning Board Minutes

SEQR Review

July 7, 2021

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 7th day of July 2021 at 7:04p.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
NEIL CONNELLY, PLANNING BOARD CHAIRMAN

EXCUSED: KRISTIN MCCRACKEN, PLANNING BOARD MEMBER
MIKE WOZNIAK, TOWN COUNCILMAN

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

PURPOSE OF MEETING:

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
Pavement Road Storage Facility**

East side of Pavement Rd. at Pleasant View Dr. (S.B.L. #94.00-3-15.22)

The Planning Board reviewed the Short Environmental Assessment Form 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 1.76 acres.

The location of the premises being reviewed is S.B.L. #94.00-3-15.22, East side of Pavement Rd at Pleasant View Dr., Lancaster, New York 14086, Erie County.

This project described as 2 @ 1 story storage buildings, total 26,000 sq ft and paved surface parking with 1.76 acre physically disturbed area.

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

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/Small 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	EXCUSED
NEIL CONNELLY, PLANNING BOARD CHAIRMAN	VOTED YES

The Motion to recommend was thereupon adopted.

July 7, 2021

SITE PLAN REVIEW-PROJECT #2107, PAVEMENT ROAD STORAGE FACILITY, S.B.L. #94.00-3-15.22, EAST SIDE OF PAVEMENT ROAD AT PLEASANT VIEW DRIVE. 2 @ 1 STORY BUILDINGS, TOTAL 26,000 SQ FT AND PAVED SURFACE PARKING ON 1.76 ACRE VACANT PARCEL.

Andrew Marino of Tredo Engineers presented the site plan and has submitted the deed restriction to the Town. There will be a locked gate for emergency services and the Fire Chief will have a key for the lock.

Engineering – Based on a theory of low demand, an 8” trunk line will be sufficient. PIP’s will be necessary regardless of the size or number of lines. 2 @ 6” lines would make more sense located under the driveway than under the building. An interior pipe can be shallow and needs less of a slope.

Fencing – Fencing will be located on the east property line for security and will enclose this site.

Tenants – Based on the type of tenant, applicant will determine the pipe size and the number of lines necessary. The initial tenants, that may not stay are being accommodated with a pipe that suits their needs and a new tenant may require the floor to be dug up and a different pipe installed. There will be no semi-trailers allowed on site. This will be noted in the lease agreements and signage will be installed. The Town is entering into an agreement for access to the locked gate at the rear of the parcel for emergency services.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Joseph Keefe to recommend approval of the project to the Town Board with one condition:

- 1 No tractor trailers allowed on premises

Motion seconded by Chair Connelly.

Roll call as follows:

Chairman Connelly-Yes

Rebecca Anderson-Yes

Anthony Gorski-No

Joseph Keefe-Yes

Stanley Jay Keysa III-Yes

Lawrence Korzeniewski-Yes

Kristin McCracken-Excused

Motion carried.

Planning Board Minutes
SEQR Review
July 7, 2021

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 7th day of July 2021 at 7:18p.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
NEIL CONNELLY, PLANNING BOARD CHAIRMAN

EXCUSED: KRISTIN MCCRACKEN, PLANNING BOARD MEMBER
MIKE WOZNIAK, TOWN COUNCILMAN

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

PURPOSE OF MEETING:

IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
Greenfield Health and Rehab Center
5949 Broadway

The Planning Board reviewed the Short Environmental Assessment Form 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 52 acres.

The location of the premises being reviewed is 5949 Broadway, Lancaster, New York 14086, Erie County.

This project described parking lot improvements with .25 acre physically disturbed area.

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

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:
 - c. Public/private water supplies? **No impact**

- d. 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	EXCUSED
NEIL CONNELLY, PLANNING BOARD CHAIRMAN	VOTED YES

The Motion to recommend was thereupon adopted.

July 7, 2021

SITE PLAN REVIEW-PROJECT #4163, GREENFIELD HEALTH AND REHAB CENTER LOCATED AT 5949 BROADWAY. PARKING LOT IMPROVEMENTS. RESURFACE THE FRONT PARKING LOT AND ADD ADDITIONAL PARKING SPACES.

Engineering submittal was just made today and has not been reviewed.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Chair Connelly to table the project until the 7/21/21 Planning Board meeting.

Motion seconded by

Roll call as follows:

Chairman Connelly-Yes

Stanley Jay Keysa III-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

Anthony Gorski-Yes

Kristin McCracken-Excused

Joseph Keefe-Yes

Motion carried.

PRELIMINARY PLAT REVIEW – PROJECT #2113, 2 LOT SPLIT LOCATED ON THE EAST SIDE OF SCHWARTZ, SOUTH OF BROADWAY, PROPERTY’S NORTHWEST CORNER BEGINS NEAR THE CREEK.

This property will be split into two parcels. The 20.3 acre parcel will be used for a single family dwelling and be accessible from Schwartz Road. The remaining acreage is for sale but will continue to be farmed and does front on Broadway. There is a 70’ gap in between 451 & 471 Schwartz Rd which will be used as the driveway for the single family dwelling.

This split is not a flag lot and does meet code. Member Anderson discussed the areas prone to wetness and flooding. The overlay map has not yet been administered and that would start with the Planning Board.

A survey of the entire 55 acres was requested with the portion being split off and sold noted on the survey. The submittal of 2 deeds and surveys are required for the split.

The property is in an AG district and an AG data statement was submitted.

The property owner was encouraged to reach out to the adjacent neighbors prior to the public hearing.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Chair Connelly to table the project until the 9/1/21 Planning Board meeting.

Motion seconded by Rebecca Anderson.

Roll call as follows:

Chairman Connelly-Yes

Stanley Jay Keysa III-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

Anthony Gorski-Yes

Kristin McCracken-Excused

Joseph Keefe-Yes

Motion carried.

Motion made by Chair Connelly to set a public hearing for the 2 lot split located on the east side of Schwartz Road. Motion seconded by Joseph Keefe.

Roll call as follows:

Chairman Connelly-Yes

Stanley Jay Keysa III-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

Anthony Gorski-Yes

Kristin McCracken-Excused

Joseph Keefe-Yes

Motion carried.

Other items discussed:

Chair Connelly and Member Anderson presented the Green Print from Clarence, purchase of development rights, to the Town Board. Councilman Mazur felt that the response from the Town Board was positive. The timeline for the project was discussed and the Balducci property could be accomplished earlier with grant money. Thank you to Neil and Becky for presenting to the Town Board.

Matt Fischione, CEO discussed Zombie property task force and the moratorium lifted for bank foreclosures.

Information on Air B&B's will be forwarded by Matt Fischione, CEO and is something the Board may want to discuss.

Ed Schiller, Town Engineer discussed that the Town of Clarence sets aside one meeting a year to discuss the Town's Comp Plan.

Motion made by Gorski at 7:53p.m. and seconded by Chair Connelly 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: July 7, 2021

RE: Pavement Road Storage Facility

PROJECT #: 2107

LOCATION: East Side of Pavement Rd. at Pleasant View Dr.
S.B.L. #94.00-3-15.22

TYPE: Site Plan Review

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

CONDITION: No tractor trailers allowed on premises

CONCERNS: N/A