

Town Board Minutes

June 15, 2020

Meeting No. 12

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held via teleconference on the 15th day of June 2020 at 7:00 P.M. and there were

PRESENT: ADAM DICKMAN, COUNCIL MEMBER
ROBERT LEARY, COUNCIL MEMBER
DAVID MAZUR, COUNCIL MEMBER
RONALD RUFFINO, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
MICHELLE BARBARO, PARK CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.

PERSONS ADDRESSING TOWN BOARD:

Matthews, Jeff, spoke to the Town Board on the following matter:

- Comments regarding Lancaster Ponytails practice and games.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MAZUR, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held June 1, 2020 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 15, 2020

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MAZUR, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 61286 to Claim No. 61382 Inclusive

Total amount hereby authorized to be paid: \$856,533.49

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 15, 2020

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER MAZUR WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER LEARY, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B of the Code of the Town of Lancaster are waived for this permit.
 (CSW) = Conditional sidewalk waiver
 (V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
OP2020-31		Phantom Fireworks East. Region	6707 Transit Rd	Operational Permit	
30928		Raphael Rodriguez	1 Tranquility Trl	Er. Pool-Abv Grnd	
30959		William Bonczar	57 Tranquility Trl	Er. Shed	
30987		Marrano/Marc Equity Corp.	128 Avian Way	Er. Dwlg.-Sin.	
30988		Donald Fleming	19 Rue Madeleine Way	Er. Fence	
30995		MGB Design	22 Rue Madeleine Way	Er. Res. Add.	
30998		Hannah Demolition Inc.	31 Pleasant Ave	Dem. Sin. Dwlg	(V/L)
31000		Christian Pawlak	20 Weathersfield Ln	Er. Shed	
31001		Christian Pawlak	20 Weathersfield Ln	Er. Deck	
31015		Timothy Wanat	30 Greenmeadow Dr	Er. Shed	
31018		William Bonczar	57 Tranquility Trl	Er. Fence	
31023		Amati Contractor Services LLC	43 Robert Dr	Er. Res. Alt.	(V/L)
31025		Giuseppe Marcello	9 Daniel Dr	Er. Deck	
31026		NBS Roofing	1 Ann Marie Dr	Re-Roof	
31027		Niagara Building Systems	48 Wren Ave	Re-Roof	(V/L)
31028		Niagara Building Systems	52 Wren Ave	Re-Roof	(V/L)
31029		Antoinette Addeo	31 Greenmeadow Dr	Er. Shed	
31030		Mark Boody	82 S Irwinwood Rd	Er. Pool-Abv Grnd	(V/L)
31031		Adam Rivers	4 Traceway	Er. Porch/Porch Cover	
31033		Christopher Abato	109 Avian Way	Er. Fence	
31034		Christopher Rusinski	22 Roosevelt Ave	Er. Fence	(V/L)
31035		Chameleon/JES Operations	5 Bennington Ln	Er. Pool-In Grnd	
31037		Jeffrey Grieve	3672 Bowen Rd	Re-Roof	
31039		James Costa	8 Northwood Dr	Inst. Generator	
31040		Michael Barone	16 Magrum Ln	Er. Fence	
31041		Besroi Construction	28 Tanglewood Dr	Re-Roof	
31042		Besroi Construction	2 Nottingham Ln	Re-Roof	
31043		All Access Builders LLC	70 Pheasant Run Ln	Re-Roof	
31044		Besroi Construction	44 Holland Ave	Re-Roof	(V/L)
31045		Besroi Construction	24 Chicory Ln	Re-Roof	
31046		Besroi Construction	6181 Broadway	Re-Roof	
31047		Besroi Construction	650 Pleasant View Dr	Re-Roof	
31048		JLB Installations	44 Worthington Ln	Er. Pool-In Grnd	
31049		Besroi Construction	26 Beatrix Cir	Re-Roof	
31050		Besroi Construction	7 Heritage Dr	Re-Roof	
31051		Tom Crean	41 Chestnut Corner	Er. Fence	
31052		R & D Contracting	6 Blackstone Ct	Er. Deck	
31053		House Crafters LLC	109 Simme Rd	Re-Roof	
31054		Carol Burr	44 Grant St	Er. Fence	(V/L)
31055		Peter Sortisio	40 Via Donato E	Er. Fence	
31056		RRNYGC LLC	76 Avian Way	Re-Roof	
31057		Daniel Miller	14 Waltham Ave	Dumpster - Temp.	(V/L)
31058		Megan Geary	42 S Irwinwood Rd	Er. Pool-Abv Grnd	(V/L)
31059		Bradley Swiech	75 Camner Ave	Er. Pool-Abv Grnd	(V/L)
31060		Norman Hamilton	540 Ransom Rd	Er. Shed	
31061		Flexlume Sign Corp.	3619 Walden Ave	Er. Signs	(V/L)
31064		Castle Home Improvements	59 Cotton St	Re-Roof	(V/L)
31065		John Pawelski	71 Country Pl	Er. Fence	
31066		Decks Unlimited Construction	18 Hidden Trl	Er. Deck	
31067		Stacy Wind	1 Rose St	Er. Pool-Abv Grnd	
31068		Thomas Witnauer	258 Warner Rd	Er. Fence	
31070		D Allen & Son Contracting Inc.	3710 Bowen Rd	Re-Roof	
31071		Timothy Tuburdyke	9 Impala Pky	Er. Porch	

