

Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

April 19, 2023

Planning Board Members:

Carlo DiRienzo, Chair
Rebecca Anderson
John Copas
Anthony Gorski
Joseph Keefe
Lawrence Korzeniewski
Michael Reinhold

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 E. Fowler, Jr.

Town Highway Superintendent:

John Pilato

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 19, 2023. 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,



Carlo DiRienzo
Planning Board Chair

CD: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 19th day of April 2023 at 7:00 P.M. and there were present:

PRESENT: Carlo DiRienzo, Chair
Rebecca Anderson, Member
John Copas, Member
Anthony Gorski, Member
Joseph Keefe, Member
Michael Reinhold, Member

EXCUSED: Lawrence Korzeniewski, Member
Matt Fischione, Code Enforcement Officer

ABSENT: None

ALSO PRESENT: None

Town Board Members: Councilmember Mazur

Other Elected Officials: None

Town Staff: Emily Orlando, Deputy Town Attorney
Ed Schiller of Wm. Schutt & Assoc.
Cyndi Maciejewski, Secretary

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

Pledge of Allegiance led by Chair DiRienzo.

Minutes-A motion was made by Michael Reinhold to approve the minutes from the April 5, 2023 Planning Board Meeting. Motion seconded by John Copas.

Roll call as follows:

Chairman DiRienzo-Yes

Joseph Keefe-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Excused

John Copas-Yes

Michael Reinhold-Yes

Anthony Gorski-Yes

Motion carried.

TOWN OF LANCASTER PLANNING BOARD
COMMUNICATIONS LIST FOR
April 19, 2023

4.19.01 Letter from Jonathan Ziders, Administrative Captain Lancaster Police Department, stating no objections to 6501 Transit, West Herr Audi (town project #1902).

4.19.02 Letter from Matt Fischione, Code Enforcement Officer (CEO), to Town Planning Board offering comment on 4781 Transit Road (town project #8944).

4.19.03 Letter from Matt Fischione (CEO), to Town Planning Board offering comments on 5428 Genesee Street, Genesee Parklane Development (town project #1863).

4.19.04 Letter from Matt Fischione (CEO), to Town Planning Board offering comments on 5077 Transit Road, Basil Car Storage (town project #2031)

4.19.05 Email from Matt Fischione (CEO), informing all of project comments as he will be attending Stormwater Manager/Flood Plain Administrator Conference.

4.19.06 Email from Matt Fischione (CEO) to Councilmember Leary, Town Attorney, Town Engineer, and Planning Board Chairman describing the Special Use Permit process. Councilmember Leary was concerned to learn Lucas James, the owner of the project at Broadway and Bowen (town project #2210, which was previously approved by Planning and Zoning Boards), now wants to put Tim Hortons at this location, even though he has previously stated he doesn't want them as tenants.

4.19.07 Letter from Ed Schiller, Engineer, dated 4/18/23, regarding 4781 Transit Road.

4.19.08 Letter from Ed Schiller, Engineer, dated 4/18/23, regarding 5077 Transit Road – Basil Car Storage Building

4.19.23 Letter from Ed Schiller, Engineer, dated 4/18/23, regarding 5428 Genesee Street – Genesee Park Lane Development

Planning Board Minutes
SEQR Review
April 19, 2023

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 19th day of April, 2023 at 7:06 p.m. and there were

PRESENT: REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN COPAS, PLANNING BOARD MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER
JOSEPH KEEFE, PLANNING BOARD MEMBER
MICHAEL REINHOLD, PLANNING BOARD MEMBER
CARLO DIRIENZO, PLANNING BOARD CHAIR

EXCUSED: LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
MATT FISCHIONE, CODE ENFORCEMENT OFFICER

ALSO PRESENT: DAVID MAZUR, TOWN COUNCILMEMBER
EMILY ORLANDO, DEPUTY TOWN ATTORNEY
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
PLUMB CREEK APARTMENTS
5680 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
Thomas E. Fowler Jr., Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 3.87 acres.

The location of the premises being reviewed is 5680 Broadway, Lancaster, New York 14086, Erie County.

This project described as a multi-unit apartment complex with garages with 0.8 acre physically disturbed area.

