

Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

June 15, 2022

Planning Board Members: Neil Connelly, Chairman
Rebecca Anderson
John Copas
Anthony Gorski
Joseph Keefe
Lawrence Korzeniewski

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

Engineering Consultant: Ed Schiller, Wm. Schutt & Associates

Town Attorney: Thomas Fowler, Jr.

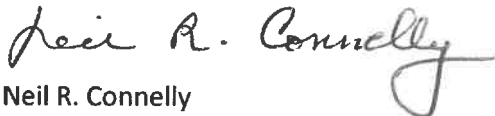
Town Highway Superintendent: John Pilato

Building & Zoning Inspector: Matthew Fischione

Ladies/Gentlemen:

Enclosed is a draft copy of the minutes from the Town of Lancaster Planning Board meeting which was held June 15, 2022. 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:sg

A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at Lancaster Town Hall, 21 Central Avenue, Lancaster, NY on the 15th day of June 2022 at 7:00 p.m. and there were present:

PRESENT: Neil Connelly, Chairman
Rebecca Anderson, Member
John Copas, Member
Anthony Gorski, Member
Joseph Keefe, Member
Lawrence Korzeniewski, Member

EXCUSED: None

ABSENT: None

Town Board Members: Councilman David Mazur

Other Elected Officials: None

Town Staff: Thomas Fowler, Jr., Town Attorney
Ed Schiller of Wm. Schutt & Assoc.
Matt Fischione, Code Enforcement Officer
Sherry Guarino, Recording Secretary

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

Pledge of Allegiance led by Chairman Neil Connelly.

Roll Call of Planning Board Members:

Chairman Neil Connelly- Present

Rebecca Anderson- Present

John Copas- Present

Anthony Gorski- Present

Joseph Keefe- Present

Lawrence Korzeniewski- Present

Minutes - A motion was made by Member John Copas to approve the minutes from the June 1, 2022 Planning Board Meeting. Motion seconded by Member Anthony Gorski.

Motion carried.

TOWN OF LANCASTER PLANNING BOARD

COMMUNICATIONS LIST FOR JUNE 15, 2022

- 6.15.01 SEQR response dated 6/03/22 from NYS DEC regarding 4401 Walden Ave.
- 6.15.02 SEQR response dated 6/09/22 from the Erie County Department of Health regarding 9 Division St.
- 6.15.03 SEQR response dated 6/10/22 from the NYS DOT regarding Robert James Sales at 4543 Walden Ave.
- 6.15.04 ZBA minutes from the 6/09/22 meeting.
- 6.15.05 Notice of Public Hearings to take place on 6/20/22 at 7:15 P.M. for Special Use Permits for cell tower located at Mohawk Place and Brazen Brewery at 5839 Genesee St.
- 6.15.06 Copy of resolution adopted by Town Board on 6/06/22 approving the site plan for the Soil Recycling Facility at 6125 Genesee St.
- 6.15.07 Memo dated 6/09/22 from John Pilato, Highway Superintendent, indicating no comment regarding amended site plan for Robert James Sales.

Planning Board Minutes

SEQR Review

June 15, 2022

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 15th day of June 2022 at 7:06 p.m. and there were

PRESENT: NEIL CONNELLY, PLANNING BOARD CHAIRMAN
REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN COPAS, PLANNING BOARD MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER
JOSEPH KEEFE, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER

EXCUSED: NONE

ALSO PRESENT: DAVID MAZUR, TOWN COUNCILMAN
THOMAS FOWLER, JR., TOWN ATTORNEY
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
SHERRY GUARINO, RECORDING SECRETARY

PURPOSE OF MEETING:

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
SITE PLAN: CROSS CREEK PHASE 9, PROJECT #5055
SBL# 94.15-1-23**

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
Thomas E. Fowler, Jr., Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 2.20 +/- acres.

The location of the premises being reviewed is 538 Pavement Rd., Lancaster, New York 14086, Erie County.

This project described as a 6 Lot Single-Family Subdivision on 2.20 acres. The site is properly zoned MFMU and includes all related site improvements as described in the project plans.

THE FOLLOWING MOTION TO OFFER A NEGATIVE DECLARATION WAS OFFERED BY MEMBER ANTHONY GORSKI, WHO MOVED ITS ADOPTION, SECONDED BY MEMBER JOHN COPAS.

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). N/A**
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:

NEIL CONNELLY, PLANNING BOARD CHAIRMAN	VOTED - YES
REBECCA ANDERSON, PLANNING BOARD MEMBER	VOTED - YES
JOHN COPAS, PLANNING BOARD MEMBER	VOTED - YES
ANTHONY GORSKI, PLANNING BOARD MEMBER	VOTED - YES
JOSEPH KEEFE, PLANNING BOARD MEMBER	VOTED - YES
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER	VOTED - YES

The Motion to recommend was thereupon carried.