31074	Michael Hendershot	19 Michaels Walk	Er. Fence
31076	Christina Hoinski	18 Oakwood Comm	Er. Fence
31078	Switala's Siding Cedar Inc.	280 Westwood Rd	Re-Roof
31080	Mark Glofka	5104 William St	Er. Fence
31081	Tramontana Contracting Co.	4887 William St	Re-Roof
31082	Home Power Systems LLC	5 Parliament Ln	Inst. Generator
31083	Luther Enterprises	71 Williamsburg Ln	Er. Pool-In Grnd
31084	Luther Enterprises	71 Williamsburg Ln	Er. Fence
31085	Buffalo's Best Roofing	48 Deerpath Dr	Re-Roof
31087	Norbert Rzeszutek	1211 Penora St	Er. Fence
31088	Nicholas Ponichtera	48 Middlebury Ln	Er. Shed
31093	Excel Fence Inc.	8 Glendale Dr	Er. Fence
31094	Cory Skok	201 Nathan's Trl	Er. Fence
31095	Charlene Mays	6383 Broadway	Er. Dwlg.-Dbl.
31098	Steven Wysocki	25 Stutzman Rd	Er. Res. Alt.
31101	Built Rite Construction	730 Pavement Rd	Er. Garage
31102	Rick Stefanone	66 Sterling Pl	Er. Fence

BE IT FURTHER,

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 15, 2020

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER LEARY, TO WIT:

WHEREAS, the Lancaster New York Historical Society, a duly chartered not-for-profit educational corporation under the laws of New York, leases from the Town of Lancaster, Lancaster Schoolhouse No. 6, located at 3703 Bowen Road in the Town of Lancaster, and

WHEREAS, the Lancaster Schoolhouse No. 6 is listed on the National Register of Historic Places by the National Park Service, and

WHEREAS, the Historical Society desires to place an official marker identifying the Schoolhouse's National Register listing on the property located at 3703 Bowen Rd. at no cost to the Town.

NOW THEREFORE,

BE IT RESOLVED, The Town Board of the Town of Lancaster hereby approves the request of the Lancaster New York Historical Society to place a National Register marker on the grounds at 3703 Bowen Rd., Lancaster NY 14086.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 15, 2020

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MAZUR, TO WIT:

WHEREAS, John Trojanowsky, Director for the Town of Lancaster Youth Bureau, by letter dated May 28, 2020, has recommended the appointment of Cindy Stypa to the position of Clerk Typist in the Town of Lancaster Youth Bureau, and

WHEREAS, Cindy Stypa is eligible for appointment to this position pursuant to the standards and procedures as set forth in the Civil Service Law.

NOW, THEREFORE,

BE IT RESOLVED, that Cindy Stypa of Lancaster, New York, be and is hereby appointed to the position of Clerk Typist in the Town of Lancaster Youth Bureau, contingent upon approval by Erie County Department of Personnel, effective June 22, 2020 and that such appointment shall be subject to all applicable provisions of the collective negotiations agreement between the Town of Lancaster and the CSEA White Collar Union and all applicable provisions of law, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 15, 2020

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER LEARY, TO WIT:

WHEREAS, the COVID-19 pandemic has led to necessary closures of lawfully operating restaurants in the Town of Lancaster; and

WHEREAS, outdoor dining at lawfully operating restaurants and food establishments are subject to certain provisions and land use restrictions under the Town Zoning Code and

WHEREAS, the Town Board is mindful of both the public health concerns and the public interest of safely and gradually reopening businesses; and

WHEREAS, allowing restaurants and food establishments, where feasible, the opportunity to reopen for the safe conduct of outdoor dining, subject to the approval and conditions set forth, is a prudent measure that rationally balances those public interests.

NOW THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes temporary outside dining per New York State guidelines and;

BE IT FURTHER,

RESOLVED, that Town of Lancaster Code Enforcement Officer is hereby authorized to issue temporary operational permits at no expense to the applicant, for patio style dining areas which will address any setback, parking and safety issues. This resolution shall take effect immediately upon its adoption by the Town Board and remain in effect until further resolution of the Town Board.

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 15, 2020

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MAZUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER LEARY, TO WIT:

WHEREAS, the Town Board is considering the proposal submitted by Jacob Metzger of Metzger Civil Engineering for the subdivision of a parcel into two (2) separate lots on a +/- 0.88 acre parcel, located at the corner of Broadway at Sawgrass Lane, (SBL# 116.08-1-41), in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Planning Board has reviewed the environmental impact of this expansion project pursuant to SEQR regulations at their meeting on June 3, 2020 and recommended a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the expansion project using the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act ("SEQRA") regulations, and such other information deemed appropriate, including the recommendation of the Town of Lancaster Planning Board; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled an "Unlisted" action under SEQRA.

NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Lancaster that:

1. This project is described as subdividing an original lot into 2 separate building lots on a +/- 0.88 acre parcel located at the corner of Broadway at Sawgrass Lane, (SBL# 116.08-1-41), in the Town of Lancaster, and will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.

2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.

3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.

4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

June 15, 2020

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: June 15, 2020

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Lancaster has reviewed the subdivision of a parcel into two (2) separate lots on a +/- 0.88 acre parcel, located at the corner of Broadway at Sawgrass Lane, (SBL# 116.08-1-41), in the Town of Lancaster, and the Town Board has determined that the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: 2-Lot Subdivision

Location of Action: Broadway and Sawgrass Lane., (SBL# 116.08-1-41), Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted

Description of Action: The project is described as the subdivision of a parcel of land at the corner of Broadway and Sawgrass Lane in the Town of Lancaster into two (2) separate lots.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

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 or 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.**

For Further Information:

Contact Person: Kevin E. Loftus, Town Attorney

Address: Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Telephone Number: (716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MAZUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER LEARY, TO WIT:

WHEREAS, Jacob Metzger has submitted a proposed Preliminary Plat Plan, assembled by Metzger Civil Engineering, dated March 23, 2020, for the subdivision of a parcel into two (2) separate lots on a +/- 0.88 acre parcel, located at the corner of Broadway at Sawgrass Lane, (SBL# 116.08-1-41), in the Town of Lancaster, and

WHEREAS, the Preliminary Plat Plan for this project was submitted to the Planning Board and was recommended for approval at their June 3, 2020 meeting, and

WHEREAS, the Town, acting as lead agency had previously completed an environmental review in conformance with SEQR (State Environmental Quality Review) regulations and on June 15, 2020 a Negative Declaration was issued.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Preliminary Plat Plan, dated March 23, 2020, for the subdivision of a parcel into two (2) separate lots on a +/- 0.88 acre parcel, located at the corner of Broadway at Sawgrass Lane, (SBL# 116.08-1-41), in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 15, 2020