THE FOLLOWING MOTION TO OFFER A NEGATIVE DECLARATION WAS OFFERED BY MEMBER ANDERSON, 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
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	EXCUSED
MICHAEL REINHOLD, PLANNING BOARD MEMBER	VOTED YES
CARLO DIRIENZO, PLANNING BOARD CHAIR	VOTED YES

The Motion to recommend was thereupon adopted.

April 19, 2023

REVISED SITE PLAN REVIEW – PROJECT #1143, PLUMB CREEK APARTMENTS, LOCATED AT 5680 BROADWAY. CONSTRUCTION OF A MULTI-UNIT APARTMENT COMPLEX. CONSTRUCTION OF AN ANCILLARY 6-CAR GARAGE. APARTMENTS TO BE 126’ X 60’ WITH 10 UNITS. GARAGE TO BE 112’ X 24’ TO HOLD 6 VEHICLES.

The requested letters from Erie County Water Authority and Erie County Sewer Authority have been submitted. The Design calculations are revised and resubmitted.

The Storm Water Agreement needs to be filed prior to the Town Board approval.

DETERMINATION

A motion was made by Anthony Gorski to recommend the approval of the Revised Site Plan for Plumb Creek Apartments to the Town Board. Motion seconded by Chair DiRienzo.

Roll call as follows:

Chair DiRienzo-Yes

Rebecca Anderson-Yes

John Copas-Yes

Anthony Gorski-Yes

Joseph Keefe-Yes

Lawrence Korzeniewski-Excused

Michael Reinhold-Yes

Motion carried.

REVISED SITE PLAN REVIEW – PROJECT #8944, MIXED USE DEVELOPMENT, LOCATED AT 4781 TRANSIT ROAD. REDEVELOP 8,000 SQ. FT. OF RETAIL, 14 APARTMENT UNITS AND A SEPARATE BUILDING WITH A BANK AND DRIVE THRU. RETAIL/APARTMENT BUILDING TO BE 3 STORIES AND MEASURE 35’ IN HIEGHT

Christopher Cardillo and Anthony Pandolfe presented the revised site plan to redevelop the site. The new plan addresses the original issues of the adjoining landowner. The property owner of 4781 Transit Road and the adjoining plaza owner have agreed to the repositioning of the building and the plaza owner will be deeding over a portion of property for the project to move forward. The height of the building will be reduced from 45’ to 35’ with a flat roof. No new variances are needed and two of the granted variances are no longer needed. The building will be moved to the north and the bank will remain in the same location. The loading area provides two spaces in one location. The through aisle is maintained and the design lines of the two developments now flow with one another. The footprint of the revised project is larger and includes 4 additional units. The use of the building remains unchanged. A right out only sign will be installed at the north driveway. SEQR does not need to be revisited.

DETERMINATION

A motion was made by Michael Reinhold to recommend the approval of the Revised Site Plan for 4781 Transit Road, Mixed Use Development to the Town Board. Motion seconded by Joseph Keefe.

Roll call as follows:

Chair DiRienzo-Yes

Rebecca Anderson-Yes

John Copas-Yes

Anthony Gorski-Yes

Joseph Keefe-Yes

Lawrence Korzeniewski-Excused

Michael Reinhold-Yes

Motion carried.

Planning Board Minutes

SEQR Review

April 19, 2023

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 19th day of April, 2023 at 7:23p.m. and there were

PRESENT: REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN COPAS, PLANNING BOARD MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER
JOSEPH KEEFE, PLANNING BOARD MEMBER
MICHAEL REINHOLD, PLANNING BOARD MEMBER
CARLO DIRIENZO, PLANNING BOARD CHAIR

EXCUSED: LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER

ALSO PRESENT: DAVID MAZUR, TOWN COUNCILMEMBER
EMILY ORLANDO, DEPUTY TOWN ATTORNEY
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
WEST HERR AUDI DEALERSHIP
6501 TRANSIT ROAD**

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 3.09 acres.

The location of the premises being reviewed is 6501 Transit Road, Bowmansville, New York 14026, Erie County.

This project described as a parking lot improvement with 0.19 acre physically disturbed area.

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

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
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	EXCUSED
MICHAEL REINHOLD, PLANNING BOARD MEMBER	VOTED YES
CARLO DIRIENZO, PLANNING BOARD CHAIR	VOTED YES

The Motion to recommend was thereupon adopted.

