

December 10, 2020

A Special Meeting of the Zoning Board of Appeals of the Town of Lancaster, Erie County, New York was held via teleconference on the 10<sup>th</sup> day of December 2020 at 6:45 P.M., and there were:

**PRESENT:** CARLO DIRIENZO, MEMBER  
JOHN MIKOLEY, MEMBER  
JILL MONACELLI, MEMBER  
LAWRENCE PIGNATARO, MEMBER  
RICHARD QUINN, MEMBER  
TYLER SOJKA, CHAIRMAN

**ABSENT:** NONE

**ALSO RESENT:** DIANE TERRANOVA, TOWN CLERK  
EMILY ORLANDO, DEPUTY TOWN ATTORNEY  
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER

**PURPOSE OF MEETING:**

This Special Meeting of the Zoning Board of Appeals of the Town of Lancaster was held for the purpose of acting on a State Environmental Quality Review for one (1) action.

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY  
REVIEW (SEQR) OF THE  
SUPERIOR PALLETS. INC.**

The Zoning Board of Appeals reviewed the Short Environmental Assessment Form on the Superior Pallets, Inc. 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 2 Environmental Assessment” which was provided to each member.

**PLEASE TAKE NOTICE**, that the Zoning Board of Appeals of the Town of Lancaster, has reviewed the following described proposed action, which is an **unlisted action**, and that Board recommends that there are significant adverse environmental impacts relative to the criteria found in 6 NYCRR § 617.7, and further issues a Positive Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with § 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Lancaster Zoning Board of Appeals  
21 Central Avenue  
Lancaster, New York 14086  
Kevin Loftus, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed action is to authorize the location of accessory pallet recycling involving approximately 7.99 acres.

The location of the premises being reviewed is 3981 Walden Avenue, Lancaster, New York 14086, Erie County.

This project is described as the processing of pallet waste into mulch, outside of an enclosed building, thereby requiring a variance.

THE FOLLOWING MOTION WAS OFFERED  
BY BOARD MEMBER QUINN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
BOARD MEMBER PIGNATARO, TO WIT:

That the Zoning Board of Appeals has reviewed the potential environmental impacts associated with the Superior Pallets, Inc. matter identified in the Environmental Assessment Form, and, under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3) for the reasons indicated below based on the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will have a significant adverse impact on the environment and therefore issues a Positive Declaration.

### REASONS SUPPORTING RECOMMENDATION

1. The proposed action will create a moderate to large material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will result in a change in the use or intensity of use of land.
3. The proposed action will impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will result in a small adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.
7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will create a hazard to environmental resources or human health.

The question of the adoption of the foregoing Positive Declaration was duly put to a vote which resulted as follows:

MR. DIRIENZO	VOTED YES
MR. MIKOLEY	VOTED YES
MS. MONACELLI	VOTED YES
MR. PIGNATARO	VOTED YES
MR. QUINN	VOTED YES
MR. SOJKA	VOTED YES

ON MOTION DULY MADE, SECONDED AND CARRIED, the meeting was adjourned at 6:59 P.M.

Signed \_\_\_\_\_  
Diane M. Terranova, Town Clerk and  
Clerk, Zoning Board of Appeals  
Dated: December 10, 2020