

Town Board Minutes

**Meeting
No. 30**

Special Meeting

September 2, 2003

Town Board Minutes

September 2, 2003

Meeting No. 30

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 2nd day of September 2003, at 6:30 PM and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPNIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN GOBER, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

ABSENT: RICHARD ZARBO, COUNCIL MEMBER
MICHAEL MYSZKA, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
ROBERT LABENSKI, TOWN ENGINEER

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for two (2) actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE
EASTPORT COMMERCE CENTER
BUILDINGS A & H SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Eastport Commerce Center (Buildings A & H) site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

**THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCIL MEMBER STEMPNIAK WHO MOVED
ITS ADOPTION, SECONDED BY PLANNING BOARD
MEMBER KORZENIEWSKI, TO WIT:**

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
EASTPORT COMMERCE CENTER
BUILDINGS A & H SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type I action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues 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

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 15.5± acres.

The location of the premises being reviewed is situate at Walden Avenue, west of Pavement Road, Lancaster, County of Erie, New York.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
 - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.
No significant adverse effects noted
 - C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.
No significant adverse effects noted (Reference letter dated 9/25/02 from NYS Office of Parks, Recreation and Historical Preservation citing "no additional archaeology concerns")
 - C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.
No significant adverse effects noted
 - C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.
No significant adverse effects noted
 - C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.
No significant adverse effects noted
 - C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.
No significant adverse effects noted
 - C.7 Other impacts (including changes in use of either quantity or type of energy).
No significant adverse effects noted
- D. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).

E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s _____

Robert H. Giza, Supervisor
Town of Lancaster

SEAL

September 2, 2003

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Eric County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a voice vote which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

September 2, 2003

**IN THE MATTER OF THE SEQR REVIEW OF
BUILDING A AND H
EASTPORT COMMERCE CENTER**

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK
WHO MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD CHAIRMAN KEYSA, TO WIT:

WHEREAS, UNILAND DEVELOPMENT COMPANY, University Corporate Center, 100 Corporate Parkway, Suite 500, Amherst, New York 14226 has submitted a Site Plan, dated August 4, 2003 and received August 5, 2003, prepared by Treco Engineers for the development of a 15.5 acre site for two (2) light industrial buildings (111,492 g.s.f. and 117,000 g.s.f.) parking and landscaping on its property located at the Eastport Commerce Center, Buildings A and H, Walden Avenue, Eastport Drive and Eastport Crossings in the Town of Lancaster, said site being part of a greater parcel encompassing 128 ± acres which was previously the subject of a zoning change and accompanying environmental (SEQR) review, and

WHEREAS, the Planning Board reviewed the plan and at its meeting August 20, 2003, recommended approval of this project, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Municipal Review Committee reviewed the Site Plan to determine whether the proposed development is in compliance with the DEIS and Negative Declaration made hereon by the Municipal Review Committee and Town Board with regard to the development of 128 ± acre parcel which was the subject of a zoning change and environmental (SEQR) review, the specific development proposed in the site plan herein for a 15.5 acre site for two (2) light industrial buildings (111,492 g.s.f. and 117,000 g.s.f.) parking and landscaping on its property located at the Eastport Commerce Center, Buildings A and H, Walden Avenue, Eastport Drive and Eastport Crossings and has determined that the site plan is in compliance therewith.

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

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KEYSA	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES

September 2, 2003

File: 15pmrcbuildingA&Heastportcommerce903

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION. SECONDED BY
PLANNING BOARD MEMBER GOBER, TO WIT:

WHEREAS, the Town of Lancaster has had under review a Comprehensive Plan for development of the Town which was originally developed as a Comprehensive Plan for not only the Town of Lancaster but also the Village of Depew and Village of Lancaster, and

WHEREAS, the Villages beforementioned have previously adopted the Comprehensive Plan as it relates to the respective Villages while the Town continued its review since the Town encompasses significant areas which remain undeveloped while the Villages essentially are built out, and

WHEREAS, the Town Board referred the proposed Comprehensive Plan to the Town Planning Board for its review and comments, and

WHEREAS, the Planning Board invested substantial time in reviewing the proposed Plan and generated written comments which are now being made a part of the Comprehensive Plan, and

WHEREAS, the Planning Board held a public hearing on the proposed Comprehensive Plan on April 9, 2001 in compliance with Section 272-(a) (6) of the Town Law for the purpose of receiving public comments, and

WHEREAS, the Town Board engaged the services of Clough, Harbour and Associates, consulting engineers, by resolution on August 6, 2001 to prepare a Draft Generic Environmental Impact Statement for purposes of the environmental review required under SEQR on a proposed Comprehensive Plan,

WHEREAS, the Town of Lancaster acted as lead agency in the SEQR review upon proper notice to other permit agencies (New York State Department of Environmental Conservation, Erie County Department of Environment and Planning and the New York State Department of Transportation), and

WHEREAS, the Town Board held public hearings on October 11, 2001 and January 29, 2002 for the purpose of receiving public comments on the proposed Comprehensive Plan, and

WHEREAS, the proposed Comprehensive Plan together with Planning Board comments of November 1, 2000 and June 6, 2001 were sent to Erie County Department of Environment and Planning on May 8, 2002, and

WHEREAS, on July 2, 2002 Clough, Harbour and Associates presented a Draft Generic Environmental Impact Statement (DGEIS) to the Town which was distributed to the Municipal Review Committee, New York State Department of Environmental Conservation, Erie County Department of Environment and Planning and the New York State Department of Transportation, and

WHEREAS, the Municipal Review Committee and the Town Board acted by resolution on August 5, 2002 accepting the DGEIS as complete and a Notice of Completion was thereafter filed as required under SEQR with the public being given the requisite thirty (30) day regulatory period to offer written comments, said comments being accepted in the Office of the Town Clerk until 4:00 P.M., September 11, 2002, and

WHEREAS, on August 20, 2002 all Towns and Villages surrounding the Town of Lancaster were sent a complete copy of the DGEIS inviting comments to the Town of Lancaster, and

WHEREAS, the Town received responses from NYS DEC (August 9, 2002), ECDEP (September 20, 2002) and NYSDOT (November 1, 2002) which took no exception to the DGEIS, and

WHEREAS, the Town Board and Municipal Review Committee reviewed the comments received from the public, and

WHEREAS, the Town Board engaged the services of Clough, Harbour and Associates to prepare a Final Generic Environmental Impact Statement (FGEIS), and

WHEREAS, an FGEIS was received by the Town from Clough, Harbour and Associates on January 8, 2003 and reviewed by the MRC and Town Board members, and

WHEREAS, the FGEIS was forwarded to New York State Department of Environmental Conservation, Erie County Department of Environment and Planning and New York State Department of Transportation for their comments on January 10, 2003, and

WHEREAS, the Planning Board comments have been incorporated into and made a part of the proposed Comprehensive Plan with special attention drawn to the proposed location of a north-south beltway which will not be located as the Planning Board recommended but will now be illustrated in the Cemetery Road corridor running parallel to Cemetery Road northerly from the Town owned former DL & W Railroad ROW to the New York State Thruway (I-90) and south from the former DL & W rail line in the vicinity of Cemetery Road to Broadway with no extension south of Broadway, and

WHEREAS, the Municipal Review Committee and the Town Board adopted a resolution on August 4, 2003 accepting the FGEIS as complete and commencing the ten (10) day comment period required before the lead agency can act to issue its written findings statement, and

WHEREAS, the Municipal Review Committee now desires to recommend to the Town Board that the Town Board adopt and issue a Findings Statement with regard to the FGEIS for the Comprehensive Plan;

NOW, THEREFORE, BE IT

RESOLVED, that the Municipal Review Committee hereby adopts and issues a written findings statement as set forth in the attached "Statement of Findings" said statement being made a part hereof, and incorporates its analysis and findings in this resolution and recommends the Town Board adopt such Findings Statement, and requests the Town Attorney to file this resolution with all appropriate and involved agencies in accordance with the requirements of SEQR.

This resolution shall take effect immediately.

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

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KEYSA	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES

September 2, 2003

File: rnuccomprehensivemasterplan903

STATEMENT OF FINDINGS

TOWN OF LANCASTER COMPREHENSIVE MASTER PLAN

Pursuant to Article 8 (State Environmental Quality Review Act - SEQRA) of the Environmental Conservation Law and 6 NYCRR Part 617, the Town of Lancaster Town Board, as lead agency, makes the following findings.

Name of Action:

Town of Lancaster Comprehensive Master Plan

Description of Action:

Adoption of the Town of Lancaster Comprehensive Master Plan by the Town of Lancaster Town Board.

The Town of Lancaster has undertaken the preparation of a comprehensive plan. This plan was prepared in response to many issues facing the Town including retail and residential development, preservation of significant environmental resources, traffic patterns and utility limitations. The comprehensive plan is viewed as a means of planning for growth to achieve a desired vision and to protect the existing community character and quality of living that existing residents enjoy and have contributed to over the years.

Each of the two (2) Villages have previously adopted the Comprehensive Plan for the respective villages of Depew and Lancaster both of which municipalities are fully built out and will see no significant new development. The Town on the other hand has experienced growth and development in the past 20 years and will continue to see some measure of growth in the future given the large areas that are presently undeveloped in the Town.

Specific land use plans have yet to be developed and cannot be completed until additional project specific studies are complete. The implications of the plan that develops from the additional project specific study/planning may have environmental impacts. The Town will address these specific land use plans at the time the plans are considered for adoption.

The Comprehensive Plan is both a mitigation document and a proactive means to address the many issues that have arisen and will arise in the Town. The recommendations and action items will help the Town to focus on a common vision, continue to address current issues that face the community, and prepare for anticipated future development and associated impacts.

Location:

Town of Lancaster, Erie County, New York.

Agency Jurisdiction:

The Town of Lancaster Town Board is the only involved agency associated with adoption of the Town's Comprehensive Plan. In accordance with the Agricultural Districts Law and §239-m of the General Municipal Law, copies of the Comprehensive Plan and SEQR documentation have been submitted to the NYS Department of Agriculture & Markets and the Erie County Planning Department.

