



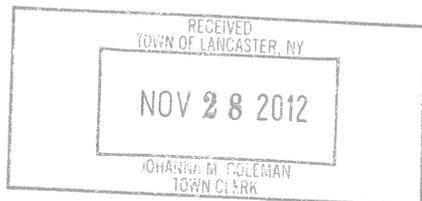
# Town of Lancaster

TOWN PLANNING BOARD

21 Central Avenue  
LANCASTER, NEW YORK 14086

## PLANNING BOARD MEETING SCHEDULE FOR 2013

<u>Meeting Date</u>		<u>Submission Date</u>
January	2, 2013 16, 2013	December 18, 2012 January 2, 2012
February	6, 2013 20, 2013	January 22, 2013 February 5, 2013
March	6, 2013 20, 2013	February 19, 2013 March 5, 2013
April	3, 2013 17, 2013	March 19, 2013 April 2, 2013
May	1, 2013 15, 2013	April 16, 2013 April 30, 2013
June	5, 2013 19, 2013	May 21, 2013 June 4, 2013
July	10, 2013 17, 2013	June 25, 2013 July 2, 2013
August	7, 2013 21, 2013 – No Meeting	July 23, 2013 XXXXXXXX
September	4, 2013 18, 2013	August 20, 2013 September 3, 2013
October	2, 2013 16, 2013	September 17, 2013 October 1, 2013
November	6, 2013 20, 2013	October 22, 2013 November 6, 2013
December	4, 2013 18, 2013	November 19, 2013 December 3, 2013





# Town of Lancaster

21 CENTRAL AVENUE  
LANCASTER, NEW YORK 14086  
PHONE: (716) 683-9028  
FAX: (716) 683-2094  
WWW.LANCASTERNY.GOV

JOHANNA M. COLEMAN  
*Town Clerk*

November 26, 2012

Honorable Town Board  
Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086

Dear Board Members:

I would like to fill the Clerk Typist vacancy in the Tax Department of the Office of the Town Clerk. This vacancy occurred due to the retirement of Kathleen Morrissey on October 27, 2012.

This position was properly posted in all departments of the Town of Lancaster for the period required in Section 23.8 of the White Collar Collective Bargaining Agreement of the Town of Lancaster. Additionally, I wish to point out that I consulted with Marsha Cox and Jeff Swiatek in this matter to assure that Civil Service laws and the White Collar Contract were adhered to.

Rose Ann Brunstad, 22 Woodgate Drive, Lancaster, New York, by letters dated September 28, 2012 and November 26, 2012 expressed her interest in making a lateral transfer to the competitive position of Clerk Typist in the Tax Department of the Office of the Town Clerk.

Ms. Brunstad has been employed in the Tax Department serving as Deputy Receiver of Taxes since August 27, 2012 and has performed her duties admirably, has the requisite experience and is an asset to the Tax Department.

I respectfully request that Rose Ann Brunstad be appointed Clerk Typist in the Tax Department of the Office of the Town Clerk at the current CSEA contracted salary of \$41,117, effective December 4, 2012.

Thank you for your consideration.

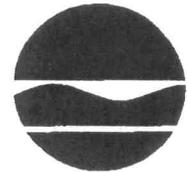
Sincerely yours,

OFFICE OF THE TOWN CLERK

Johanna M. Coleman  
Town Clerk

JMC/dt

cc: Marsha Cox, President CSEA  
Rose Ann Brunstad



Joe Martens  
Commissioner

November 27, 2012

John M. Dudziak, Esq.  
Town Attorney  
Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086

Dear Mr. Dudziak:

**SEQR Lead Agency Designation Rezoning  
Town of Lancaster, Erie County**

We have received and reviewed the above proposal to rezone approximately 14 acres of land located on Broadway in the Town of Lancaster. It appears that the Department is not an involved agency since it does not have any specific jurisdictions on authorizations regarding zoning laws. However, our Office could be an "involved" agency for specific projects that may be proposed for development within this proposed zoning change area. Please keep this office informed if any projects are proposed for this property in the future.

We concur with the Town of Lancaster acting as SEQR Lead Agency as the environmental impacts would be of local significance.

