

**Town Board Minutes**  
**The Municipal Review Committee**

**June 6, 2016**

**Meeting No. 13**

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, acting as the Municipal Review Committee, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 6<sup>th</sup> day of June 2016, at 6:00 PM and there were

**PRESENT:** JOHN ABRAHAM, COUNCIL MEMBER  
DAWN GACZEWSKI, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
MATTHEW WALTER, COUNCIL MEMBER  
JOHANNA COLEMAN, SUPERVISOR  
REBECCA ANDERSON, PLANNING BOARD MEMBER  
ANTHONY GORSKI, PLANNING BOARD MEMBER  
JOSEPH KEEFE, PLANNING BOARD MEMBER  
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER  
KRISTIN MCCRACKEN, PLANNING BOARD MEMBER  
NEIL CONNELLY, PLANNING BOARD CHAIRMAN

**ABSENT:** MELVIN SZYMANSKI, PLANNING BOARD MEMBER

**ALSO PRESENT:** DIANE TERRANOVA, TOWN CLERK  
KEVIN LOFTUS, TOWN ATTORNEY  
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER  
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

**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 one (1) action.

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY  
REVIEW (SEQR) OF THE**

**HELLENIC ORTHODOX CHURCH  
NEW WORSHIP & BANQUET FACILITY**

The Municipal Review Committee reviewed the Long Environmental Assessment Form on the Hellenic Orthodox Church matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

**PLEASE TAKE NOTICE**, that the Municipal Review Committee of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an Type 1, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR § 617.7, and further recommends that the lead agency issue a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with § 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

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

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

The proposed development is of a parcel involving approximately 14.86 acres.

The location of the premises being reviewed is 5994 Genesee Street, Lancaster, New York 14086, Erie County.

This project is described as new worship center for Hellenic Orthodox Church. Parking for 132 vehicles. New drainage, utilities, landscaping, re-grading, and temporary and permanent erosion control devices shall be added.

THE FOLLOWING MOTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

That the Municipal Review Committee has reviewed the potential environmental impacts associated with the Hellenic Orthodox Church Project 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 not have a significant adverse impact on the environment and therefore recommends that the Town Board finds that there are no significant adverse impacts from the proposed project, and issue the following Negative Declaration.

## **REASONS SUPPORTING RECOMMENDATION**

- 1. Impact on land – No impact.**
- 2. Impact on Geological Features – No impact.**
- 3. A small impact on Surface Water is noted.**
  - The project includes an on-site waste water treatment system.
- 4. Impact on Groundwater – No impact.**
- 5. Impact on Flooding – No impact.**
- 6. Impact on Air – No impact.**
- 7. A small impact on Plants and Animals is noted.**
  - See document from New York State Department of Environmental Conservation dated December 22, 2015.
  - A small seasonal impact may occur related to the use of herbicides and pesticides.
- 8. Impact on Agricultural Resources – No impact.**
- 9. Impact on Aesthetic Resources – No impact.**
- 10. Impact on Historic and Archeological Resources – No impact.**
  - See documents from New York State Parks, Recreation and Historic Preservation dated December 24, 2015 and February 15, 2016.
- 11. Impact on Open Space and Recreation – No impact.**
- 12. Impact on Critical Environmental Areas – N/A**
  - The Town of Lancaster has not established a Critical Environmental Area (CEA).
- 13. Impact on Transportation – No impact.**
- 14. Impact on Energy – No impact.**
- 15. Impact on Noise, Odor and Light – No impact.**
- 16. Impact on Human Health – No impact.**
- 17. Consistency with Community Plans – No impact**
- 18. Consistency with Community Character – No impact.**

and,

**BE IT FURTHER**

**RESOLVED**, that the MRC's recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

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

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	VOTED	YES
PLANNING BOARD MEMBER GORSKI	VOTED	YES
PLANNING BOARD MEMBER KEEFE	VOTED	YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCRACKEN	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	WAS ABSENT	
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The Motion to Recommend was thereupon adopted.

July 6, 2016

**ADJOURNMENT:**

ON MOTION OF PLANNING BOARD CHAIRMAN CONNELLY AND SECONDED BY COUNCIL MEMBER WALTER FOR ADJOURNMENT OF THE MEETING, which resulted as follows:

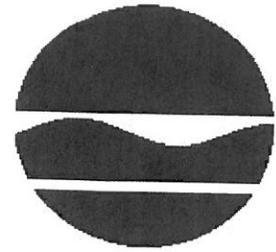
COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	VOTED	YES
PLANNING BOARD MEMBER GORSKI	VOTED	YES
PLANNING BOARD MEMBER KEEFE	VOTED	YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCRACKEN	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	WAS ABSENT	
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The meeting was adjourned at 6:28 P.M.