Date Final GEIS Accepted:

August 4, 2003

Facts and Conclusions:

The Town of Lancaster Town Board authorized the preparation of a Generic Environmental Impact Statement (GEIS) to address the potential impacts of the Town of Lancaster Comprehensive Plan. The Lancaster Comprehensive Plan is a strategic planning document that will guide future plans and studies necessary to define appropriate land use.

Specific land use plans have yet to be developed and cannot be completed until additional project specific studies are complete. The implications of the plan that develops from the additional project specific study/planning may have environmental impacts. The Town will address these specific land use plans at the time the plans are considered for adoption.

The Comprehensive Plan is both a mitigation document and a proactive means to address the many issues that have arisen and will arise in the Town. The recommendations and action items will help the Town to focus on a common vision, continue to address current issues that face the community, and prepare for anticipated future development and associated impacts.

The Lancaster Town Board declared itself Lead Agency in May 2002. The Draft Comprehensive Plan and Draft GEIS was then determined complete for public review on August 5, 2002 and subsequently filed, along with the Notice of Completion and Hearing Notice pursuant to 6 NYCRR 617.12. The comment period closed September 30, 2002. The Lancaster Town Board determined the Final GEIS complete on August 4, 2003.

It is the intent of the Town of Lancaster Town Board as Lead Agency to issue this Findings Statement pursuant to 6 NYCRR 617.11 of SEQR. Specifically, the Lead Agency hereby provides the following facts and conclusions in the Comprehensive Plan and Draft and Final GEIS relied upon to support this decision:

Recreation and Park Resources

- The Plan recognizes that there is a limited trail system at both Como Lake Park and Westwood Park and that a trail should be created along Cayuga Creek to link the downtown areas of the Villages with Como Lake Park as well as constructing a Bike Path along Broadway. This would require future project specific studies to determine the associated environmental impacts.

Local Laws, Codes and Ordinances

The Town of Lancaster should update its zoning ordinance and zoning map to reflect the changes outlined in the future land use plan and to protect historical/architecturally significant areas. Specific areas may include:

- Walden Avenue, from within the easterly existing sewer district, reserved for future industrial uses
- Higher density residential development surrounding the commercial node areas
- Opening industrial zoned lands from the Village of Lancaster Commerce Park running east to Cemetery Road

Land Use

- The Townline/Broadway area can be developed as a gateway between the Town of Lancaster and Town of Alden.
- The Plan also recommends that the Town continue to work with GBNRTC to determine the best route for the north-south connector and any additional east-west road improvements. The Town of Lancaster Planning Board has recommended a north-south corridor that differs from that outlined in the body of the Comprehensive Plan. The Town Board modifies the Planning Board recommendation and has set forth in a separate statement which is incorporated into the plan its decision to implement a north-south corridor running parallel to Cemetery Road from a point in the Town owned former DL & W Railroad ROW to the I-90 (New York State Thruway) and from the former DL & W ROW south to Broadway. The future development of a road may incorporate Cemetery Road or run parallel but will be located away from residential development. In addition, the Town will work with the two Villages to determine potential mitigating measures for traffic management.

Again, these recommendations are not fully developed in the Plan and would require future project specific studies to determine the associated environmental impacts.

Agricultural Lands

- Agricultural lands should be protected, specifically within the Ransom Road-Schwartz Road area. Measures being contemplated by the Town include purchasing Agricultural Conservation easements, request first right of refusal on sale of key agricultural lands and a Town Board resolution to re-certify the Lancaster-Alden Agricultural District.

The Town Planning Board should limit industrial and commercial development in the eastern portion of the Town to Walden Avenue and small pockets of Broadway.

Transportation

The Town will work with the Villages to monitor transportation improvements on roadways such as:

- *Transit Road*
- *Transit/French Road area*
- *William Street*
- *Broadway*
- *Walden Avenue*

The suggested corridor for the North-South Connector road is described by the Town and included as an appendix in the Comprehensive Plan. The Town has determined that the Comprehensive Plan should illustrate the north-south road as running from the rail bed of the former DL&W Railroad ROW (which runs east-west or perpendicular to Cemetery Road) thence in a northerly fashion to a terminus at the New York State Thruway (I-90). The exact location of the north-south road running southerly from the former DL & W Railroad ROW to Broadway will be determined in the future after detailed study but will be located away from residential development.

THRESHOLDS FOR FUTURE SEQR ACTIONS:

Pursuant to 6 NYCRR 617.15(c)(1), no further SEQR compliance is required if subsequent proposed actions will be carried out in conformance with the conditions and thresholds established for such actions in the GEIS or Findings Statement.

Since the Comprehensive Plan and GEIS do not propose and/or evaluate specific land uses and related actions and therefore have not established SEQR thresholds, all future actions by the Town Board, Planning Board, or Zoning Board relative to the implementation of the Comprehensive Plan that would involve the adoption of land use plans and policies or modifications of zoning and subdivision regulations and local laws should be reviewed

pursuant to SEQR through the preparation of a full Environmental Assessment Form (EAF). If, upon review of the EAF, it is determined that the action will have no significant impact, a Negative Declaration can be issued, thus ending the SEQR process. If it appears that significant impact may occur and the impact and associated mitigation cannot be sufficiently addressed and mitigated, as documented in parts 2 and 3 of the EAF, a Supplemental EIS should be prepared. The Supplemental EIS should take full advantage of the documentation already provided in the GEIS for this Comprehensive Plan.

Determination of the significance of any action relative to SEQR should include a thorough evaluation by the Lead Agency (in most cases the Town Board for the adoption of plans and other local regulatory amendments) of the consistency of the proposed land use plan or legislation with the recommendations of this Comprehensive Plan.

CERTIFICATION OF FINDINGS:

Having considered the Draft and Final GEIS and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.11, this Statement of Findings certifies that:

- that requirements of 6 NYCRR 617 have been met; and
- consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

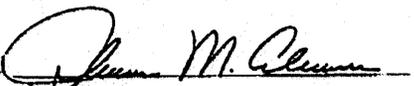
ADJOURNMENT:

**ON MOTION OF PLANNING BOARD CHAIRMAN KEYSA, AND
SECONDED BY COUNCIL MEMBER STEMPNIAK FOR ADJOURNMENT OF THE
MEETING, BY VOICE VOTE, which resulted as follows:**

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The meeting was adjourned at 7:03 P.M.

Signed



Johanna M. Coleman, Town Clerk

Town Board Minutes

**Meeting
No. 31**

Regular Meeting

September 2, 2003

Town Board Minutes

September 2, 2003

Meeting No. 31

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 2nd day of September at 8:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: RICHARD ZARBO, COUNCIL MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
GARY STOLDY, CHIEF OF POLICE
CHRISTINE FUSCO, ASSESSOR
TERRENCE McCracken, GENERAL CREW CHIEF
RICHARD REESE JR., HIGHWAY SUPERINTENDENT
SUZANNE BLANK, CLERK TYPIST

PERSONS ADDRESSING TOWN BOARD:

Wallace, Monica, 47 Rehm Road, spoke to the Town Board on the following matters:

- Expressed opposition to a casino being located on Transit Road in Cheektowaga; cites concerns about traffic, crime, property values and proximity to elementary school.

Mc Call, Rev Nelson, Pastor of Hillview Baptist Church, 104 Hanwell Place, spoke to the Town Board on the following matter:

- Has concerns about the proposed location of the Seneca Nation Casino on Transit Road in Cheektowaga.

Roney, John, 6339 Transit Road, spoke to the Town Board on the following matters:

- Expressed opposition to the location of a casino on Transit Road in Town of Lancaster.
- Expressed concerns about a building on Transit Road which is in need of repair.

Rehm, Aimee, 43 Rehm Road, spoke to the Town Board on the following matter:

- Encourages the Town of Lancaster to adopt a resolution opposing a casino on Transit Road.

McNally, Rita, 60 Hill Valley Drive, spoke to the Town Board on the following matter:

- Concerns about the location of a casino on Transit Road in Town of Cheektowaga.

Constantino, Ross, 43 Hill Valley Drive, spoke to the Town Board on the following matter:

- Concerns about the location of a casino on Transit Road in Town of Cheektowaga.

Sherry, Tim, 62 Rehm Road, spoke to the Town Board on the following matters:

- Expressed opposition to a casino being located on Transit Road in Cheektowaga; cites concerns regarding traffic, negative impact on economic development, decrease in market values for homes, and proximity to elementary school.

Esposina, Doreen, 155 Pleasant View Drive, spoke to the Town Board on the following matter:

- Asks the Town Board to oppose a casino on Transit Road.

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matters:

- Comments & concerns about the possible location of a casino on Transit Road in Town of Cheektowaga.
- Questions about merger of Village of Depew Police Department and purchase of Colecraft building on Walden Avenue.

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matters:

- Comments about gambling.
- Comments about the Comprehensive Master Plan.

Kubicki, Gloria, 15 Maple Drive, spoke to the Town Board on the following matters:

- Questions about armored courier service.
- Questions about Twin District VFC bond borrowing.
- Questions about the Comprehensive Master Plan.

Mazurowski, John, 11 Stephens Court, spoke to the Town Board on the following matter:

- Comments about Town Board Rules of Order as it regards public comment period.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matters:

- In favor a resolution opposing a casino on Transit Road.
- Questions about acceptance of Public Improvements in Valley Overlook Subdivision.
- Comments about Eastport Commerce Center.
- Comments about Comprehensive Master Plan
- Feels that the Comprehensive Master Plan should not be adopted at this meeting
- Comments about Town Board Rules of Order.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Noise Ordinance by deleting Section 38-4(C) in its entirety and enacting in place thereof a new Section 38-4(C).