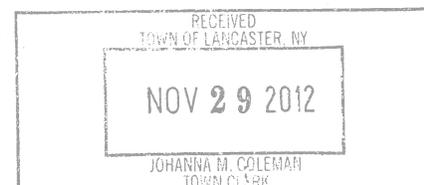
If you have any questions regarding this letter, please call this office at 716/851-7165.

Sincerely,

David S. Denk  
Regional Permit Administrator

LEJ/ed

cc: Johanna Coleman, Town of Lancaster Clerk ✓



TC TB  
+ PB 530

Barbara A. Hilburger  
28 Parkdale Drive  
Lancaster, NY 14086  
November 27, 2012

Stanley J. Keysa - Chairman  
Town of Lancaster Planning Board  
21 Central Avenue  
Lancaster, NY 14086

Dear Stanley J. Keysa,

I am a long-time resident of 28 Parkdale Drive in Lancaster and I am writing to express my concern about recent discussion of rezoning the 14 acres behind my home. I understand that the decision is being considered to build 60+ houses with a cul-de-sac touching my property line. The neighborhood already has a hard enough time trying to enter the turning lane on Broadway and adding another street will increase traffic and more accidents. Traffic, will become a lot busier and more dangerous with another intersection into the mix.

The sight and sound of traffic are not pleasant and can leave us feeling more stressed. Furthermore, it is well known that the said property is wetlands and is home to many wild animals including deer, ducks, geese, foxes, rabbits, turtles, etc. It is also well known that these wetlands had ponds added to such property to help with excessive water and give the wild animals a place to live. These animals are seen on a daily basis and come right up to our property from Como Park. With disruption to these animals, this too will cause more car-deer accidents by removing their habitat.

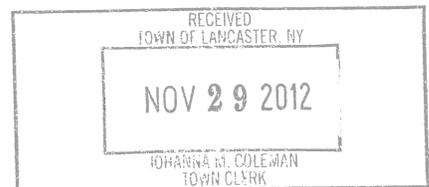
It would seem that building duplexes behind our home would bring increased traffic, flooding, noise and crime. These duplexes would also decrease my property value. My backyard is always wet and raising the property line behind my home with increase flooding to my property. There are many homes on Parkdale, including my home, which are on concrete slabs, without basements and are subject to increased flooding.

I am looking forward to your response.

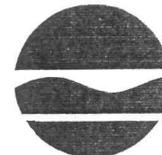
Sincerely,

*Mrs. Barbara A. Hilburger*

Mrs. Barbara A. Hilburger



**New York State Department of Environmental Conservation**  
**Division of Fish, Wildlife and Marine Resources, Region 9**  
 270 Michigan Avenue, Buffalo, New York, 14203-2915  
 Phone: (716) 851-7010 • FAX: (716) 851-7053  
 Website: www.dec.ny.gov

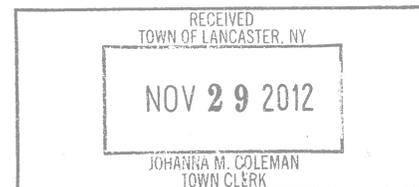


Joe Martens  
 Commissioner

November 27, 2012

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Ms. Sharon Taylor  
 606 Columbia Avenue  
 Lancaster, New York 14086



Dear Ms. Taylor:

**Wetland LA-4**  
**Boundary Delineation**  
**Town of Lancaster, Erie County**

This letter serves as notification that I flagged the boundary of Wetland LA-4 within the 375 & 391 Harris Hill Road property (Estate of Hazel M. Gipple), parcels 82.03-2-11 and 82.03-2-15, on November 7, 2012. The wetland boundary is identified with pink plastic flagging consecutively numbered 1 through 26 and extends generally south to north across the parcel (please see enclosed map). Locations of wetland flags were recorded with a hand-held Global Positioning System and, therefore, are not survey-accurate. Note that wetland boundaries may change over time and this map does not fix the wetland boundary indefinitely.