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER LEARY, TO WIT:

WHEREAS, Michelle Barbaro, the Town of Lancaster’s Parks, Recreation & Forestry Department’s Crew Chief, has requested the Town Board approve expending funds for certain drainage work including topsoil lawn restoration and removal of debris at Walden Pond Park diamonds four and five, and

WHEREAS, the Park Crew Chief, solicited three (3) quotes in accordance with the Town of Lancaster’s Procurement Policy, and

WHEREAS, by letter dated June 3, 2020, the Park Crew Chief has recommended that the Town of Lancaster authorize Wolf’s Nursery Inc., 6083 Fisk Rd., Lockport, NY 14094 to perform this work, per its lowest quoted price of \$31,301.00 dated June 1, 2020, and

WHEREAS, this project will be paid for with funds from the Town of Lancaster’s Recreation Filing Fees, 37-7000-200.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute and accept the quote of Wolf’s Nursery Inc. 6083 Fisk Rd., Lockport, NY 14094 for the drainage work to be performed at Walden Pond in accordance with their quote dated June 1, 2020, for an amount not to exceed \$31,301.00, and to be paid for with funds from the Town of Lancaster’s Recreation Filing Fund, 37-7000-200.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 15, 2020

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER LEARY WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER DICKMAN, TO WIT:

WHEREAS, the consulting Engineer DiDonato Associates, Engineering, and Architecture P.C. has requested that the Town Board authorize an invitation to bid for the proposed reconstruction of Aurora street over the Cayuga Creek Bridge Rehabilitation, and

WHEREAS, the Town Board has given due review and consideration to the request made by DiDonato Associates, Engineering and Architecture P.C. with additional consultation from Town Engineer Edward Schiller, and deems it in the public interest to invite public bids in conformance with the General Municipal Law §103 of the State of New York.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bid for the proposed reconstruction of Aurora street over the Cayuga Creek Rehabilitation, said bids are to be in conformance with the plans and specifications which are available at the office of DiDonato Associates, Engineering, and Architecture P.C., 689 Main St. Buffalo NY 14203 and to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on July 9, 2020 and opened thereafter.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 15, 2020

NOTICE TO BIDDERS

FOR THE

AURORA STREET OVER CAYUGA CREEK BRIDGE REHABILITATION, BIN 3213250, PIN: 5762.97 IN THE TOWN OF LANCASTER

Sealed bids for the proposed Reconstruction of Aurora Street over Cayuga Creek Bridge Rehabilitation in the Town of Lancaster will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on July 9, 2020, at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the CONSULTING ENGINEER, DiDonato Associates, Engineering and Architecture, P.C., 689 Main Street, Buffalo, New York 14203 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays beginning June 18, 2020.

Contract Documents for the Reconstruction of Erie Street Culvert over Branch of Plum Bottom Creek in the Town of Lancaster may be obtained at the office of the CONSULTING ENGINEER upon deposit of \$50.00 per set [two (2) checks of \$25.00 each payable to the CONSULTING ENGINEER]. If requested in writing, the CONSULTING ENGINEER will mail the Contract Documents to those wishing to obtain a set upon receipt of the \$50.00 deposit plus a non-refundable mailing charge of \$25.00 per set, made payable to the CONSULTING ENGINEER. Bidders will receive a refund of the entire deposit upon returning plans and specifications in good condition within thirty (30) days of the bid award; non-bidders will be refunded one-half of the deposit upon the return of such plans and specifications in good condition within the thirty (30) days following the award of the Contract.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the Town of Lancaster, for a sum equal to five percentum (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percentum (5%) of such total bid amount, conditioned that if the proposal is accepted, that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

All bid deposits except that of the successful bidder will be returned.

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Contract Documents, or fails to give the further security prescribed in this Notice, with the same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids.

Consulting Engineers:
DiDonato Associates, Engineering and Architecture, P.C.
689 Main Street
Buffalo, NY 14203
(716) 656-1900

By the Order of the Town Board of
Lancaster, Erie County, New York

Diane Terranova
Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER DICKMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MAZUR, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster held a public hearing pursuant to Chapter 50-Zoning Section 17 (F) of the Code of the Town of Lancaster, upon the application of **Richard J. Koch**, for a Special Use Permit for a Home Occupation (C.P.A. Office) on premises located at 60 Michael's Walk, Lancaster, New York, and the Board issued such Special Use Permit on June 16, 2008, this Special Use Permit is subject to renewal upon application by the resident, and

WHEREAS, **Richard J. Koch** has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Code Enforcement Officer has recommended his approval of this Special Use Permit in his letter dated June 9, 2020.

NOW THEREFORE,

BE IT RESOLVED, as follows:

1. That pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Richard J. Koch**, for a Home Occupation (C.P.A. Office) on premises located at 60 Michael's Walk, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning June 16, 2020 and continuing through June 16, 2022, and

2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Section F, of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely

- a. This Special Use Permit terminates when the applicant no longer resides on the premises.
- b. Permit must be renewed every two (2) years at no additional cost to applicant.
- c. Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 15, 2020

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER DICKMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER LEARY, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 46 of the Code of the Town of Lancaster, upon the application of **Timothy Packman**, of **Lancaster Speedway Properties LLC** for a Special Use Permit to for a Special Use Permit to operate a motor sport speedway/dragway on premises locally known as 57 Gunnville Road, in the Town of Lancaster, Erie County, New York, and the Board issued such Special Use Permit on June 18, 2018 and this Special Use Permit is subject to annual renewal upon application by the property owner, and

WHEREAS, **Sylvia Antonicelli** of of **New York International Raceway Park** has requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Supervising Code Enforcement Officer has recommended his approval of this Special Use Permit Renewal in his letter dated May 28, 2020.