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Dave Braun	Kieffer St, Depew	Comments
John Roney	6339 Transit Rd	Questions
Donald Symer	610 Columbia Ave	Opponent
Gloria Kubicki	15 Maple Dr	Questions
Gary Howell	48 Park Blvd	Proponent

**ON MOTION BY COUNCIL MEMBER STEMPNIAK, AND
SECONDED BY COUNCIL MEMBER RUFFINO , FOR ADJOURNMENT OF THE
PUBLIC HEARING, on roll, which resulted as follows:**

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:44 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

September 2, 2003

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

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

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
August 18, 2003 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 MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

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

WHEREAS, the developer has requested the Town Board of the Town of Lancaster to accept completed Public Improvements within Valley Overlook Subdivision, within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated August 26, 2003 has reported his favorable review of all necessary deeds, easements and documents required to be filed for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Public Improvements within Valley Overlook Subdivision be and are hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 558 - Pavement & Curb

P.I.P. No. 559 - Storm Sewer

P.I.P. No. 560 - Waterline

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

File: RPIP (P5)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED IT'S ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, §1660 (18) Vehicle and Traffic Law permits the Town to designate the location of stop signs and no-passing zones affecting town roads outside of the Villages of Lancaster and Depew, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 15th day of September 2003, at 8:30 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published on or before September 4, 2003, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

File: rvtordchpt46windssurridgechestnutcorner903

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 2nd day of September, 2003, the said Town Board will hold a Public Hearing on the 15th day of September, 2003, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

**Article VIII, STOP INTERSECTIONS; NON-INTERSECTION STOPS;
YIELD INTERSECTIONS
46-8.1 Stop Intersections designated, is hereby amended by adding thereto
the following:**

WINDSOR RIDGE SUBDIVISION

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
Chestnut Corner	Windsor Ridge Drive	S.E. Corner
Chestnut Corner	Windsor Ridge Drive	N.W. Corner
Windsor Ridge Drive	Chestnut Corner	S.W. Corner

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

By: **JOHANNA M. COLEMAN**
Town Clerk

September 2, 2003
File: rvtordchpt46windsorridgechestnutcorner903

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

WHEREAS, the Supervisor of the Town of Lancaster has recommended to the
Town Board the appointment of Jean Brunca as a member of the Town of Lancaster Assessment
Review Board.

NOW, THEREFORE, BE IT

RESOLVED, that Jean Brunca, 599 Harris Hill Road, Lancaster, New York
14086, be and is hereby appointed a member of the Town of Lancaster Assessment Review
Board for the term of October 1, 2003 to September 30, 2008.

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

RPERS.BD (P7)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR. TO WIT:

WHEREAS, a Public Hearing was held on the 2nd day of September, 2003 for the purpose of amending Chapter 38, "Noise", by deleting Section 38-4 (C) in its entirety and enacting in place thereof a new Section 38-4 (C) of the Code of the Town of Lancaster, and

WHEREAS, persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of Public Hearing was duly published and posted, and

WHEREAS, the Town Board has recommended the proposed amendment of the Code of the Town of Lancaster, County of Erie.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

That Chapter 38 "Noise", Section 38-4 (C) of the Code of the Town of Lancaster, County of Erie and State of New York, is hereby deleted in its entirety and enacted in place thereof is a new Section 38-4 (C) of Chapter 38, "Noise" of the Code to read as follows:

CHAPTER 38 - NOISE

.....
Section 38-4. Specific acts constituting unreasonable noise.

.....
C. The use and operation of any sound-reproduction device in a vehicle which would constitute a threat to the safety of pedestrians or vehicle operators or where conditions of overcrowding or street repair or other physical conditions are such that the use of a sound reproduction device would deprive the public of the right to the safe, comfortable, convenient and peaceful enjoyment of a public street, park or place for public purpose and would constitute a threat to the safety and welfare of the public. Said noise disturbance is deemed to be in violation of this section if it can be heard from a distance of greater than fifty (50) feet."

2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 2nd day of September, 2003.

3. That a certified copy of this amendment be published in the Lancaster Bee on September 4, 2003.

4. That a certified copy of this Amendment be posted on the Town Bulletin Board, and

5. That Affidavits of Publication and Posting be filed with the Town Clerk.

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

File: ramendmentnoisordinance#03a

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT OF CHAPTER 38 - NOISE
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that Chapter 38, "Noise", Section 38-4 (C) of the Code of the Town of Lancaster is hereby deleted in its entirety and enacted in place thereof is a new Section 38-4 (C) to read as follows:

CHAPTER 38 - NOISE

Section 38-4. Specific acts constituting unreasonable noise.

.....

C. The use and operation of any sound-reproduction device in a vehicle which would constitute a threat to the safety of pedestrians or vehicle operators or where conditions of overcrowding or street repair or other physical conditions are such that the use of a sound reproduction device would deprive the public of the right to the safe, comfortable, convenient and peaceful enjoyment of a public street, park or place for public purpose and would constitute a threat to the safety and welfare of the public. Said noise disturbance is deemed to be in violation of this section if it can be heard from a distance of greater than fifty (50) feet."

September 2, 2003

**STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :**

This is to certify that I, **Johanna M. Coleman**, Town Clerk of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of an Ordinance Amendment with the original thereof filed in my office at Lancaster, New York, on the 2nd day of September, 2003 and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 2nd day of September, 2003.

Johanna M. Coleman, Town Clerk

(S E A L)

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

WHEREAS, the Town Clerk has advised the Town Board that she believes it to be appropriate to enter into a service agreement with Loomis, Fargo and Company (L.F.&Co.), 101 Victor Heights Parkway, Victor, New York 14564 for the purpose of providing armored courier service for deposits generated from tax collection for the Town of Lancaster, and

WHEREAS, the Town Board has considered the request of the Town Clerk and has reviewed the service agreement and upon completing its due deliberation deems it in the public interest to engage this service.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Town Clerk to enter into a service agreement with Loomis, Fargo & Company for armored courier service for deposits made from tax collections to the Town named depository at no charge to the Town.

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

File: rloomisfargoandcompany903

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

WHEREAS, the Twin District Volunteer Fire Company, Inc. has apprised the Town Board that it is in the process of borrowing for the expense involved with the expansion and addition to its Fire Hall located at 4999 William Street, Lancaster, New York, and

WHEREAS, the said Fire Association is under contract with the Town of Lancaster to provide firematic services and as a consequence of this contract the Fire Association is considered a political subdivision of the Town and is able to issue tax exempt bonds under the Internal Revenue Code after the Town Board has approved the borrowing, and

WHEREAS, there is a requirement of the appointment of a hearing officer from the Fire Association who will then hold a public hearing regarding the borrowing;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to appoint Michael F. Jablonski, Chairman of the Board of Directors of the Twin District Volunteer Fire Company as the hearing officer and for the Association to hold a public hearing at its Fire Hall at 4999 William Street Lancaster, New York on September 22, 2003 at 7:00 P.M. for its borrowing.

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

File: rtwindistrictvolunteerfirecompany

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

WHEREAS, the Bowmansville Volunteer Fire Association, Inc. has apprised the Town Board that it is in the process of borrowing for the expense involved with the renovation and reconstruction to its Station No. 2 at 58 Seitz Avenue and further will be refinancing three of its apparatus loans, and

WHEREAS, the said Fire Association is under contract with the Town of Lancaster to provide firematic services and as a consequence of this contract the Fire Association is considered a political subdivision of the Town and is able to issue tax exempt bonds under the Internal Revenue Code after the Town Board has approved the borrowing, and

WHEREAS, there is a requirement for the appointment of a hearing officer from the Fire Association who will then hold a public hearing regarding the borrowing;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to appoint Richard L. Reese, Junior, President of the Bowmansville Volunteer Fire Association, Inc. as the hearing officer and for the Association to hold a public hearing at its fire house at 36 Main Street, Bowmansville, New York on September 24, 2003 at 7:00 P.M. for Part A of its borrowing and at 7:30 P.M. for Part B of its borrowing.

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

File: rbowmansvillevoluncerfireassoc.

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

WHEREAS, UNILAND DEVELOPMENT COMPANY, University Corporate Center, 100 Corporate Parkway, Suite 500, Amherst, New York 14226 has submitted a Site Plan, dated August 4, 2003 and received August 5, 2003, prepared by Tredo Engineers for the development of a 15.5 acre site for two (2) light industrial buildings (111,492 g.s.f. and 117,000 g.s.f.) parking and landscaping on its property located at the Eastport Commerce Center, Buildings A and H, Walden Avenue, Eastport Drive and Eastport Crossings in the Town of Lancaster, and

WHEREAS, at its meeting August 20, 2003 the Planning Board recommended approval of this project, and

WHEREAS, a SEQR review was held on Tuesday, September 2, 2003 at which time a Negative Declaration was issued;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by UNILAND DEVELOPMENT COMPANY, prepared by Tredo Engineers dated August 4, 2003 and received August 5, 2003 for the development of a 15.5 acre site for two (2) light industrial buildings (111,492 g.s.f. and 117,000 g.s.f.) parking and landscaping on its property located at the Eastport Commerce Center, Buildings A and H, Walden Avenue, Eastport Drive and Eastport Crossings 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 MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

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

WHEREAS, the Town of Lancaster has heretofore established a joint Social Work Counselor Program with the Lancaster Central School District and desires to continue this program, and,

WHEREAS, the Town Board has received assurance of participation in State funding by the New York State Office of Children and Family Services and the Lancaster Central School District,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby agrees to continue a joint program for a Social Work Counselor to work in the Town of Lancaster with Lancaster Central School children in response to a demonstrated need for such services in order to reduce juvenile delinquency, enhance educational and social opportunities for youth of the Town of Lancaster and to reduce the impact of drug use, truancy, vandalism and juvenile pregnancy, and otherwise reduce the impact of social pressures upon single-parent youth, for the period commencing July 1, 2003 and ending June 30, 2004, and

2. That funding for the program, at a total annual cost of approximately \$55,338, which includes \$40,565 for direct salary, and \$14,773 for contractual expenses and fringe benefits, for the period July 1, 2003 to June 30, 2004 shall be provided at \$4,518 or approximately eleven percent (11%) of direct salary from the New York State Office of Children and Family Services; \$18,023.50 or approximately forty-four and five tenths (44.5%) of direct salary, plus one half contractual expenses, and fringe benefit costs from the Town of Lancaster, to be drawn from the General Fund Account "Social Work Counselor Program", and \$18,023.50 or approximately 44.5% of direct salary plus one-half contractual expenses and fringe benefit costs, from the Lancaster Central School District, and

3. That the Supervisor be and hereby is authorized and directed to sign an Agreement to renew said program, said Agreement to be drawn by the Town Attorney, providing for participation in said program by the Town of Lancaster, the New York State Office of Children and Family Services and the Lancaster Central School District.