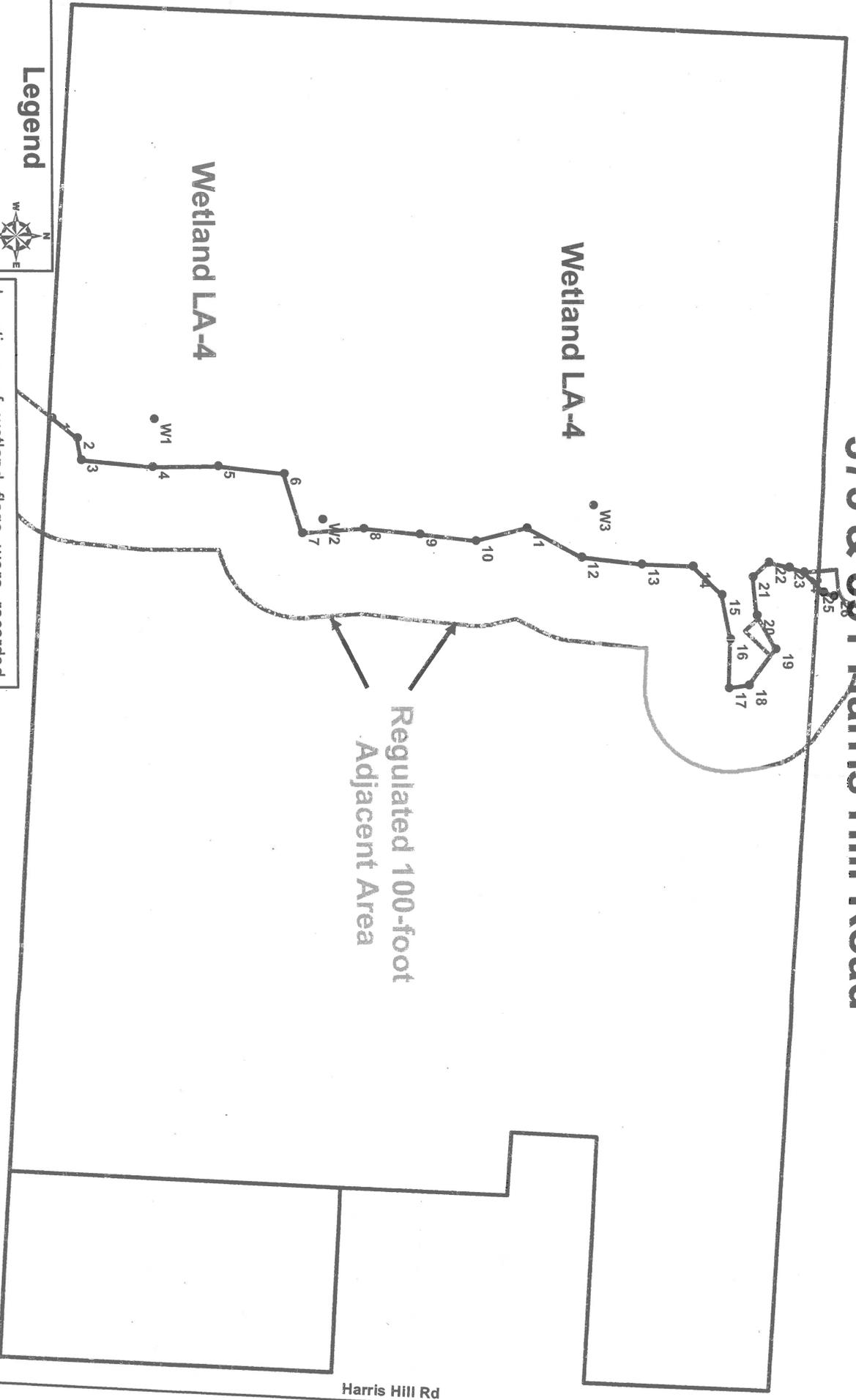
Please note that, in an effort to save printer toner, the Department no longer includes an aerial photo background on our wetland boundary maps. However, we would be happy to send you via email an electronic map file (PDF format) with an aerial photo background. Simply send an email request to [cprosenb@gw.dec.state.ny.us](mailto:cprosenb@gw.dec.state.ny.us).

If you would like to document the precise boundary of the wetland relative to your property boundary, it is your responsibility to have the wetland boundary surveyed. If you choose to complete a survey, the wetland boundary survey map should be submitted to me for verification. A copy of this Department's Requirements for Wetland Survey and Mapping is enclosed. Please note that a surveyed wetland boundary that has been verified by this Department will be considered valid for five years.