NOW THEREFORE,

BE IT RESOLVED, as follows:

1. That pursuant to that to Chapter 50-Zoning, Article VI. Industrial Districts, Section 24(B)(1)(f), entitled “Light Industrial (LI)” of the Code of Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Sylvia Antonicelli**, of **New York International Raceway Park** for a Special Use Permit to operate a motor sport speedway/dragway on premises locally known as 57 Gunnville Road in the Town of Lancaster, New York, upon the conditions as set forth in the Zoning Ordinance and the following conditions:

- A. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting an application to the Town Clerk, on or before June 15, 2022.
- B. Applicant will obtain and provide proof of a valid New York State Business License from the appropriate regulatory agency for the service being provided.
- C. Applicant will provide an activity schedule to the Town Clerk and Town Police Department each year prior to the opening of the speedway.
- D. Applicant will adhere to the provided activity schedules and provide advance notification of any schedule changes to the Town Clerk and the Town Police Department.
- E. Applicant will strictly conform to the specified hours of operation as stated in Chapter 38-Noise, Section 7(D) of the Code of the Town of Lancaster. Failure to comply will result in penalties as outlined in Chapter 38, Section 8 being imposed.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 15, 2020

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MAZUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER DICKMAN, TO WIT:

WHEREAS, Natale Builders, Inc. (the “Applicant”) has submitted an application to the Town of Lancaster (the “Town”) to develop a 24 +/- lot single-family residential subdivision of 24 homes (the “Project”) located on approximately 9.7 +/- acres located west of Stutzman Road in the Town (the “Property”); and

WHEREAS, the Town of Lancaster Town Board (the “Town Board”) has established itself as the Lead Agency pursuant to the State Environmental Quality Review Act (“SEQRA”) and the Town Board hereby ratifies such designation; and

WHEREAS, the Town Board has determined that the Action is an “Unlisted” action under SEQRA; and

WHEREAS, the Town Board has issued a Positive Declaration of significance under SEQRA; and

WHEREAS, the Applicant submitted a Draft Scope for the Draft Environmental Impact Statement (“DEIS”), which has been subject to a public scoping meeting and comment period; and

WHEREAS, the Town of Lancaster Planning Board, Town Board, its professional consultants, the public, and all interested and involved agencies have had the opportunity to review and comment on the Draft Scope, all of which have been considered and, where appropriate, used to revise the document to consider all legitimate issues and potential mitigation measures concerning the proposed Project;

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. The Final Scope for the Project’s Draft Environmental Impact Statement, a copy of which is attached and incorporated herein, is hereby adopted.
2. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER LEARY	VOTED	YES
COUNCIL MEMBER MAZUR	VOTED	YES
SUPERVISOR RUFFINO	VOTED	YES

June 15, 2020

Draft Environmental Impact Statement
FINAL SCOPE

Name of Action: Stutzman Road Subdivision (the “Project”)

Applicant: Natale Builders, Inc.

Lead Agency: Town of Lancaster Town Board

This Final Scope is intended to define the extent of potential significant adverse environmental impacts to be addressed in the Draft Environmental Impact Statement (“DEIS”), required by the Town of Lancaster Town Board, as Lead Agency pursuant to the State Environmental Quality Review Act (“SEQRA”).

The Applicant seeks the necessary approvals and/or permits to develop a 24 +/- lot single-family residential subdivision development located on approximately 9.7 +/- acres of land located west of Stutzman Road in the Town of Lancaster, New York, designated as SBL 93.10-1-5.2. Additional work includes installation of the roadway and all necessary site infrastructure to service the development.

The DEIS shall include an evaluation of all listed topics. In accordance with Section 617.9(b) of the SEQRA regulations, the evaluation of potential adverse environmental impacts shall consist of relevant and material facts on the project’s potential significant adverse environmental impacts. The DEIS shall be analytical, but not encyclopedic. Pertinent data and conclusions that originate from other technical studies, reports or calculations need only be summarized in the DEIS with a reference to the source of such data or conclusions.

The following Scope is intended to provide specific direction on the preparation of the Draft Environmental Impact Statement (DEIS) for the referenced project.

I. Cover Sheet

The Cover Sheet shall contain all information required under SEQRA, Part 617.9(b)(3)(i)-(vii).

II. Table of Contents

This section will identify all relevant sections of the DEIS and shall indicate page numbers. Appendices shall also be referenced.

III. Executive Summary

The Summary section of the DEIS shall contain:

- A brief description of both the overall project proposal and each significant element of the project;
- Significant beneficial and adverse impacts;
- Mitigation measures proposed;
- Alternatives considered; and
- Regulatory requirements.

IV. Description of the Proposed Action

A. Project Purpose, Need and Benefits

This section shall identify the background of the proposal and project, including public need, market needs, objectives of the project sponsor, and discussion of potential social, economic and other benefits related to the proposal and project. An overview of the zoning requirements of the project area will be presented. The project area is comprised of approximately 9.7 acres within the R1 zone.

B. Location

This section shall establish the geographic location of the project area, using location map(s) of suitable scale and identifying known landmarks such as street names, adjacent buildings, and other facilities, etc.

C. Design and Layout

This section shall depict and describe the existing and proposed access to the site, existing and proposed zoning, and the current and proposed development on the site and the adjacent parcels.