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

File: Rstate.yth (P6)

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

WHEREAS, the Executive Director of the Youth Bureau by letter dated August 27, 2003 recommends that the Town of Lancaster continue to participate in the collaborative effort by providing 50% of the annual compensation of approximately \$30,000 for the Program Coordinator for the Family Support Center within the Lancaster Central School District, and

WHEREAS, the Town will provide 50% of the cost of direct salary for providing this service to the community.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

That the Supervisor of the Town of Lancaster is hereby authorized to enter into an Agreement with the Lancaster Central School District for the purpose of providing a Program Coordinator for the Family Support Center for the period of September 1, 2003 to June 30, 2004 with the Town paying 50% of the direct cost of the Program Coordinator, which is \$15,000. The Town of Lancaster will contribute its 50% share of the cost by making installment payments to the Lancaster Central School District as follows: to be paid in four installments of \$3,750 on or about October 1, 2003, on or about December 1, 2003, on or about February 1, 2004 and on or about April 1, 2004.

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

file: rprogram coordinator family support center

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

WHEREAS, RONALD A. GRIMM, JR., 4624 Goodrich Road, Clarence, New York 14031, the contract vendee of a parcel of property located on the east side of Transit Road in the Town of Lancaster, New York, has petitioned the Town Board of the said Town for the rezone of said property from an R1-Residential District One to a GB-General Business, and

WHEREAS, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report.

NOW THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 15th day of September, 2003, at 8:40 o'clock P.M., Local Time, and that Notice of the Time and Place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town on September 4, 2003, and be posted on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
COUNCIL MEMBER GIZA	VOTED YES

September 2, 2003

**LEGAL NOTICE
PUBLIC HEARING
REZONE - 4839 TRANSIT ROAD AND 4827 TRANSIT ROAD
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, and adopted on 2nd day of September, 2003, the said Town Board will hold a Public Hearing on the 15th day of September, 2003 at 8:40 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from a R-1 Residential District One to a GB-General Business:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot No. 96 and 97, Township 10 Range 6 of the Buffalo Creek Reservation founded and described as follows:

BEGINNING at a point 650' easterly from the northwest corner of lands conveyed to Stanley J. Widelski et al recorded in the Erie County Clerks Office in liber 10941 of Deeds at page 9730;

THENCE easterly and along the north line of aforementioned lands a distance of 569 +/- feet to a point;

THENCE southerly and parallel to the west line of Lots Number 96 and 97 a distance of 501.34 +/- feet to the southerly line of lands conveyed to Peter and Anna Berezuk by deeds recorded in the Erie County Clerks Office in liber 4433 of Deeds at page 297 and liber 6605 of deeds at page 43 respectively;

THENCE westerly and along the southerly line of lands of Berezuk as aforesaid a distance of 569 +/- feet to a point;

THENCE northerly and parallel to the west line of Lots No. 96 and 97 a distance of 501.34 +/- feet to the point of beginning.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

September 2, 2003

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

WHEREAS, the Town of Lancaster has had under review a Comprehensive Plan for development of the Town which was originally developed as a Comprehensive Plan for not only the Town of Lancaster but also the Village of Depew and Village of Lancaster, and

WHEREAS, the Villages beforementioned have previously adopted the Comprehensive Plan as it relates to the respective Villages while the Town continued its review since the Town encompasses significant areas which remain undeveloped while the Villages essentially are built out, and

WHEREAS, the Town Board referred the proposed Comprehensive Plan to the Town Planning Board for its review and comments, and

WHEREAS, the Planning Board invested substantial time in reviewing the proposed Plan and generated written comments which are now being made a part of the Comprehensive Plan, and

WHEREAS, the Planning Board held a public hearing on the proposed Comprehensive Plan on April 9, 2001 in compliance with Section 272-(a) (6) of the Town Law for the purpose of receiving public comments, and

WHEREAS, the Town Board engaged the services of Clough, Harbour and Associates, consulting engineers, by resolution on August 6, 2001 to prepare a Draft Generic Environmental Impact Statement for purposes of the environmental review required under SEQR on a proposed Comprehensive Plan, and

WHEREAS, the Town of Lancaster acted as lead agency in the SEQR review upon proper notice to other permit agencies (New York State Department of Environmental Conservation, Erie County Department of Environment and Planning and the New York State Department of Transportation), and

WHEREAS, the Town Board held public hearings on October 11, 2001 and January 29, 2002 for the purpose of receiving public comments on the proposed Comprehensive Plan, and

WHEREAS, the proposed Comprehensive Plan together with Planning Board comments of November 1, 2000 and June 6, 2001 were sent to Erie County Department of Environment and Planning on May 8, 2002, and

WHEREAS, on July 2, 2002 Clough, Harbour and Associates presented a Draft Generic Environmental Impact Statement (DGEIS) to the Town which was distributed to the Municipal Review Committee, New York State Department of Environmental Conservation, Erie County Department of Environment and Planning and the New York State Department of Transportation, and

WHEREAS, the Municipal Review Committee and the Town Board acted by resolution on August 5, 2002 accepting the DGEIS as complete and a Notice of Completion was thereafter filed as required under SEQR with the public being given the requisite thirty (30) day regulatory period to offer written comments, said comments being accepted in the Office of the Town Clerk until 4:00 P.M., September 11, 2002, and

WHEREAS, on August 20, 2002 all Towns and Villages surrounding the Town of Lancaster were sent a complete copy of the DGEIS inviting comments to the Town of Lancaster, and

WHEREAS, the Town received responses from NYS DEC (August 9, 2002), ECDEP (September 20, 2002) and NYSDOT (November 1, 2002) which took no exception to the DGEIS, and

WHEREAS, the Town Board and Municipal Review Committee reviewed the comments received from the public, and

WHEREAS, the Town Board engaged the services of Clough, Harbour and Associates to prepare a Final Generic Environmental Impact Statement (FGEIS), and

WHEREAS, an FGEIS was received by the Town from Clough, Harbour and Associates on January 8, 2003 and reviewed by the MRC and Town Board members, and

WHEREAS, the FGEIS was forwarded to New York State Department of Environmental Conservation, Erie County Department of Environment and Planning and New York State Department of Transportation for their comments on January 10, 2003, and

WHEREAS, the Planning Board comments have been incorporated into and made a part of the proposed Comprehensive Plan with special attention drawn to the proposed location of a north-south beltway which will not be located as the Planning Board recommended but will now be illustrated in the Cemetery Road corridor running parallel to Cemetery Road northerly from the Town owned former DL & W Railroad ROW to the New York State Thruway (I-90) and south from the former DL & W rail line in the vicinity of Cemetery Road to Broadway with no extension south of Broadway, and

WHEREAS, the Municipal Review Committee and the Town Board adopted a resolution on August 4, 2003 accepting the FGEIS as complete and commencing the ten (10) day comment period required before the lead agency can act to issue its written findings statement, and

WHEREAS, the Town Board as lead agency now desires to adopt the Findings Statement for the FGEIS on the proposed Comprehensive Plan for the Town of Lancaster;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board, as lead agency has reviewed and hereby adopts the attached Findings Statement which is made a part hereof and all of its supporting documentation with respect to the FGEIS for the Comprehensive Plan for the Town of Lancaster, and incorporates its analysis and findings in this resolution and directs the Town Attorney to file such Findings Statement and this resolution with all appropriate and involved agencies in accordance with the requirements of SEQR.

This resolution shall take effect immediately.

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
COUNCIL MEMBER GIZA	VOTED YES

September 2, 2003

File: rtownboardcomprehensive/masterplan903

STATEMENT OF FINDINGS

TOWN OF LANCASTER COMPREHENSIVE MASTER PLAN

Pursuant to Article 8 (State Environmental Quality Review Act - SEQR) of the Environmental Conservation Law and 6 NYCRR Part 617, the Town of Lancaster Town Board, as lead agency, makes the following findings.

Name of Action:

Town of Lancaster Comprehensive Master Plan

Description of Action:

Adoption of the Town of Lancaster Comprehensive Master Plan by the Town of Lancaster Town Board.

The Town of Lancaster has undertaken the preparation of a comprehensive plan. This plan was prepared in response to many issues facing the Town including retail and residential development, preservation of significant environmental resources, traffic patterns and utility limitations. The comprehensive plan is viewed as a means of planning for growth to achieve a desired vision and to protect the existing community character and quality of living that existing residents enjoy and have contributed to over the years.

Each of the two (2) Villages have previously adopted the Comprehensive Plan for the respective villages of Depew and Lancaster both of which municipalities are fully built out and will see no significant new development. The Town on the other hand has experienced growth and development in the past 20 years and will continue to see some measure of growth in the future given the large areas that are presently undeveloped in the Town.

Specific land use plans have yet to be developed and cannot be completed until additional project specific studies are complete. The implications of the plan that develops from the additional project specific study/planning may have environmental impacts. The Town will address these specific land use plans at the time the plans are considered for adoption.

The Comprehensive Plan is both a mitigation document and a proactive means to address the many issues that have arisen and will arise in the Town. The recommendations and action items will help the Town to focus on a common vision, continue to address current issues that face the community, and prepare for anticipated future development and associated impacts.

Location:

Town of Lancaster, Erie County, New York.