In 1975, the New York State Legislature passed the Freshwater Wetlands Act to preserve and protect wetlands and their functions, such as flood protection and fish and wildlife habitat. The New York State Department of Environmental Conservation is required to map all wetlands protected by this law, and to make those maps available for inspection in all local government clerks' offices. Certain activities within the wetland or its regulated 100-foot adjacent area require a permit from this Department, including but not limited to filling, clearing vegetation, draining, and construction. Contact our Division of Environmental Permits for information

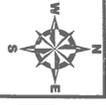
# Wetland LA-4, Estate of Hazel Gipple

## 375 & 391 Harris Hill Road



### Legend

- Nov 6-9 12 GPS
- Wetland Line
- WetlandLine\_Buffer25
- Tax Parcel-Erie
- Local Streets



Locations of wetland flags were recorded with a hand-held Global Positioning System and, therefore, are not survey-accurate. For precise locations of the boundaries, have the flags surveyed relative to the property boundary. Note that wetland boundaries may change over time and this map does not fix the wetland boundary indefinitely.



Regulated 100-foot  
Adjacent Area

Harris Hill Rd



# Town of Lancaster

## TOWN PLANNING BOARD

21 Central Avenue  
LANCASTER, NEW YORK 14086

November 21, 2012

Planning Board Members: Stanley J. Keysa, Chairman  
 Rebecca Anderson  
 Neil Connelly  
 Lawrence Korzeniewski  
 Kristin McCracken  
 Steven Socha  
 Melvin Szymanski

Town Board Members: Dino Fudoli, Supervisor  
 John M. Abraham  
 Mark Aquino  
 Ronald Ruffino, Sr.  
 Donna G. Stempniak

Engineering Consultant: Robert Harris, Wm. Schutt & Associates

Town Attorney: John M Dudziak

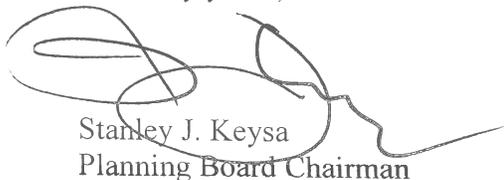
Town Highway Superintendent: Daniel J. Amatura

Building & Zoning Inspector: Jeffrey H. Simme

Gentlemen/Ladies:

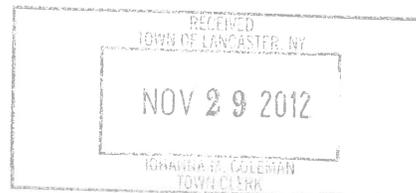
Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held November 21, 2012. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,



Stanley J. Keysa  
 Planning Board Chairman

SJK:mn  
 Encl.



A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the seventh day of November 2012 at 7:30 P.M, and there were present:

PRESENT: Stanley J. Keysa, Chairman  
Rebecca Anderson, Member  
Neil Connelly, Member  
Kristin McCracken, Member  
Steven Socha, Member  
Melvin Szymanski, Member

EXCUSED: Lawrence Korzeniewski, Member

ABSENT: None

ALSO PRESENT:

Town Board Members: Donna G. Stempniak

Other Elected Officials: None

Town Staff: Robert Harris, Engineering Consultant-Wm. Schutt & Assoc.  
Jeffrey H. Simme, Building & Zoning Inspector  
Nicholas LoCicero, Town Prosecutor  
Mary Nowak, Recording Secretary

Meeting called to order by Chair Keysa at 7:30.M.

Pledge Of Allegiance led by Member Steven Socha.

Minutes – Motion was made by Neil Connelly to approve the minutes from the November 7, 2012 Planning Board meeting. Motion seconded by Kristin McCracken and unanimously carried.