This section will also include the following:

- A comprehensive metes and bounds survey map delineating what is being proposed at the project site and where, including but not limited to all structures, paved areas, pedestrian access, landscaping, buffer areas, utilities, etc.;
- Description of zoning and planning processes and required approvals;
- Total site area and individual tax parcel identification;
- Total proposed impervious area and ratio of green space versus impervious area for the project, along with the total amount of land to be disturbed;
- Total building area as well as a description of the height, square footage, number of floors, etc. of each proposed structure. Architectural building elevations shall be included as part of the DEIS;
- Discussion of existing and proposed vehicular, pedestrian and bicycle access routes and intersections to serve the project, including which intersections will be ADA compliant;
- Total parking requirements and layouts;
- Discussion of proposed traffic control features and patterns (pedestrian crossings, traffic control signals, etc.);
- Summary of existing and proposed drainage improvements, sanitary sewers and water supply;
- Proposed and existing buffers and areas to be preserved;
- All areas to be disturbed;
- Location and ownership of all proposed public and private improvements, including specification of and reference to existing deed, rights of way, easements, licenses and all other rights to use, occupancy or ownership claimed by the project sponsor or any entity affiliated with or under contract to the project sponsor;
- Proposed lighting levels, including spacing, fixture type, height and location;
- Stormwater Management Facility – identify location of all discharge points;
- Brief description of all proposed project components (homes, separate garages or other accessory structures, etc.);
- Listing of all local, state and federal permits and approvals from the Interested and Involved reviewing agencies needed to construct the project;
- Description and location of any State or Federal regulated wetlands;
- Discussion of pedestrian and bicycle trails linkage between the project area and surrounding facilities;
- Total acreage of developed and undeveloped lands;
- Discussion regarding how the project is consistent with all applicable planning documents, including the following:
 1. Town of Lancaster Comprehensive Master Plan;
 2. Lancaster-Depew Comprehensive Master Plan
 3. Town of Lancaster, Village of Lancaster, and Village of Depew Plan for the Future

- All proposed buffers identified throughout the DEIS will be clearly depicted on the site plan. Photo simulations or other three dimensional models of the proposed buffer areas will also be provided; and
- All curb cut alignments will be clearly shown on the site plan in order to evaluate how they relate to existing curb cuts.

D. Neighborhood Input / Communications

This section shall identify meetings and communications from neighboring businesses and residents for the project, as well as identifying any concerns raised by the neighbors through their communications. A description of any future planned meetings and how they will be coordinated shall also be provided.

E. Approvals

This section shall include a discussion of how the project complies with all applicable permit and approval standards, including but not limited to the Town of Lancaster Planning Board, Building Inspector, Code Enforcement Officer, Engineering Department, Highway Department, and Town Board; the U.S. Army Corps of Engineers; New York State Department of Environmental Conservation (“NYSDEC”); New York State Office of Parks, Recreation, and Historic Preservation (“SHPO”); Erie County Department of Health (“ECDOH”); Erie County Department of Environmental Planning (“ECDEP”); Erie County Department of Sewerage Management (“ECDSM”), and any other required approvals and/or permits. This section shall also include a detailed justification for any need for proposed relief from any applicable zoning regulations.

This section shall also identify permits and approvals from the all local, regional and state agencies, including but not limited to those listed above.

F. Construction and Operation

This section shall identify the proposed schedule for site preparation activities and for construction of all onsite and offsite improvements for the project, as well as a discussion of any proposed project phasing including the particular preparation, construction, facilities, infrastructure improvements, and other activities that will be completed during each phase. This section shall also identify maintenance responsibilities and funding sources.

A description of site preparation and construction methods will be presented that identifies any and all noise impacts, any need for blasting, and any need for environmental remediation.

Permitted construction hours, access for construction vehicles, storage of equipment and materials will also be discussed. The amount of imported or exported material, coordination with peak hour traffic and maintenance and protection of traffic plans in the proposed project site and on all public highways bordering the site will also be provided.

V. Environmental Setting

A. Geology, Soils and Topography

This section should include a detailed description of the existing site conditions including generalized subsurface geology, surface topography, seasonal high groundwater depth, and surface soils. Maps shall be included showing surface topographic contours and soils mapping (list of soil types, soil classification, soil groups, etc. per USDA Erie County Soil Survey).

An acceptable geotechnical report will also be utilized to identify soil

conditions and types. Include a discussion of any development limitations, hydrologic classification, and the presence of hydric or potentially hydric soils. Soil permeability consistent with NYSDEC guidelines for infiltration analysis will also be included.

B. Surface Water

A description of the stormwater drainage patterns, surface water bodies, and floodplains of the project site and the surrounding basin area should be outlined in this section. This should include a condition assessment of the drainage pipe that runs under Schmitt's Garage and a description of ultimate disposition of the surface water from the site. Information regarding ownership and maintenance responsibilities for the drainage pipe also need to be disclosed. All discharge points and downstream receiving waters shall be identified.

Projections shall be made of stormwater peak rates and total volumes exiting the site from all discharge points under existing conditions for the 1, 2, 10, 25, and 100 year, 24-hour storm events. Projections shall be made of the existing annual average stormwater pollutant loads leaving the site using NYSDEC recommended or other published loading rates.

C. Terrestrial and Aquatic Ecology

This section shall locate all NYSDEC wetlands (if any) and identify the potential for Federally regulated wetlands on and adjacent to the site which may be affected by the proposed project. The primary and secondary benefits derived from the functions of these wetlands (if any) shall be generally described. Wetland delineation mapping and associated reports shall be included as exhibits and attachments. Habitat species and movement corridors shall be identified and documented based on field observations.

This section shall outline site vegetation (including shrubs, screening and other habitat growth), habitat, and the type of dominant vegetation found on the site, as well as, identify amphibians, reptiles, mammals and birds, which are likely to be present on or near the site.

A tree survey for all areas of the project to be disturbed shall be provided. The NYSDEC Natural Heritage Program Office will be contacted to obtain records of reported rare, threatened, or endangered species on or near the project site and any identified will be noted.

D. Transportation

This section will provide a discussion of multimodal transportation for the project and project area. The discussion of multimodal transportation will include an analysis of existing and proposed conditions relating to vehicular traffic, public transit, pedestrian, and bicycle traffic. This section will consider engineering and zoning requirements, including topography, drainage, stormwater management, turning movements, setback, coverage, easements, and parking requirements. It will also identify who will be responsible to construct, own and maintain the access improvements.

Background (existing) traffic volumes and patterns around the project area will be presented through an acceptable traffic impact analysis, which will be included as an appendix to the DEIS. The scope of this analysis will be determined through meetings between the applicant, the applicant's traffic engineers, Town Zoning, Planning, Building, Code Enforcement, and/or Engineering representatives, and, if appropriate, NYSDOT and Erie County Department of Transportation. The core study area for the new traffic assessment shall be the same as set forth in the traffic impact study previously completed by the Applicant's consultant.