Agency Jurisdiction:

The Town of Lancaster Town Board is the only involved agency associated with adoption of the Town's Comprehensive Plan. In accordance with the Agricultural Districts Law and §239-m of the General Municipal Law, copies of the Comprehensive Plan and SEQR documentation have been submitted to the NYS Department of Agriculture & Markets and the Erie County Planning Department.

Date Final GEIS Accepted:

August 4, 2003

Facts and Conclusions:

The Town of Lancaster Town Board authorized the preparation of a Generic Environmental Impact Statement (GEIS) to address the potential impacts of the Town of Lancaster Comprehensive Plan. The Lancaster Comprehensive Plan is a strategic planning document that will guide future plans and studies necessary to define appropriate land use.

Specific land use plans have yet to be developed and cannot be completed until additional project specific studies are complete. The implications of the plan that develops from the additional project specific study/planning may have environmental impacts. The Town will address these specific land use plans at the time the plans are considered for adoption.

The Comprehensive Plan is both a mitigation document and a proactive means to address the many issues that have arisen and will arise in the Town. The recommendations and action items will help the Town to focus on a common vision, continue to address current issues that face the community, and prepare for anticipated future development and associated impacts.

The Lancaster Town Board declared itself Lead Agency in May 2002. The Draft Comprehensive Plan and Draft GEIS was then determined complete for public review on August 5, 2002 and subsequently filed, along with the Notice of Completion and Hearing Notice pursuant to 6 NYCRR 617.12. The comment period closed September 30, 2002. The Lancaster Town Board determined the Final GEIS complete on August 4, 2003.

It is the intent of the Town of Lancaster Town Board as Lead Agency to issue this Findings Statement pursuant to 6 NYCRR 617.11 of SEQR. Specifically, the Lead Agency hereby provides the following facts and conclusions in the Comprehensive Plan and Draft and Final GEIS relied upon to support this decision:

Recreation and Park Resources

- The Plan recognizes that there is a limited trail system at both Como Lake Park and Westwood Park and that a trail should be created along Cayuga Creek to link the downtown areas of the Villages with Como Lake Park as well as constructing a Bike Path along Broadway. This would require future project specific studies to determine the associated environmental impacts.

Local Laws, Codes and Ordinances

The Town of Lancaster should update its zoning ordinance and zoning map to reflect the changes outlined in the future land use plan and to protect historical/architecturally significant areas. Specific areas may include:

- Walden Avenue, from within the easterly existing sewer district, reserved for future industrial uses
- Higher density residential development surrounding the commercial node areas
- Opening industrial zoned lands from the Village of Lancaster Commerce Park running east to Cemetery Road

Land Use

- The Townline/Broadway area can be developed as a gateway between the Town of Lancaster and Town of Alden.
- The Plan also recommends that the Town continue to work with GBNRTC to determine the best route for the north-south connector and any additional east-west road improvements. The Town of Lancaster Planning Board has recommended a north-south corridor that differs from that outlined in the body of the Comprehensive Plan. The Town Board modifies the Planning Board recommendation and has set forth in a separate statement which is incorporated into the plan its decision to implement a north-south corridor running parallel to Cemetery Road from a point in the Town owned former DL & W Railroad ROW to the I-90 (New York State Thruway) and from the former DL & W ROW south to Broadway. The future development of a road may incorporate Cemetery Road or run parallel but will be located away from residential development. In addition, the Town will work with the two Villages to determine potential mitigating measures for traffic management.

Again, these recommendations are not fully developed in the Plan and would require future project specific studies to determine the associated environmental impacts.

Agricultural Lands

- Agricultural lands should be protected, specifically within the Ransom Road-Schwartz Road area. Measures being contemplated by the Town include purchasing Agricultural Conservation easements, request first right of refusal on sale of key agricultural lands and a Town Board resolution to re-certify the Lancaster-Alden Agricultural District.

The Town Planning Board should limit industrial and commercial development in the eastern portion of the Town to Walden Avenue and small pockets of Broadway.

Transportation

The Town will work with the Villages to monitor transportation improvements on roadways such as:

- *Transit Road*
- *Transit/French Road area*
- *William Street*
- *Broadway*
- *Walden Avenue*

The suggested corridor for the North-South Connector road is described by the Town and included as an appendix in the Comprehensive Plan. The Town has determined that the Comprehensive Plan should illustrate the north-south road as running from the rail bed of the former DL&W Railroad ROW (which runs east-west or perpendicular to Cemetery Road) thence in a northerly fashion to a terminus at the New York State Thruway (I-90). The exact location of the north-south road running southerly from the former DL & W Railroad ROW to Broadway will be determined in the future after detailed study but will be located away from residential development.

THRESHOLDS FOR FUTURE SEQR ACTIONS:

Pursuant to 6 NYCRR 617.15(c)(1), no further SEQR compliance is required if subsequent proposed actions will be carried out in conformance with the conditions and thresholds established for such actions in the GEIS or Findings Statement.

Since the Comprehensive Plan and GEIS do not propose and/or evaluate specific land uses and related actions and therefore have not established SEQR thresholds, all future actions by the Town Board, Planning Board, or Zoning Board relative to the implementation of the Comprehensive Plan that would involve the adoption of land use plans and policies or modifications of zoning and subdivision regulations and local laws should be reviewed

pursuant to SEQR through the preparation of a full Environmental Assessment Form (EAF). If, upon review of the EAF, it is determined that the action will have no significant impact, a Negative Declaration can be issued, thus ending the SEQR process. If it appears that significant impact may occur and the impact and associated mitigation cannot be sufficiently addressed and mitigated, as documented in parts 2 and 3 of the EAF, a Supplemental EIS should be prepared. The Supplemental EIS should take full advantage of the documentation already provided in the GEIS for this Comprehensive Plan.

Determination of the significance of any action relative to SEQR should include a thorough evaluation by the Lead Agency (in most cases the Town Board for the adoption of plans and other local regulatory amendments) of the consistency of the proposed land use plan or legislation with the recommendations of this Comprehensive Plan.

CERTIFICATION OF FINDINGS:

Having considered the Draft and Final GEIS and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.11, this Statement of Findings certifies that:

- that requirements of 6 NYCRR 617 have been met; and
- consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

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

WHEREAS, the Town Board of the Town of Lancaster has given due consideration to the adoption of a Comprehensive Plan for the development of the Town, and

WHEREAS, the proposed Comprehensive Plan was referred to the Planning Board for its review and the Planning Board has made written comments regarding the Plan which the Town Board have deemed appropriate to incorporate into the Comprehensive Plan, and

WHEREAS, the Town Board has promulgated a revised north-south beltway location to be incorporated into the Comprehensive Plan which will run north from the Town owned former D L & W railroad right of way just west of Cemetery Road to the I-90 (NYS Thruway) and will run southerly from the said former rail line parallel to and in the vicinity of Cemetery Road, its location to be a significant distance from residential subdivisions, and

WHEREAS, an environmental review was conducted under SEQR with appropriate public hearings having been held with appropriate public comment periods, and

WHEREAS, public hearings were held in conformance with the Town Law §272, and

WHEREAS, the Municipal Review Committee and Town Board have completed their respective SEQR review and accepted the FGEIS as complete on August 4, 2003, and

WHEREAS, the Municipal Review Committee and Town Board as lead agency under SEQR have adopted the Findings Statement with regard to the FGEIS, and

WHEREAS, after due consideration the Town Board deems it in the public interest to adopt the proposed Comprehensive Plan together with the Planning Board comments and revisions and the final revision on the north-south beltway incorporated into such plan, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby adopts the Comprehensive Plan with comments and revisions of the Planning Board and the revision on the location of the north-south beltway which is attached hereto and made a part hereof as the Comprehensive Plan for the development of 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 MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

file rcomprehensiveplanadoption903

Comprehensive Plan - Planning Board Comments

The Town Board has determined that the comments made by the Planning Board of the Town of Lancaster should be adopted in full and incorporated into the Comprehensive Master Plan. These comments appear in written form dated November 1, 2000 with additional comments in writing also incorporated into the Comprehensive Plan dated June 6, 2001. Where comments by the Planning Board are inconsistent with the text of the Comprehensive Plan the Planning Board comments are to be treated as revisions and represent the Plan as adopted by the Town Board. The location of a North-South Road is also revised as is set forth herein and any reference found in the Plan which is inconsistent with the statement herein is to be disregarded.

North-South Road

The Town Board recognizes that there is a need in the future for a north-south arterial road east of the Village of Lancaster which has been the subject of a preservation study completed by the Greater Buffalo-Niagara Regional Transportation Council (GBNRTC). The Town Board has concluded that a plan to preserve open area for future right-of-way use for a north-south road was and is both worthy and worthwhile. The Town Board desires to revise the location of the road as was originally illustrated by the Town Planning Board. At the same time, the Town does not believe it appropriate to follow the exact location as mapped out by Peter J. Smith and Company since that would simply parallel Cemetery Road from Broadway with a terminus at the New York State Thruway or I-90.

Consequently, the Town Board has determined that the Comprehensive Plan should illustrate the north-south beltway as running from the rail bed of the former DL & W Railroad ROW which runs perpendicular to Cemetery Road and crosses Cemetery Road in a northerly fashion to a terminus at the New York State Thruway or I-90. The exact location of the north-south road running southerly from the former D L & W Railroad ROW is one to be determined in the future. The Planning Board and the Town Board have now identified a possible location running along Cemetery Road from the former D L & W ROW south to the Broadway Bowen area.

The Town Board wishes to also recognize that there is a plan now being considered to open the former D L & W Railroad ROW which is owned by the Town of Lancaster as an east-west road running from Cemetery Road in a westerly direction to intercept with the Village Industrial Park. A roadway located along this right-of-way would open industrially zoned property within the Town of Lancaster which is now non-accessible. It is critical for any proposed north-south road to run from a terminus at the beforementioned town owned former D L & W Railroad ROW in a northerly direction toward the I-90. This would allow unfettered access for industrial commerce from the previously mentioned industrial zoned land to an interstate highway.