**Communications received by November 21<sup>st</sup> 2012  
for the Town of Lancaster Planning Board**

- 11-21-01 Copy of letter dated October 31<sup>st</sup> 2012 from PB member Steven Socha to Supervisor Dino Fudoli and Town Board members indicating his interest in continuing to serve on PB.
- 11-21-02 Memo dated November 2<sup>nd</sup> 2012 from General Crew Chief Terrence McCracken with comments on landscaping plan for proposed Park Lane Apartments II.
- 11-21-03 Letter dated November 7<sup>th</sup> 2012 from Town Clerk Johanna Coleman transmitting petition of Tyler Development LLC for rezone of vacant land at 5775 Broadway.
- 11-21-04 Memo dated November 7<sup>th</sup> 2012 from Town Attorney noticing special Town Board meeting for November 19<sup>th</sup> 2012 at which the Municipal Review Committee will conduct a SEQR review of the site plan for Park Lane Apartments II east of Transit Road and south of Michael Anthony Lane.
- 11-21-05 Memo dated November 8<sup>th</sup> 2012 from Supervising Code Enforcement Office Jeff Simme transmitting application for site plan approval for proposed Tops Fueling Station at 6363 Transit Road, project #4043.
- 11-21-06 Letter dated November 9<sup>th</sup> 2012 from Town Attorney transmitting SEQR response dated November 7<sup>th</sup> 2012 from Jason Knight of EC DEP regarding site plan for proposed Park Lane Apartments II.
- 11-21-07 Letter dated November 13<sup>th</sup> 2012 from Town Engineer Robert Harris of Wm Schutt Associates with comments regarding proposed Tops Market Fueling Station at 6363 Transit Road.
- 11-21-08 Minutes of Zoning Board of Appeals meeting held November 8<sup>th</sup> 2012 at which the ZBA considered: 1.) petition of Dominic Cimato, 333 Pleasantview Drive for size and height variances for an accessory structure. (granted, as modified).
- 11-21-09 Letter dated November 14<sup>th</sup> 2012 from PB Chair to Village Attorney Arthur Herdzik and Town Attorney noting that NYS had eliminated the Lancaster Urban Renewal Agency and transferred all records and assets to the Town of Lancaster (this had been an agency affiliated with the Village of Lancaster, which currently houses its records.)
- 11-21-10 E-mail exchange approving PB credit for time spent by PB member Kristin McCracken as Chair of Erie County Sewer District #4.
- 11-21-11 Memo dated November 16<sup>th</sup> 2012 from Jeff Simme advising that architect for the proposed Tops Market Fueling Station had asked to withdraw the matter from the PB agenda, and correcting the address to 6375 Transit Road.
- 11-21-12 Letter dated November 16<sup>th</sup> 2012 from John Dudziak transmitting SEQR response dated November 15<sup>th</sup> 2012 from David Denk of NYS DEC regarding proposed site plan for Park Lane Apartments II.

- 11-21-13 Emailed notice from Johanna Coleman of availability of 2 hours of PB training at Town of Aurora, 300 Gleed Avenue, East Aurora on Wednesday December 5<sup>th</sup> starting at 6:30 pm.
- 11-21-14 Letter dated November 17<sup>th</sup> 2012 from Dr. Charles A. Marchetta, DDS with comments on rezone requested by Tyler Development LLC for 5775 Broadway.
- 11-21-15 E-mailed notice dated November 21<sup>st</sup> 2012 from GBNRTC of 20-day review period for proposed Transportation Equity Statement and Title VI Plan.
- 11-21-16 Minutes of special Town Board meeting held November 19<sup>th</sup> 2012 at which the Municipal Review Committee conducted a SEQR review of the proposed site plan for Park Lane Apartments II (negative declaration issued).

## ACTION ITEMS –

REZONE PETITION – TYLER DEVELOPMENT LLC, 5775 BROADWAY, PRESENT ZONING IS R1 AND RCO – RESIDENTIAL SINGLE FAMILY AND RESIDENTIAL COMMERCIAL OFFICE. PROPOSED REZONING SITE PLAN APPROVAL FOR A TOWNHOUSE DEVELOPMENT IN A MIXED USE AREA WITH COMMERCIAL USES AND HIGH DENSITY RESIDENTIAL USES IN PROXIMITY TO PROJECT. CONTACT PERSON: PETER J. SORGI, ESQ., HOPKINS & SORGI.