The following items shall also be addressed by the traffic study:

- An origin and destination study evaluating the usage of Stutzman Road between Pleasant View and Genesee Street, in both directions;
- To establish Existing Conditions for the core study intersections, turning movement counts and field observations shall be conducted;
- Alternatives identified in the DEIS shall be reviewed for their impact on traffic volumes and flows, including but not limited to how the changes in density and existence of traffic control measures may change the traffic volumes;
- Compliance with the applicable Town and regional plans will be addressed;
- The analysis shall include development scenarios that are in conformance with the existing zoning;
- The analysis will evaluate expected internal traffic circulation under the proposed project format and each alternative;
- Synchro analysis and time based coordination shall be calibrated to reflect the existing queue lengths along Stutzman Road between Genesee Street and Pleasant View Drive. A queue analysis shall be completed with a comparison of pre- and post-development conditions;
- A vehicle gap analysis shall be performed for Pleasant View Road and Genesee Street;
- Address the project's impacts on school bus traffic during drop off and pick up at both the Hillview School and Lancaster High School relative to traffic at the proposed project site;
- Address the feasibility and impacts of running the access road to Genesee Street, either as a second ingress/egress point or as an alternative to the planned ingress/egress point on Stutzman Road; and
- Discuss internal circulation challenges resulting from snow storage and removal and the potential extent to which this may effect internal and external traffic ingress/egress.

E. Land Use and Zoning

This section shall identify the existing land uses and current zoning on the site and surrounding parcels. Current and proposed land use densities of surrounding parcels shall be calculated and presented. Permitted uses consistent with the current zoning of the site shall be listed. A plan for development for the site consistent with the current zoning and all other land use restrictions shall be presented for comparison to the current development proposal. This section shall also summarize land use recommendations for the project site as contained in all applicable local and regional planning documents, including but not limited to the Town of Lancaster Comprehensive Master Plan; the Lancaster-Depew Comprehensive Master Plan; and the Town of Lancaster, Village of Lancaster, and Village of Depew Plan for the Future.

This section will detail the existing land use and zoning classification of the site and surrounding properties. The above-mentioned community plans will also be discussed. A description of the overall neighborhood character surrounding the project site will also be provided.

F. Community Character and Services

This section should include the availability and/or capacity of each of the services listed below, including the jurisdictional agency of each service noted:

- Water service;
- Sanitary sewer service, including a discussion of the capacity and limitations, if any, of the existing sewers;
- Private utilities;
- Police service;
- Fire service;

- Ambulance service;
- Educational services;
- Healthcare services;
- Fiscal analysis, including current and post development Town and School District tax base, tax rates and budget raised through property tax levies; and parks, recreational and open space;
- Available sidewalks; and
- Available pedestrian and bicycle trails.

This section should also include an evaluation of how the changes in land use will impact the surrounding neighborhoods and the community at large, considering such factors as lighting, noise, traffic, loss of open space, drainage, etc.

G. Visual Resources

This section should present and describe the existing views of the site from vantage points along Stutzman Road, Genesee Street, Pleasant View Road, Redlein Drive, and East Home Road.

H. Cultural Resources

This section shall include an explanation of any correspondence with NYS OPHRP, as well as any results from archeological surveys completed for the site. If recommended by any study or State agency, additional study shall be completed and a summary included in the DEIS.

I. Noise

The existing/ambient noise in the project area shall be identified and discussed. Sensitive noise receptors and predominant noise generators, including but not limited to construction noise and noise from the additional traffic stemming from the project, shall be identified and characterized.

VI. Environmental Impacts and Mitigation

This section shall summarize those impacts which are considered to have a significant effect on the environment. This section shall identify and summarize both adverse and positive impacts.

This section shall also identify available mitigation measures for all adverse impacts previously identified. A thorough analysis of each measure is required, including any standard details or other means of clarification, which may be appropriate. The analyses below must be completed for each project alternative.

This section will analyze impacts and mitigation in the same order as they are presented in the immediately preceding Environmental Setting Section and include any significant impacts on the environmental assets identified therein. Specifically, this section will be formatted as follows:

A. Geology, Topography and Soils

This section shall include a conceptual grading plan. A discussion of the storage and re-deposition of site topsoil shall be included. The suitability of the site soils and subsurface conditions to support the planned use, including structural support, utility installation and the potential for stormwater infiltration, shall be evaluated. "Remedial" grading issues to mitigate soils that have no structural value and need to be removed and replaced shall be identified.

This section should also include a discussion of woodlots present in the development area and the measures taken to avoid/minimize the impacts of the

proposed development on woodlot areas.

This section shall also include a detailed discussion of soil erosion control measures, which will be taken to avoid discharge of sediment to downstream receiving waters. These measures shall be in compliance current Federal, State and local stormwater and erosion control guidelines.

B. Surface Waters/Stormwater Management

This section shall contain projections of the post-development peak flow rates and total runoff volumes from the site for the 1, 2, 10, 25, and 100 year, 24 hour storm events as well as the annual average post-development stormwater pollutant loads.

This section will identify the pre- and post-drainage areas, outlet area, existing Ellicott Creek top of bank, and NWSE, as well as proposed elevations of stormwater management system. It will also address if and how the existing ditch along the western boundary of this parcel will be utilized, and what impacts such use will have.

The effect of any proposed mitigation measures shall be estimated and compliance shown with both the Town Code and NYSDEC guidelines on stormwater management and the most recent State Pollution Discharge Elimination System (“SPDES”) General Permit.

The discharge of stormwater will be outlined in the Stormwater Pollution Prevention Plan (“SWPPP”) and measures taken to address water quantity and quality impacts from these discharge areas will be described and mitigated as needed. It will address the fact that this SWPPP is subject to MS4 review and acceptance as indicated by the NYSDEC.