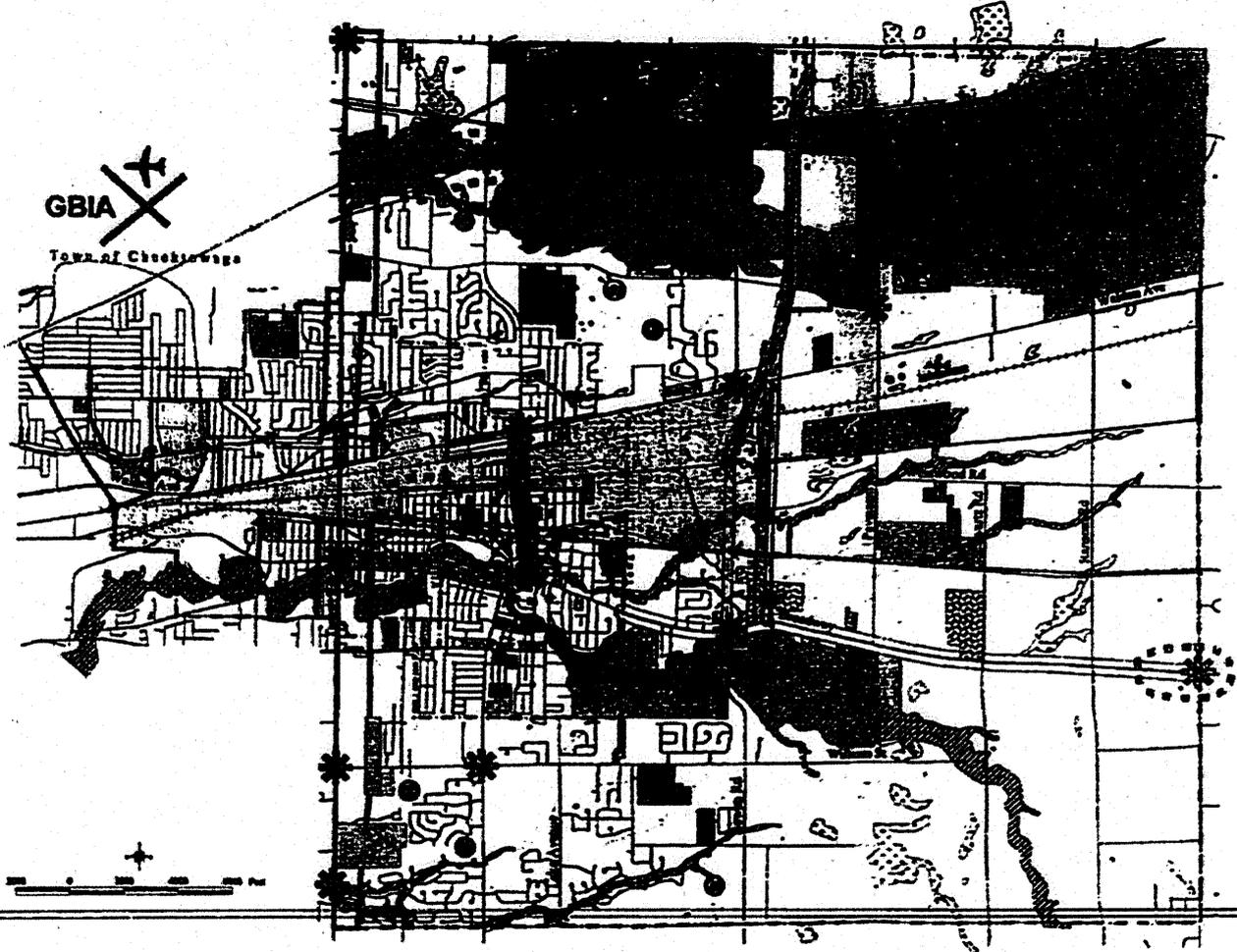
The Town Board therefore adopts the Comprehensive Plan which hereby incorporates the concept north-south roadway into said Plan with a certainty that it run from its terminus at the Town owned former D L & W Railroad ROW thence northerly to intercept with the New York State Thruway or I-90. The north-south road running in a southerly direction from the former

D L & W Railroad ROW can be placed in the future near or along Cemetery Road or in an area to the west of Cemetery Road as can be accommodated over available land but in any event will remain farther to the east than the original illustration provided by the Planning Board. This will assure that such a highway does not adversely impact any significant residential subdivision development.

TOWN OF LANCASTER
AND
VILLAGES OF LANCASTER
AND DEPEW
REGIONAL COMPREHENSIVE PLAN

Future Land Use
Land Use Classifications

- Agricultural / Rural Residential
- Medium Density Residential
- ▨ Rural Residential
- ▩ High Density Residential
- ▧ Broadway / Central "Main Street"
- Mixed Use (Res / Com / Off)
- Regional Commercial
- Industrial
- ▨ Stone Quarries / Sand & Gravel Pits
- ▨ Office / Research and Development
- ▨ Lakes, Ponds
- ▨ Parks
- ▨ Golf Courses
- ▨ School Grounds, Public & Private
- ▨ FEMA Floodplains
- ▨ Fish & Wildlife Service Wetlands
- ▨ NYS DEC Wetlands
- ▨ Cemeteries
- ⊕ "Traditional Village"
- ⊕ Commercial Node - Neighborhood Services
- ~ Roads
- ~ Railroad / ~ Proposed Commuter Railroad
- ~ Municipal Boundaries
- ~ Streams, Rivers
- ~ Proposed North South Corridor



GBIA
Town of Cheektowaga

RECOMMENDED FOR APPROVAL
BY TOWN OF LANCASTER
PLANNING BOARD
OCTOBER 4, 2000

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

WHEREAS, a Public Hearing was held on the 18th day of August, 2003, for the purpose of amending Chapter 50, "Zoning", Article IV, Residential Districts, Section 50-9 (B) (1) and Article VI, Industrial Districts, Section 50-25 (B) (1) (e) of the Code of the Town of Lancaster, as follows:

CHAPTER 50 - ZONING

Article IV, Residential Districts

- I. Section 50-9. Agricultural Residential Districts (A-R), of Chapter 50, "Zoning", of Code of the Town of Lancaster shall be amended by adding thereto the following:

Section 50-9. Agricultural Residential Districts (A-R).

.....

B. Permitted structures and uses.

(1) Principal structures and uses.

.....

(j.) Composting or other outdoor storage of yard waste and/or vegetative material subject to the issuance of a special use permit by the Town Board on the following conditions:

(i) Any composting facility or facility providing for outdoor storage of yard waste or other vegetative material shall be carried out on a minimum parcel of 100 acres.

(ii) Any such facility above mentioned shall be located a distance of at least 1000 feet from any adjacent use which is non-agricultural and non-residential in nature and shall further be at least 1000 feet removed from any dedicated highway.

(iii) Any such facility beforementioned shall be located a distance of at least 1500 feet from any adjacent use which is residential in nature.

(iv) Any area devoted to the use provided for and permitted herein shall also be surrounded completely by a berm a minimum of 15 feet in height from existing ground level and any material being stored shall not exceed 5 feet in height.

(v) Such a permitted facility must include a well maintained asphalt or concrete drive at least 20 feet in width, running from the nearest dedicated highway to the site and must provide sufficient access for heavy fire and rescue apparatus to all areas of said facility.

(vi) Said permitted facility shall provide access to a fully functioning fire hydrant within 500 feet of any compostable material storage areas. Said fire hydrant shall be capable of supplying an adequate water supply for the purpose of fire suppression and shall be subject to acceptance and approval by the Fire District Chief in which said composting facility is located.

(vii) Said permitted facility shall provide for the containment of any and all leachate from the stored materials and shall further provide the means for proper collection and disposal for reuse of said leachate. Said leachate shall be prevented from migrating off site and also must be prevented from contaminating soil or ground water on site.

(viii) Said permitted facility shall only be permitted to engage in aerobic composting processes. Anaerobic composting shall not be permitted.

(ix) Said permitted facilities shall provide a performance bond to the Town of Lancaster as a part the special use permit in the sum of not less than \$1,000,000. which must be renewed on an annual basis. Posting of the security may be by cash bond or its equivalent from a surety found acceptable to the Town of Lancaster.

(x) Such a proposed facility shall be subject to SEQR review.

(xi) Closure of such a facility shall be done by the submission of detailed plans at least ninety (90) days prior to the plan date for closure to the Town of Lancaster which plans shall include the proposed closure date of the facility and the plan for removal of materials and clean up of the site. The performance bond posted shall remain in effect until such time as the Town Board is satisfied that the closure of the facility has been completed in strict conformance with the plan approved by the Town Board.

(xii) The issuance of the special use permit shall be subject to the following permit fees:

- a) site under one acre - \$1,000.
- b) site one acre or greater - \$3,000 for the first acre plus \$2,000 for each additional acre

and

CHAPTER 50 - ZONING

Article VI, Industrial Districts

2. Section 50-25. General Industrial District (GI), of Chapter 50, "Zoning, of the Code of the Town Lancaster shall be amended by adding thereto the following:

Section 50-25. General Industrial District (GI).

.....

B. Permitted uses.

(1) Principal structures and uses.

.....