Peter Sorgi, Hopkins & Sorgi and Michael Metzger presented to the Planning Board the rezone petition for the parcel of land located at 5775 Broadway. The current zoning for this parcel is R1 (Residential Single Family) and RCO (Residential Commercial Office). The proposed zoning is for a townhouse development in a mixed use area. The proposed plan for the townhouse development shows 59 townhouses. Mr. Sorgi stated that this use is consistent with the Town's Masterplan, and that this type of development would result in less traffic and less demand on the school system than a R-1 development. The following items were discussed:

Wetlands – There were questions from the Planning Board regarding whether federal mitigated wetlands were addressed when the adjacent Parkhaven Project was built. Mr. Sorgi stated that the wetland area in the southwest corner of the current project are mitigated federal wetlands. Member Anderson stated that the wetland mitigation may have grown and that this needs to be looked into. The Planning Board stated that the applicant must provide documentation from the Army Corps of Engineers regarding wetland mitigation on this parcel.

Drainage - Chair Keysa asked whether any drainage was put in for this parcel when the Parkhaven Project was built. Mr. Sorgi stated that there was no drainage put in for this parcel at that time. Also, where do the adjacent properties on Broadway drain? Mr. Sorgi was not certain and said that the wetlands, drainage, and floodplain for this parcel will need to be looked into.

Right-of-way – Chair Keysa referred to com. 11-21-14 from Dr. Marchetta with comments on this project. There was some discussion regarding the right-of-way for the entrance to the proposed town house project next to Dr. Marchetta's office on Broadway. The Planning Board stated that documentation will need to be provided to the Planning Board regarding an arrangement with the owner of the property next east on Broadway concerning the roadway and moving the entrance to that property off Broadway.

Road into Parkhaven – The Parkhaven project currently shows the private road that ends at the west end, and looks like it would have been have extended, is currently used as a turnaround. Town Engineer Robert Harris wanted the applicant to be aware that the turnaround has a snow storage area that would be in the rear yard of the proposed townhouses at the east end of the project.

Greenspace – Town Engineer Robert Harris stated that the plan presented probably has too many townhouses, and that the applicant needs to look into greenspace and ponds.

#### DETERMINATION

At the request of the applicant, this project is tabled to the next Planning Board meeting on December 5, 2012, at which time the applicant will address the issues discussed at tonight’s meeting. Motion to table this project to the next Planning Board was made by Melvin Szymanski, seconded by Neil Connelly and unanimously carried. Roll call vote as follows:

Chair Keysa – Yes	Kristin McCracken – Yes
Rebecca Anderson – Yes	Steven Socha – Yes
Neil Connelly – Yes	Melvin Szymanski – Yes
Lawrence Korzeniewski –Excused	

SITE PLAN APPROVAL EXTENSION – LANCASTER COMMONS, 4817 TRANSIT ROAD, SITE PLAN EXTENSION OF PROPOSED FOUR SINGLE-STORY RETAIL BUILDINGS, PROJ. NO. 4116. CONTACT PERSON: JAMES BOGLIOLI

At the request of the applicant, this item has been removed tonight’s agenda and will be rescheduled for a future Planning Board.

#### OTHER MATTERS –

Steven Socha provided the Planning Board with a written report of a meeting of the Buffalo-Niagara River Keepers which he attended for training hours. He also suggested that the Town of Lancaster host an event for the Buffalo-Niagara River Keepers to provide a presentation for the Town Board, the Planning Board and the Village Board. The Planning Board expressed interest in a presentation by the Buffalo-Niagara River Keepers possibly sometime in January or February 2013.

At 8:43 PM Steven Socha made a motion to adjourn the meeting. Motion seconded by Rebecca Anderson and unanimously carried.