This section shall also evaluate:

- The stormwater generated by the proposed project and each alternative;
- Impacts to the drainage pipe that runs under Schmitt’s Garage and analysis of whether this pipe can handle the additional stormwater burden created by the project, with and without mitigation measures;
- The compliance of the proposed project with the Town Code stormwater provisions and the latest NYSDEC SPDES General Construction Permit;
- The installation of green infrastructure including documentation supporting the operation of these improvements;
- The geologic documentation must demonstrate that the existing soils can support the proposed stormwater improvements;
- The surface water section must discuss the existing downstream drainage conditions in the project area, the project’s impact on this area, and mitigating measures to reduce this impact. Supporting documentation must be provided;
- Anticipated discharges expected to be generated during site preparation and construction; and
- An analysis of surface water runoff impacts resulting from snow storage and salting of paved areas.

C. Terrestrial and Aquatic Ecology

A quantification of the loss of trees, (tree survey), vegetative cover types (including shrubs, screening and other habitat growth), and associated wildlife habitats shall be provided. Impacts to woodlots, with proposed mitigation measures need to be discussed and quantified. Impacts to grassland/meadowland areas, treed areas, and wetland areas, including those occurring due to changes in stormwater quantity and quality, direct encroachment on wetland or adjacent areas, and the construction, use and maintenance for the project shall be analyzed.

Buffers and preservation areas shall be discussed and quantified. All buffers and areas to be preserved shall be identified and mapped. Proposed habitat areas and existing areas designated for restoration shall be discussed and quantified. Legal methods to ensure protection of existing and proposed habitat, buffers and areas to be preserved shall be identified.

D. Transportation

This section will provide a comprehensive overview of the traffic impact analysis required by Section (V)(D). The entire report will be included as an appendix to the DEIS.

The traffic study must compare the project site/study area to the following multiple development scenarios:

- Existing conditions;
- Full project development as proposed; and
- Project development under each alternative.

Identification and analysis of different traffic control devices and methods shall be evaluated, including but not limited to the effects of stop signs, traffic signals, pedestrian crosswalks, etc. Identification of any offsite impacts and required mitigation shall be provided for each of the development scenarios.

A subsection on the anticipated increase in truck and/or delivery traffic will also be provided.

E. Land Use and Zoning

This section shall include an analysis of the potential impact to land uses and development patterns on the surrounding lands, including the potential impacts on land use mix and land use intensity.

Consistency of the proposed project should be demonstrated with the Town Comprehensive Plan, as well as with all other state, regional, and local planning documents. Impacts and mitigation for compliance with these plans shall be discussed.

This section will also address:

- If the applicant is considering utilizing green infrastructure practices such as green roofs and porous pavements to control the stormwater generated by the proposed development;
- How reducing the density as set forth in Section VIII may mitigate the impacts of the proposed project; and
- How cluster subdivision development could be used to mitigate the impacts of the proposed project.

This section will also evaluate potential impacts resulting from commercial truck deliveries, snowplowing operations, refuse removal, odors and other operations that can have a potential adverse impact on residents that live adjacent to the project site. Appropriate mitigation measures for each of the impacts will also be presented.

An analysis of the lighting proposed at the project site will be presented to ensure that the proposed lighting does not cause adverse effects on the adjacent residential neighborhoods during night time hours. This analysis should be conducted from each of the surrounding residential neighborhoods.

F. Community Character and Services

This section shall include an evaluation of the demand and subsequent need for mitigation created by the proposed project in each of the community service categories listed in Section (V)(F). An analysis of the projects per year

contribution to the tax base (based on the current town/county/school tax per thousand) shall be included. Discuss whether there will be any tax abatements (including mortgage or sales tax abatements) sought, and, if so, estimate the value of such abatements.

Opportunities to mitigate impacts to community character, such as enhancements to pedestrian and bicycle access to the area, will also be presented in this section.

G. Visual Resources

This section shall present, through renderings, cross sectional profiles, or computer-modified photographs and other modeling techniques, the visual appearance of the site after development, as related to the locations listed in Section (V)(G). Before and after visual analyses of the sightlines will be presented.

H. Cultural Resources

Findings from any archaeological searches or studies, along with potential impacts and mitigations, shall be discussed, along with any recommendations for further study.

I. Noise

Impacts to the existing noise levels due to the proposed development shall be evaluated, and an assessment made of the effect of the increased noise on any sensitive receptors identified in Section (IV)(G) above, as well as any mitigation measures. This evaluation should include the potential noise impacts resulting from delivery trucks, snow plowing, refuse removal and routine operations of the new subdivision on the surrounding neighborhoods will be provided.

Any special construction methods and/or other mitigation measures to address this impact shall be evaluated.

J. Construction Impacts

This section shall contain a quantitative evaluation of all temporary construction-related impacts including noise, dust and soil erosion control measures. Emphasis shall be placed on impacts to residents in adjacent and nearby residences. Suitable mitigation measures shall be recommended to minimize construction impacts. Construction related traffic impacts and mitigation shall also be addressed. Disposal of construction waste and spoils will also be addressed.

This section shall investigate the use of regional materials to construct the proposed project. A listing of possible regional materials shall be provided. Additionally, a waste reduction plan shall be developed whose intent is to divert a minimum of 50% of construction debris from the waste stream.

This section shall also discuss the energy efficiency of the planned structures and development, and shall identify any relevant energy efficiency certifications, for which components at what level (if applicable).

K. Cumulative Impacts

The impacts of the proposed action in the context of other proposed project (if any) in the vicinity of the project area.

VII. Unavoidable Significant Adverse Environmental Impacts

This section will identify those unavoidable adverse environmental effects in

Section VI that can reasonably be expected to occur.