(e.) The outdoor storage as permitted in this zoning classification shall not include the storage of yard waste or any other vegetative material or any composting type operation using such materials.

and persons for and against such amendments have had an opportunity to be heard, and

WHEREAS, a Notice of Public Hearing was duly published and posted, and

WHEREAS, the Town Board has recommended the proposed amendment of the Code of the Town of Lancaster, County of Erie;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Article IV, Residential Districts, Section 50-9 (B) (1) and Article VI, Industrial Districts, Section 50-25 (B) (1) (e) of Chapter 50, "Zoning", of the Code of the Town of Lancaster, County of Erie, and State of New York, be and hereby is amended;
2. That said amendments be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 2nd day of September, 2003;
3. That a certified copy of this amendment be published in the Lancaster Bee on September 4, 2003;

4. That a certified copy of this Amendment be posted on the Town Bulletin Board, and

5. That Affidavits of Publication and Posting be filed with the Town Clerk.

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

file: ramendmentzoningcode90Ja

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT OF CHAPTER 50 - ZONING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that Article IV, Residential Districts, Section 50-9 (B) (1) and Article VI, Industrial Districts, Section 50-25 (B) (1) (e) of Chapter 50, "Zoning", of the Code of the Town of Lancaster, be and is hereby amended as follows:

CHAPTER 50 - ZONING

Article IV, Residential Districts

- I. Section 50-9. Agricultural Residential Districts (A-R), of Chapter 50, "Zoning", of Code of the Town of Lancaster shall be amended by adding thereto the following:

Section 50-9. Agricultural Residential Districts (A-R).

.....

B. Permitted structures and uses.

(1) Principal structures and uses.

.....

(j.) Composting or other outdoor storage of yard waste and/or vegetative material subject to the issuance of a special use permit by the Town Board on the following conditions:

(i) Any composting facility or facility providing for outdoor storage of yard waste or other vegetative material shall be carried out on a minimum parcel of 100 acres.

(ii) Any such facility above mentioned shall be located a distance of at least 1000 feet from any adjacent use which is non-agricultural and non-residential in nature and shall further be at least 1000 feet removed from any dedicated highway.

(iii) Any such facility beforementioned shall be located a distance of at least 1500 feet from any adjacent use which is residential in nature.

(iv) Any area devoted to the use provided for and permitted herein shall also be surrounded completely by a berm a minimum of 15 feet in height from existing ground level and any material being stored shall not exceed 5 feet in height.

(v) Such a permitted facility must include a well maintained asphalt or concrete drive at least 20 feet in width, running from the nearest dedicated highway to the site and must provide sufficient access for heavy fire and rescue apparatus to all areas of said facility.

(vi) Said permitted facility shall provide access to a fully functioning fire hydrant within 500 feet of any compostable material storage areas. Said fire hydrant shall be capable of supplying an adequate water supply for the purpose of fire suppression and shall be subject to acceptance and approval by the Fire District Chief in which said composting facility is located.

(vii) Said permitted facility shall provide for the containment of any and all leachate from the stored materials and shall further provide the means for proper collection and disposal for reuse of said leachate. Said leachate shall be prevented from migrating off site and also must be prevented from contaminating soil or ground water on site.

(viii) Said permitted facility shall only be permitted to engage in aerobic composting processes. Anaerobic composting shall not be permitted.

(ix) Said permitted facilities shall provide a performance bond to the Town of Lancaster as a part the special use permit in the sum of not less than \$1,000,000. which must be renewed on an annual basis. Posting of the security may be by cash bond or its equivalent from a surety found acceptable to the Town of Lancaster.

(x) Such a proposed facility shall be subject to SEQR review.

(xi) Closure of such a facility shall be done by the submission of detailed plans at least ninety (90) days prior to the plan date for closure to the Town of Lancaster which plans shall include the proposed closure date of the facility and the plan for removal of materials and clean up of the site. The performance bond posted shall remain in effect until such time as the Town Board is satisfied that the closure of the facility has been completed in strict conformance with the plan approved by the Town Board.

(xii) The issuance of the special use permit shall be subject to the following permit fees:

a) site under one acre - \$1,000.

b) site one acre or greater - \$3,000 for the first acre plus \$2,000 for each additional acre

and

CHAPTER 50 - ZONING

Article VI, Industrial Districts

2. Section 50-25. General Industrial District (GI), of Chapter 50, "Zoning, of the Code of the Town Lancaster shall be amended by adding thereto the following:

Section 50-25. General Industrial District (GI).

.....

B. Permitted uses

(1) Principal structures and uses.

.....

(e.) The outdoor storage as permitted in this zoning classification shall not include the storage of yard waste or any other vegetative material or any composting type operation using such materials.

September 2, 2003

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER:

This is to certify that I, **JOHANNA M. COLEMAN**, Town Clerk of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of an Ordinance Amendment with the original thereof filed in my office at Lancaster, New York, on the 2nd day of September, 2003, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 2nd day of September, 2003.

(SEAL)

Johanna M. Coleman, Town Clerk

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

WHEREAS, the Town of Lancaster intends to apply for Federal Community Development Funds, known as Community Development Block Grant funds for the year 2004-2005 and must identify eligible projects which would benefit low to moderate income persons in the Town, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to hold a Public Hearing to provide an opportunity for citizens to express community development and housing needs and to discuss proposal to meet those needs to assist the Town Board in developing the Town application for Community Development Block Grant funds;

NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 15th day of September, 2003, at 8:50 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the Lancaster Bee, the Official newspaper and be posted on the Town Bulletin Board , which Notice shall be in the form attached hereto and made a part hereof.

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

File: rcomindevblockgrantfunds903

**NOTICE OF PUBLIC HEARING
NOTICE TO CITIZENS
OF THE
TOWN OF LANCASTER**

A Public Hearing will be held on the 15th day of September, 2003, at 8:50 o'clock P.M., Local Time, at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, regarding the use of Federal Community Development funds in the Town of Lancaster.

The Town of Lancaster is eligible for a Federal Community Development Grant under Title I of the Housing and Community Development Act of 1974, as amended.

The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Lancaster.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Lancaster's selection of potential projects to be submitted for possible funding by the Federal Community Development Grant Program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Lancaster Town Clerk's Office at (716) 683-9028 by September 9, 2003.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

September 2, 2003

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, 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 Director of Administration and Finance, to wit:

Claim No. 4084 to Claim No. 4270 Inclusive
Total amount hereby authorized to be paid: \$212,039.40

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

File Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER STEMPIAK, WHO
 MOVED ITS ADOPTION, SECONDED BY
 COUNCIL MEMBER RUFFINO, 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 Lancaster are
 waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

10964	City Fence Inc	15 Winding Way	Er. Fence	
10965	Federal Building Co Inc	19W Home Rd	Er. Garage	
10966	Highview Homes	1333 Ransom Rd	Er. Dwlg.-Sin.	
10967	Jay, Lawrence	2 Buckingham Ct	Er. Deck	
10984	Majestic Pools Inc	152 Pavement Rd	Er. Pool-In Grnd	
11036	Bengert Greenhouses	25 Hillside Pky	Er. Pool-Abv Grnd	
11037	Iroquois Fence	25 Creekwood Dr	Er. Fence	
11038	Dymond Enterprises	27 Bentley Cir	Er. Pool-Abv Grnd	
11039	Jakubczak, Ronald	27 Bentley Cir	Er. Deck	
11040	F & T Motors	5375 Genesee St	Er. Sign-Temp	
11041	Koscielniak, Keven	36 Cedar Brook Dr	Er. Deck	
11042	Majestic Pools Inc	152 Pavement Rd	Er. Fence	
11043	Gould, Joyce	68 Kelly Ct	Er. Fence	
11044	Lucas, Richard	57 Michael Anthony Ln	Er. Fence	
11045	Avalon Services	23 Farmview Ct	Er. Pool-Abv Grnd	
11046	Majestic Pools Inc	3 Ann Marie Dr	Er. Pool-In Grnd	
11047	Majestic Pools Inc	3 Ann Marie Dr	Er. Fence	
11048	Harrington, Robert	34 Iroquois Ave	Er. Fence	(V/L)
11049	Frey's Olde Time Furn.	20 Gale Dr	Er. Shed	
11050	J Gun Enterprises Inc	47 Stream View Ln	Er. Pool-Abv Grnd	
11051	J Gun Enterprises Inc	25 Hampton Ct	Er. Pool-Abv Grnd	
11052	Curry Custom Decks	48 Sussex Ln	Er. Deck	
11053	Gillett, Joseph	14 Village View	Er. Shed	
11054	Aquino, Mark	3 Sussex Ln	Er. Shed	
11055	Lucas, Richard	59 Michael Anthony Ln	Er. Fence	
11056	Pioneer Properties Co	480 Aurora St	Er. Sign-Temp	
11057	Czechowski, Bernard	19 Creekwood Dr	Er. Shed	
11058	Latella, John	381 Harris Hill Rd	Er. Deck	
11059	Slivan Pool & Const.	72 Stutzman Rd	Er. Pool-Abv Grnd	
11060	Premier Fence Co	265 Ransom Rd	Er. Fence	

11061	American Fireplace	16 Edward St	Er. Fireplace	
11062	Duro-Shed Inc	16 Butler Dr	Er. Shed	
11063	Inglese, Mary	32 Norris Ave	Er. Deck	(V/L)
11064	Marrano/Marc Equity	35 Apple Blossom Blvd	Er. Dwlg.-Sin.	
11065	Marrano/Marc Equity	6 Peachtree Ct	Er. Dwlg.-Sin.	
11066	Marrano/Marc Equity	38 Summerfield Dr	Er. Dwlg.-Sin.	
11067	Jozwiak, Jeffrey	124 Brunck Rd	Er. Res. Alt.	
11068	Irish Construction	17 Riemers Ave	Er. Fence	
11069	Lovejoy Builders Inc	8 Ann Marie Dr	Er. Dwlg.-Sin.	
11070	Duro-Shed Inc	16 Parkedge Dr	Er. Shed	
11071	Rondinelli, Frank	212 Nathan's Trl	Er. Shed	
11072	Forbes Homes Inc	222 Enchanted Forest N	Er. Dwlg.-Sin.	
11073	Duro-Shed Inc	1337 Ransom Rd	Er. Shed	
11074	Wienckowski, Len	162S Irwinwood Rd	Er. Shed	(V/L)
11075	Nugent, Michael	68 Trentwood Trl N	Er. Fence	
11076	Frey's Olde Time Furn.	22 Ann Marie Dr	Er. Shed	
11077	McNamara, Michael	69 Kelly Ct	Er. Fence	(V/L)
11078	Dressler, Jeffrey	47 Village View	Er. Shed	
11079	Scapillato, Dominic	14 Idlebrook Ct	Er. Shed	
11080	Marrano, Anthony	45 Hill Valley Dr	Er. Fence	
11081	Fried, John	1 Farmview Ct	Er. Shed	
11082	Czeriejewski, Thomas	17 Glendale Dr	Er. Deck	
11083	Mazur Construction Inc	207 N Maple Dr	Er. Res. Add.	
11084	Duro-Shed Inc	6 Queen's Way	Er. Shed	
11085	McKay, Scott	19 Ann Marie Dr	Er. Shed	
11086	Majestic Pools Inc	150 Pleasant View Dr	Er. Fence	
11087	Majestic Pools Inc	150 Pleasant View Dr	Er. Pool-In Grnd	
11088	Essex Homes of WNY	6 Fox Trace	Er. Dwlg.-Sin.	
11089	Iroquois Fence	11 Stone Hedge Dr	Er. Fence	
11090	Allshouse, Robert	1372 Townline Rd	Er. Shed	
11091	Faulhaber, Robert	5542 Broadway	Er. Fence	(V/L)
11092	Duro-Shed Inc	23 Village View	Er. Shed	
11093	Irish Construction	53 Michael's Walk	Er. Fence	
11094	Zelli, Brian	38 Michael's Walk	Er. Deck	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