June 15, 2022

DISCUSSION - The Fieldstream Subdivision located at 6061 Broadway Lancaster, New York 14086 wishes to move forward on the project. At their request Chairman Connelly motioned to schedule a Public Hearing for July 7, 2022 at 7:05 p.m.

DETERMINATION

Motion made by Chairman Connelly to set a Public Hearing on July 7, 2022 for the Fieldstream Subdivision Development. Motion seconded by Member Lawrence Korziniewski.

Roll call as follows:

Chairman Neil Connelly- YES

Anthony Gorski- YES

Rebecca Anderson- YES

Joseph Keefe- YES

John Copas- YES

Lawrence Korzeniewski- YES

Motion carried.

PRELIMINARY PLAT REVIEW – PROJECT #5055, CROSS CREEK PHASE 9, SBL# 94.15-1-23 LOCATED AT 538 PAVEMENT RD., 6 LOT SINGLE-FAMILY SUBDIVISION ON 2.20 ACRES THE SITE IS PROPERLY ZONED MFMU. IT INCLUDES ALL RELATED SITE IMPROVEMENTS AS DESCRIBED IN THE PROJECT PLANS.

The site review was previously approved on June 1, 2022 by the Planning Board.

DETERMINATION

Based on the information presented to the Planning Board a motion was made by Chairman Neil Connelly to recommend re-approval of the project to the Town Board. Motion seconded by Member John Copas.

Roll call as follows:

Chairman Neil Connelly- YES

Anthony Gorski- YES

Rebecca Anderson- YES

Joseph Keefe- YES

John Copas- YES

Lawrence Korzeniewski- YES

Motion carried.

AMENDED SITE PLAN REVIEW- PROJECT #4642, TRY-IT DISTRIBUTING, CNG STATION PARKING LOT, S.B.L. #105.00-2-2.13/A & S.B.L.#105.00-2-9.13/B, LOCATED AT 4155 WALDEN AVE., CONSTRUCT A COMMERCIAL PARKING LOT TO HOLD A MAX. OF 35 BOX TRUCKS (12'X40'), 20 DAY CABS (12'X25') AND 25 PASSENGER VEHICLES (9'X20'), AREA LIGHTING, PERMANENT SWM FACILITIES, A PERIMETER CHAIN LINK FENCE AND TWO CARD ACCESS MOTORIZED SECURITY GATES, PROJECT WILL SUPPORT LOCAL CNG DELIVERY TRUCKS.

Due to a SEQR not being completed and the Town not receiving the filing of the O&M agreements this project was taken off today's agenda.

SITE REVIEW – PROJECT #2210, BROADWAY AND BOWEN DEVELOPMENT, S.B.L. 116.31-1-3 LOCATED AT 5827 BROADWAY (US ROUTE 20) MOTEL AND MIXED-USE FACILITY, COMMERCIAL SPACE AND COFFEE SHOP ON FIRST FLOOR

Chairman Connelly stated that the Broadway and Bowen Development project appeared in front of the Zoning Board of Appeals and variances were approved. Thomas Fowler, Jr., Lancaster Town Attorney, advised the Board that his office has not received the final Storm Water Agreement from Mr. James and because of this the project is unable to go in front of the Town Board without the filing. Mr. Fowler informed Mr. James that the Supervisor's Office has signed the Agreement and it was sent back to Mr. James to be recorded with the Clerk's Office.

DETERMINATION

A motion was made by Member John Copas to recommend approval to the Town Board after the Attorney's Office receives the final Storm Water Agreement. Motion seconded by Member Rebecca Anderson.

Roll call as follows:

Chairman Neil Connelly- YES

Anthony Gorski- YES

Rebecca Anderson- YES

Joseph Keefe- YES

John Copas- YES

Lawrence Korzeniewski- YES

Motion carried.

DISCUSSION – Approve Local Law 400-75 (D) (9) Site Plan Review of the Town Code to include recommendations be provided by the Town's Planning Board prior to granting an extension.

Chairman Connelly noted this Local Law was previously approved at an earlier Planning Board Meeting. SEQR will be required due it being a Type I Action.

No discussion.

Planning Board Minutes
SEQR Review Local Law
June 15, 2022

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 15th day of June 2022 at 7:11 p.m. and there were

PRESENT: NEIL CONNELLY, PLANNING BOARD CHAIRMAN
REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN COPAS, PLANNING BOARD MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER
JOSEPH KEEFE, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER

EXCUSED: NONE

ALSO PRESENT: DAVID MAZUR, COUNCILMEMBER
THOMAS FOWLER, JR., TOWN ATTORNEY
ED SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
SHERRY GUARINO, RECORDING SECRETARY

PURPOSE OF MEETING:

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
SITE PLAN REVIEW: LOCAL LAW 400-75 (D) (9)
TOWN CODE TO GRANT AN EXTENSION**

The Planning Board reviewed the Full Environmental Assessment Form with an item for item review and discussion of the project impact and magnitude as outlined on the Full Environmental Assessment Form entitled "Part 1 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 **Type 1 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
Thomas E. Fowler, Jr., Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

Approval of Local Law 400-75 (D) (9) Site Plan Review of the Town Code to include recommendations to be provided by the Town's Planning Board prior to granting an extension.