April 19, 2023

AMENDED SITE PLAN REVIEW – PROJECT #1902, WEST HERR AUDI DEALERSHIP, LOCATED AT 6501 TRANSIT ROAD. IMPROVE EXISTING PARKING LOT WITH ADDITIONAL PARKING SPACES FACING TRANSIT ROAD FOR DISPLAYING NEW VEHICLES. ALSO IMPROVE EXISTING PARKING LOT CIRCULATION AND SAFETY BY ADDING DRIVEWAY AROUND EAST SIDE OF EXISTING BUILDING.

Andrew Gow, Nussbaumer & Clarke, presented the amended site plan which will add 22 parking spaces and improve lot circulation. A setback variance is needed to remove 10' of green space but still provides a 90' setback due to the right of way. No line of vision will be impaired. This is a minor alteration to the approved site plan.

DETERMINATION

A motion was made by Joseph Keefe to table the Amended Site Plan for West Herr AUDI Dealership. Motion seconded by Michael Reinhold.

Roll call as follows:

Chair DiRienzo-Yes

Rebecca Anderson-Yes

John Copas-Yes

Anthony Gorski-Yes

Joseph Keefe-Yes

Lawrence Korzeniewski-Excused

Michael Reinhold-Yes

Motion carried.

AMENDED SITE PLAN – PROJECT #2031 BASIL CAR STORAGE BUILDING, LOCATED AT 5077 TRANSIT ROAD. CONSTRUCTION OF 15,000 SQ. FT. STORAGE BUILDING WITH AN ADDITIONAL FIFTEEN (15) PARKING SPACES. DEVELOPMENT WILL ALSO INCLUDE THE PARTIAL DEMOLITION OF ONE EXISTING BUILDING LOCATED ON THE PROJECT SITE.

Anthony Pandolfe, Carmina Wood Design presented the amendment which will allow a portion of the original building to remain and create a 10' separation between buildings by shifting the building forward. The buildings will be numbered 1-4 and an Access Management Agreement has been filed with the Town Attorney. The fire access lanes are identified and the dumpster onsite will be shared and serviced accordingly. No additional lighting will be provided and a demo permit has been issued by the building department.

DETERMINATION

A motion was made by Anthony Gorski to recommend the approval of the Amended Site Plan for Basil Car Storage Building to the Town Board. Motion seconded by Michael Reinhold.

Roll call as follows:

Chair DiRienzo-Yes

Joseph Keefe-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Excused

John Copas-Yes

Michael Reinhold-Yes

Anthony Gorski-Yes

Motion carried.

Other items discussed:

Council member Mazur has scheduled two public hearings to review the proposed RV code and will review with the Planning Board at the May 3rd. meeting.

This fall there will possibly be a referendum for a town park to be located in the south end of the town.

Motion made by Chair DiRienzo at 7:40p.m. to adjourn the meeting. Seconded by John Copas. 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: April 19, 2023

RE: Plumb Creek Apartments

PROJECT #: 1143

LOCATION: 5680 Broadway

TYPE: Revised Site Plan

RECOMMENDATION: APPROVE
Roll call vote:
Chair DiRienzo-Yes
Rebecca Anderson-Yes
John Copas-Yes
Anthony Gorski-Yes
Joseph Keefe-Yes
Lawrence Korzeniewski-Excused
Michael Reinhold-Yes

CONDITION: 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: April 19, 2023

RE: Mixed Use Development

PROJECT #: 8944

LOCATION: 4781 Transit Road

TYPE: Revised Site Plan

RECOMMENDATION: APPROVE
Roll call vote:
Chair DiRienzo-Yes
Rebecca Anderson-Yes
John Copas-Yes
Anthony Gorski-Yes
Joseph Keefe-Yes
Lawrence Korzeniewski-Excused
Michael Reinhold-Yes

CONDITION: 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: April 19, 2023

RE: Basil Car Storage Building

PROJECT #: 2031

LOCATION: 5077 Transit Road

TYPE: Amended Site Plan

RECOMMENDATION: APPROVE
Roll call vote:
Chair DiRienzo-Yes
Rebecca Anderson-Yes
John Copas-Yes
Anthony Gorski-Yes
Joseph Keefe-Yes
Lawrence Korzeniewski-Excused
Michael Reinhold-Yes

CONDITION: N/A

CONCERNS: N/A