VIII. Alternatives

The following alternatives shall be identified and assessed at a level of detail sufficient to permit a comparative assessment of costs, benefits and environmental impact for each alternative:

- A. Development of the site under the density limits permitted under the existing zoning designation;
- B. Alternative land uses allowed under existing zoning;
- C. An alternative access point on Genesee Street, eliminating the Stutzman Road access point currently proposed;
- D. An additional access point on Genesee Street, creating a connection between Genesee Street and the Stutzman Road access point currently proposed;
- E. An investigation of design and layout alternatives, including:
 - A reduction in density by five lots;
 - A reduction in density by ten lots;
 - A reduction in density by fifteen lots;
 - Cluster development, as permitted under New York Town Law, which provides for smaller lots and retention of greenspace and buffer areas to the surrounding residential neighborhoods. This cluster alternative should be evaluated at:
 - 1. The proposed project density
 - 2. A reduction in density by five lots;
 - 3. A reduction in density by ten lots; and
 - 4. A reduction in density by fifteen lots.
- F. Potentially allowable future development building off the proposed project other than as presently intended and disclosed, with a commensurate discussion of the potential greater or lesser impacts associated by such alternative relative to the proposed alternative;
- G. No action alternative.

IX. Appendices

The Appendices shall include all supporting maps, reports, documents, exhibits and correspondence, including but not limited to:

- A. All application materials;
- B. SEQRA notices and documentation
- C. Correspondence related to the Project;
- D. Related minutes of meetings of the Town of Lancaster Planning Board and Town Board;
- E. Plans for the project as proposed, and for each alternative;
- F. Wetland Delineation Report;
- G. Jurisdictional Determination issued by the United States Army Corps of Engineers;
- H. Excerpts of applicable Town, regional, or state planning documents relevant to the project site;
- I. Traffic analysis;
- J. Drainage analysis;
- K. Preliminary Engineers Report (utilities analyses);
- L. SWPPP Report;
- M. Geotechnical analysis;
- N. Metes and Bounds Survey Map.

COMMUNICATIONS & REPORTS

302. Jack Domin to Town Board –
Comments commending the employees of the Town Highway Department regarding removal of yard debris and branches from his address.
Disposition = Received & Filed
303. Lancaster residents to Town Board and Planning Board –
Opposition to the approval of the proposed Stutzman Road Subdivision.
Disposition = Planning Committee
304. Dog Control Officer to Town Board –
Dog Control Report for May 2020. Disposition = Received & Filed
305. Code Enforcement Officer to Drainage & Storm Sewer Committee –
MS4 for May 2020. Disposition = Received & Filed
306. Frank J. Todaro, Erie County Legislator to Supervisor –
Information regarding plans to meet with NYSDOT and Erie County Public Works concerning high semi-truck traffic flow on residential roads in the Town of Lancaster. Disposition = Received & Filed
307. Executive Director Youth Bureau to Supervisor and Town Board –
Request for Cindy Stypa, Clerk Typist in Supervisor's Office to be transferred to the Youth Bureau effective June 22, 2020.
Disposition = Resolution 6/15/20
308. Town of Cheektowaga Zoning Board of Appeals to Town Clerk –
Area Variance granted for 6700 Transit Road. Disposition = Received & Filed
309. Town of Cheektowaga Zoning Board of Appeals to Town Clerk –
Area Variance granted for 5050 Transit Road. Disposition = Received & Filed
310. Town Clerk to Town Board –
Copy of fourth monthly settlement payment to Erie County.
Disposition = Received & Filed
311. NYSDEC to Jeffery D. Palumbo, Esq. –
Copy of letter stating no comments regarding Draft Scoping Document, Stutzman Road Subdivision. Disposition = Received & Filed
312. Town Attorney to Rochester Police Department –
Invoice for reimbursement for Officer Caraci. Disposition = Received & Filed
313. Town Clerk to Town Board –
Town Clerk Monthly Report for May 2020. Disposition = Received & Filed
314. Planning Board Chairman to Planning Board, Town Board, Town Attorney, Town Engineer, Highway Superintendent and Building Inspector –
Draft copy of minutes from June 3, 3020 Planning Board meeting.
Disposition = Received & Filed
315. Planning Board to Town Board –
Memo recommending approval of Preliminary Plat Plan for Broadway and Sawgrass Lane 2-Lot Subdivision, Northeast corner of Broadway and Sawgrass Lane, Proj. #1846. Disposition = Resolution 6/15/20
316. Elizabeth Stock to Town Clerk –
Notification of intent to retire from the position as Deputy Receiver of Taxes effective July 7, 2020. Disposition = Received & Filed

- 317. Park Crew Chief to Town Board –
Request for resolution for drainage work and restoration for 4 & 5 Walden Ponds Diamonds to be done by Wolf's Nursery, Inc., 6083 Fisk Rd., Lockport, NY. Disposition = Resolution 6/15/20**
- 318. Supervising Code Enforcement Officer to Town Board m—
Recommend renewal of Special Use Permit for a Home Occupation (C.P.A. Office) for 60 Michaels Walk. Disposition = Resolution 6/15/20**
- 319. Town Clerk to Various News Media –
Notice of Ethics Board Meeting on June 25, 2020 via teleconference.
Disposition = Received & Filed**
- 320. David Puleo to Town Clerk –
Concerns regarding proposed Stutzman Road Subdivision.
Disposition = Planning Committee**
- 321. Danielle Puleo to Town Clerk –
Concerns regarding proposed Stutzman Road Subdivision.
Disposition = Planning Committee**
- 322. Town Clerk to Code Enforcement Officer –
Copy of request for renewal of the Special Use Permit for Delta Sonic Carwash Systems, Inc., 4817 Transit Road. Disposition = For Resolution**
- 323. Park Crew Chief to Supervisor and Town Board –
Clarification regarding resolution dated June 1, 2020 for the Laborer positions.
Disposition = Received & Filed**
- 324. Town Attorney to Supervisor and Town Board –
Request for resolution to hire Genevieve Zajac to the position of part-time temporary clerk in the Town Attorney's Office. Disposition = Received & Filed**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER LEARY AND SECONDED BY
COUNCIL MEMBER DICKMAN AND CARRIED,** the meeting was adjourned in
memory of Pat Cipolla, Anthony Mineo, Lori Przykuta and Harry Steffens at 7:35 P.M.

Signed _____

Diane M. Terranova, Town Clerk