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

TO WIT:

REASONS SUPPORTING RECOMMENDATION

1. Impact on Land – NO impact.
2. Impact on Geological Features – NO impact
3. Impacts on Surface Water – NO impact.
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 – No impact
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 – NO impact
15. Impact on Noise, Odor and Light – NO impact
16. Impact on Human Health – NO impact
17. Consistency with Community Plans – NO impact.
 - a.) The proposed action is inconsistent with local land use plans or rezoning regulations – NO impact
 - This is a less intense zoning for this area.

18. Consistency with Community Character – NO impact

a.) The proposed action may create a demand for additional community services (e.g., schools, police, and fire) – NO impact

b.) The proposed action is inconsistent with the predominant architectural scale and 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:

NEIL CONNELLY, PLANNING BOARD CHAIRMAN	VOTED - YES
REBECCA ANDERSON, PLANNING BOARD MEMBER	VOTED - YES
JOHN COPAS, PLANNING BOARD MEMBER	VOTED - YES
ANTHONY GORSKI, PLANNING BOARD MEMBER	VOTED - YES
JOSEPH KEEFE, PLANNING BOARD MEMBER	VOTED - YES
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER	VOTED - YES

The Motion to recommend was thereupon carried.

The following Motion was made by Chairman Neil Connelly to move to recommend approval of Local Law 400 – 75 (D) (9). Motion seconded by Member Anthony Gorski.

Motion Carried.

June 15, 2022

DISCUSSION - Approve Local Law amending the Code of the Town of Lancaster by updating and correcting requirements for home occupations within the Residential Districts and Zoning 400 Attachment 1, Schedule A

No discussion.

Planning Board Minutes
SEQR Review Local Law
June 15, 2022

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 15th day of June 2022 at 7:16 p.m. and there were

PRESENT: NEIL CONNELLY, PLANNING BOARD CHAIRMAN
REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN COPAS, PLANNING BOARD MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER
JOSEPH KEEFE, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER

EXCUSED: NONE

ALSO PRESENT: DAVID MAZUR, COUNCILMEMBER
THOMAS FOWLER, JR., TOWN ATTORNEY
ED SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
SHERRY GUARINO, RECORDING SECRETARY

PURPOSE OF MEETING:

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
SITE PLAN REVIEW: LOCAL LAW UPDATE/CORRECTION
REQUIREMENTS FOR RESIDENTIAL HOME OCCUPATIONS
ZONING 400 ATTACHMENT 1, SCHEDULE A**

The Planning Board reviewed the Full Environmental Assessment Form with an item for item review and discussion of the project impact and magnitude as outlined on the Full Environmental Assessment Form entitled "Part 1 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 **Type 2 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
Thomas E. Fowler, Jr., Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

Approval of Local Law 400-75 (D) (9) Site Plan Review of the Town Code to include recommendations to be provided by the Town's Planning Board prior to granting an extension.

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

TO WIT:

REASONS SUPPORTING RECOMMENDATION

1. Impact on Land – NO impact.
2. Impact on Geological Features – NO impact
3. Impacts on Surface Water – NO impact.
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 – No impact
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 – NO impact
15. Impact on Noise, Odor and Light – NO impact
16. Impact on Human Health – NO impact
17. Consistency with Community Plans – NO impact.
 - a.) The proposed action is inconsistent with local land use plans or rezoning regulations – NO impact
 - This is a less intense zoning for this area.

18. Consistency with Community Character – NO impact

a.) The proposed action may create a demand for additional community services (e.g., schools, police, and fire) – NO impact

b.) The proposed action is inconsistent with the predominant architectural scale and 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:

NEIL CONNELLY, PLANNING BOARD CHAIRMAN	VOTED - YES
REBECCA ANDERSON, PLANNING BOARD MEMBER	VOTED - YES
JOHN COPAS, PLANNING BOARD MEMBER	VOTED - YES
ANTHONY GORSKI, PLANNING BOARD MEMBER	VOTED - YES
JOSEPH KEEFE, PLANNING BOARD MEMBER	VOTED - YES
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER	VOTED - YES

The Motion to recommend was thereupon carried.

The following motion was made by Chairman Neil Connelly to move to recommend approval to update and correct requirements for home occupations within the residential district and zoning 400 Attachment 1, Schedule A. Motion seconded by Member Anthony Gorski.

Motion Carried.

June 15, 2022

Motion made by Member John Copas at 7:38 p.m. to adjourn the meeting. Seconded by Member Lawrence Korzeniewski.

Motion Carried.