Signed \_\_\_\_\_  
Diane M. Terranova, Town Clerk

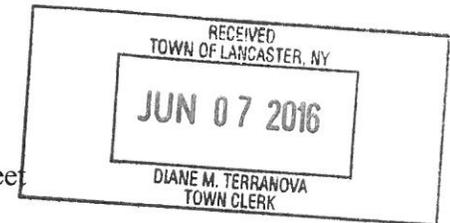


**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**  
**Division of Fish, Wildlife and Marine Resources**  
**New York Natural Heritage Program**  
625 Broadway, 5th Floor, Albany, New York 12233-4757  
Phone: (518) 402-8935 • Fax: (518) 402-8925  
Website: [www.dec.ny.gov](http://www.dec.ny.gov)



December 22, 2015

Sara Gilbert  
Pinewoods Engineering, P.C.



Re: Proposed development of Family Life Center at about 5994 Genesee Street  
Town/City: Lancaster. County: Erie.

Dear Sara Gilbert:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Our database has no records of rare or state-listed animals or plants, or significant natural communities directly on your site. Enclosed is a report of listed animals documented within 0.5 mi.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

Our database is continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at [www.dec.ny.gov/about/39381.html](http://www.dec.ny.gov/about/39381.html).

Sincerely,

*Andrea Chaloux*

Andrea Chaloux  
Environmental Review Specialist  
New York Natural Heritage Program



**The following state-listed animals have been documented  
in the vicinity of your project site.**

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing.

**For information about any permit considerations for your project, contact the Permits staff at the NYSDEC Region 9 Office. For information about potential impacts of your project on these species, and how to avoid, minimize, or mitigate any impacts, contact the Wildlife Manager.**

**A listing of Regional Offices is at <http://www.dec.ny.gov/about/558.html>.**

**The following species have been documented near the project site, within 0.5 mile. Potential onsite and offsite impacts from the project may need to be addressed.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
<b>Birds</b>			
<b>Upland Sandpiper</b> <i>Breeding</i>	<i>Bartramia longicauda</i>	Threatened	10934

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org), and from NYSDEC at [www.dec.ny.gov/animals/7494.html](http://www.dec.ny.gov/animals/7494.html).



# Parks, Recreation, and Historic Preservation

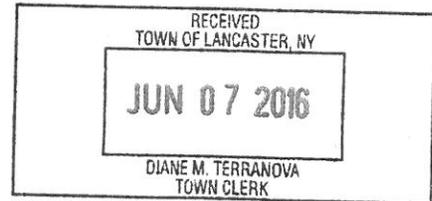
ANDREW M. CUOMO  
Governor

ROSE HARVEY  
Commissioner

December 24, 2015

Mrs. Sara Gilbert  
Senior Civil Engineer  
Pinewoods Engineering  
42 Aston Villa  
North Chili, NY 14514

Re: DEC  
Proposed Family Life Center  
5994 Genesee Street  
Town of Lancaster, Erie County, NY  
15PR06912  
GP-0-15-002



**RECEIVED**

APR 04 2016

W.M. SCHUTT & ASSOC.

Dear Mrs. Gilbert:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6NYCRR Part 617).

The proposed development is near the National Register listed Hill-Peterson House at 5976 Genesee Street. We are concerned with the visual impact on the historic house. Our office has no above ground visual concerns on the following condition:

1. A vegetative buffer is planted and maintained for the life of the new construction to visually screen the new construction from the Hill Peterson House. This should include at least a 4 feet wide strip with a mixture of native deciduous and coniferous trees and shrubs.

Further consultation is required regarding archeology issues.

If I can be of further assistance, please contact me at 518-268-2158.

Sincerely,

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12188-0189 • (518) 237-8643 • www.nysparks.com



## Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO  
Governor

ROSE HARVEY  
Commissioner

February 15, 2016

Mrs. Sara Gilbert  
Senior Civil Engineer  
Pinewoods Engineering  
42 Aston Villa  
North Chili, NY 14514

Re: DEC  
Proposed Family Life Center  
Town of Lancaster, Erie County, NY  
15PR06912  
GP-0-15-002

Dear Mrs. Gilbert:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the Phase IA/IB Archeological Investigation Report, prepared by Archaeological Consulting Experts and dated January 15, 2016, in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

Based upon this review, it is the OPRHP's opinion that your project will have **No Impact** upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places with the following conditions.

1. A vegetative buffer is planted and maintained for the life of the new construction to visually screen the new construction from the Hill Peterson House. This should include at least a 4 feet wide strip with a mixture of native deciduous and coniferous trees and shrubs.
2. The location of the proposed utility easement, noted along the eastern boundary of the Eggleston historic cemetery, remains unchanged. If the location, as noted in the Phase IA/IB Archaeology Report (Figure 8), shifts to the west, additional consultation with the OPRHP is recommended.

If you have any questions, I can be reached at (518) 268-2179.

Sincerely,

Nancy Herter  
Archaeology Unit Program Coordinator  
e-mail: nancy.herter@parks.ny.gov

via e-mail only