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 following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

September 2, 2003

File: Rbldg2

SUSPENDED RESOLUTION:

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolutions:

Council Member Ruffino moved to suspend the necessary rules for immediate consideration of the following two resolutions, seconded by Council Member Stempniak, on roll call, which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED
BY ENTIRE TOWN BOARD, TO WIT:

WHEREAS, it has been made public that the Seneca Nation is considering the development of a casino in the Town of Cheektowaga in the vicinity of Transit Road and Pleasantview Drive and more particularly across Transit Road from the Hillview Elementary School located in the Town of Lancaster, and

WHEREAS, the Town Board has duly reviewed this plan and believes that it is not in the interest of the residents of the Town of Lancaster to have a casino located near the intersection of Transit Road and Pleasantview Drive because of the potential adverse impact it will cause to nearby residential neighborhoods in the Town of Lancaster and the impropriety of locating such a development anywhere near a school;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board publicly opposes the location of a casino style development in the Town of Cheektowaga in the vicinity of Transit Road and Pleasantview Drive because of the impropriety of placing such a development in such proximity to a school and for the further reason that such a development can have a potentially significant and adverse impact on nearby residential neighborhoods in the Town of Lancaster and correspondingly in the Town of Cheektowaga, such adverse impacts including but not limited to increased traffic, increased crime rates and possible impacts on property values;

AND BE IT FURTHER

RESOLVED, that the Town Board of the Town of Lancaster hereby memorializes New York State Governor George Pataki, New York State Senator Dale Volker, New York State Legislator Paul Tokasz, Erie County Executive Joel Giambra, Erie County Legislators Raymond Dusza and Dale Larson, United States Senator Hillary Clinton, United States Senator Charles Schumer, United States Representative Thomas Reynolds, the Federal Bureau of Indian Affairs and the President and Tribal Council of the Seneca Nation that the Town Board of the Town of Lancaster opposes the location of the planned Seneca Nation casino in the Town of Cheektowaga on Transit Road near the intersection of Pleasantview Drive and across Transit Road (Route 78) from the Hillview Elementary School in the Town of Lancaster.

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
COUNCIL MEMBER GIZA	VOTED YES

September 2, 2003

file: rcasinu903

SUSPENSION GRANTED

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

WHEREAS, the Lancaster Central School District has inquired whether the
Town Highway Superintendent can perform paving work for the school district, and

WHEREAS, the Highway Superintendent has advised the Town Board that
he will be able to assist the school district, and

WHEREAS, the Town Board desires to assist the school district in
completing paving of the driveway from Pleasantview Drive into the high school field house
parking lot with resulting cost savings to the school district since the highway department will
only bill the cost of labor and use of equipment.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
authorizes the Supervisor to enter into an agreement with the Lancaster Central School District
pursuant to the authority in Article 5-G of the General Municipal Law for the paving of a
driveway at the Lancaster High School as beforementioned with the Highway Superintendent
charging back to the school district his expenses for labor and use of equipment for a cost
savings to the school district.

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

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	WAS ABSENT
COUNCIL MEMBER GIZA	VOTED YES

September 2, 2003

File: rhighschoolpaving903

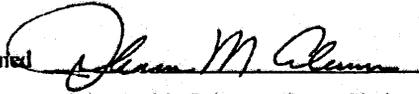
COMMUNICATIONS & REPORTS:

477. General Crew Chief to Planning Board Chairman, Planning Board Members, Council Members Montour, Ruffino, & Stempniak -
Notice of approval from Town Forestry Department for the site plan of Eastport Commerce Center and approval with modifications for the site plan of Carquest Distribution Center. DISPOSITION = Planning Committee
478. Hawk & Rebel, Inc. to Town Clerk -
Advisement of application by the Boston Hotel Steak & Crab House for renewal of liquor license. DISPOSITION = Town Attorney
479. David Szczesny to Town Board -
Letter regarding safety concerns at the intersection of Aurora Street and William Street.
DISPOSITION = Safety Committee, Legislator Dale Larson
480. Captain Riccardo M. Zuppelli to Supervisor -
Request resolution for stop signs in Windsor Ridge Subdivision. DISPOSITION = Resolution 9/2/03
481. Adelphia to Town Clerk -
Transmittal of channel changes for cable television. DISPOSITION = Received and Filed
482. Chairman, L.I.D.A. to Erie County Executive, Lancaster Central School District Superintendent, Deputy Commissioner for Erie County Planning & Economic Development, Supervisor -
Notice of public hearing to be held September 25, 2003 at 4:00 PM at the Town Hall to consider financial assistance for Jiffy-Tite Co., Inc. DISPOSITION = Received and Filed
483. Senator Dale M. Volker to Acting Regional Director, NYS DOT -
Letter requesting acceleration of proposed Transit Road reconstruction project.
DISPOSITION = Received and Filed
484. Town Attorney to Municipal Review Committee -
Notification of meeting to be held September 2, 2003 for the purpose of consideration of adopting findings on the FGEIS for the Comprehensive Master Plan and site plan application of Eastport Commerce Center (Buildings A & H). DISPOSITION = Received and Filed
485. Town Clerk to Various News Media -
Notice to media of meeting of Municipal Review Committee, September 2, 2003 at 6:30 PM to review the site plan application of Eastport Commerce Center (Buildings A & H) and to adopt findings on the FGEIS of the Comprehensive Master Plan.
DISPOSITION = Received and Filed
486. Town Engineer to Town Board -
Recommend acceptance of Public Improvement Permit No. 558, Pavement and Curbs; Permit No. 559, Storm Sewers, and Permit No. 560, Waterlines in Valley Overlook Subdivision. DISPOSITION = Resolution 9/2/03
487. Erie County Dept. of Environment & Planning to Town Attorney -
Transmittal of comments regarding site plan review for CarQuest Distribution Center, Walden Avenue west of Pavement Road. DISPOSITION = Planning Committee
488. Erie County Dept. of Environment & Planning to Town Attorney -
Transmittal of comments regarding site plan review for Eastport Commerce Center, Buildings A and H. DISPOSITION = Planning Committee
489. Erie County Dept. of Public Works to Town Board -
Notice of highway closure of William Street between Schwartz Road and Bowen Road effective August 27, 2003. DISPOSITION = Received and Filed

490. Erie County Dept. of Public Works to Town Board -
Notice of highway closure of Hall Road between Schwartz Road and Ransom Road effective May 27, 2003 to September 30, 2003. DISPOSITION = Received and Filed
491. Executive Director, Youth Bureau to Supervisor -
Request Town of Lancaster to continue to participate in collaborative effort of providing a Program Coordinator for Family Support Center. DISPOSITION = Resolution 9/2/03
492. NYS DEC to Town Attorney -
Notification of Lead Agency Designation to the Town of Lancaster regarding 4827 and 4839 Transit Road; comments noted. DISPOSITION = Planning Committee
493. Planning Board Chairman to Planning Board Members, Town Board Members, Town Engineer, Town Attorney & Building Inspector -
Transmittal of draft copy of minutes held August 20, 2003. DISPOSITION = Received and Filed
494. Planning Board to Town Board -
Recommend approval of site plan for Car Quest Distribution Facility. DISPOSITION = Planning Committee
495. Planning Board to Town Board -
Recommend approval of rezone petition of Ronald Grimm. DISPOSITION = For Resolution
496. Planning Board to Town Board -
Recommend approval of site plan for Eastport Commerce Center (Buildings A & H). DISPOSITION = Resolution 9/2/03
497. Town Clerk to Fire Chiefs, Fire Presidents and Natural Disaster Services Coordinator -
Reminder of annual inspection to be held September 22, 2003 at each fire district in the Town of Lancaster and at the Office of Emergency Management. DISPOSITION = Received and Filed
498. Ex. Director of Greater Buffalo-Niagara Regional Transportation Council to Town Board
Notification of meeting to be held September 10, 2003. DISPOSITION = Received and Filed
499. Assembly Majority Leader Paul Tokasz to NYS Dept. of Environmental Conservation -
Request that DEC reconsider issuing a general or generic permit to landowners in Windsor Ridge Subdivision affected by the amendment to the State Wetlands Map. DISPOSITION = Town Attorney
500. Congressman Thomas Reynolds to Supervisor -
Expressed gratitude for hosting Town Hall Meeting regarding identity theft. DISPOSITION = Received and Filed
501. Concerned Citizen to Supervisor -
Transmittal of petition containing signatures opposing constructing a casino at Transit Road and Cloverleaf Drive. DISPOSITION = Resolution 9/2/03

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER STEMPNIAK AND SECONDED BY
THE ENTIRE BOARD AND CARRIED, the meeting was adjourned at 9:52 P.M.**

Signed 
Johanna M. Coleman, Town Clerk