# Town of Lancaster

## TOWN PLANNING BOARD

21 Central Avenue  
LANCASTER, NEW YORK 14086

### MEMO

TO: Honorable Town Board  
Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: November 21, 2012

RE: Townhouse Development

PROJECT #: Not Assigned

LOCATION: 5775 Broadway

TYPE: Rezone

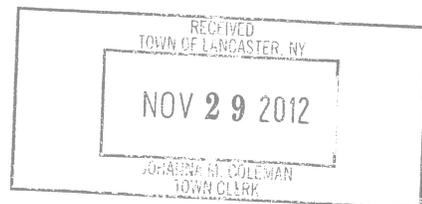
RECOMMENDATION: Tabled to December 5, 2012 Planning Board Meeting

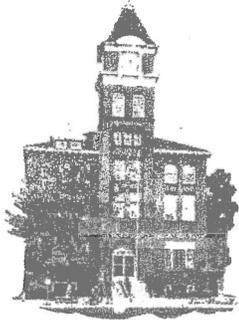
Roll call vote:

Chair Keysa – Yes	Kristin McCracken – Yes
Rebecca Anderson – Yes	Steven Socha – Yes
Neil Connelly - Yes	Melvin Szymanski – Yes
Lawrence Korzeniewski – Excused	

CONDITIONS: Applicant to address issues discussed at tonight's meeting.

COMMENTS: None





# Town of Lancaster

OFFICE OF THE TOWN ATTORNEY

21 Central Avenue  
Lancaster, New York 14086  
PHONE: (716) 684-3342  
FAX: (716) 681-7475

**JOHN M. DUDZIAK**

*Town Attorney*

November 29, 2012

Honorable Town Board  
Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086

Planning Board  
Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086

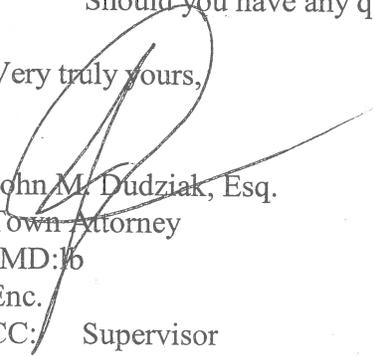
RE: Re-Zone from R-1 and RCO to M.F.R-3  
+/- 14 acres for construction of Townhomes  
Broadway; 116.00-1-13.11 & 116.00-1-18.21  
Town of Lancaster, County of Erie

Dear Town Board and Planning Board Members:

Enclosed please find a SEQR response dated November 27, 2012 from the Department of Environmental Conservation on the above-referenced project for you review.

Should you have any questions or concerns, please call me.

Very truly yours,

  
John M. Dudziak, Esq.  
Town Attorney

JMD:fb

Enc.

CC: Supervisor  
Town Clerk  
Building Inspector  
Town Engineer



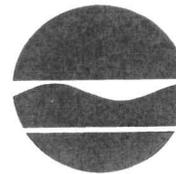
**New York State Department of Environmental Conservation**

**Division of Environmental Permits, Region 9**

270 Michigan Avenue, Buffalo, New York, 14203-2915

Phone: (716) 851-7165 · Fax: (716) 851-7168

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Joe Martens  
Commissioner

November 27, 2012

RECEIVED  
TOWN OF LANCASTER, N.Y.

NOV 29 2012

JOHN M. DUDZIAK  
TOWN ATTORNEY

John M. Dudziak, Esq.  
Town Attorney  
Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086

Dear Mr. Dudziak:

**SEQR Lead Agency Designation Rezoning  
Town of Lancaster, Erie County**

We have received and reviewed the above proposal to rezone approximately 14 acres of land located on Broadway in the Town of Lancaster. It appears that the Department is not an involved agency since it does not have any specific jurisdictions on authorizations regarding zoning laws. However, our Office could be an "involved" agency for specific projects that may be proposed for development within this proposed zoning change area. Please keep this office informed if any projects are proposed for this property in the future.

We concur with the Town of Lancaster acting as SEQR Lead Agency as the environmental impacts would be of local significance.

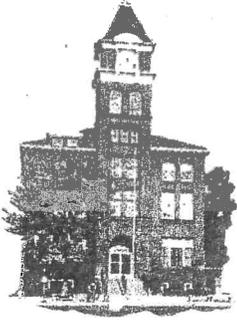
If you have any questions regarding this letter, please call this office at 716/851-7165.

Sincerely,

David S. Denk  
Regional Permit Administrator

LEJ/ed

cc: Johanna Coleman, Town of Lancaster Clerk



# Town of Lancaster

OFFICE OF THE TOWN ATTORNEY

21 Central Avenue  
Lancaster, New York 14086  
PHONE: (716) 684-3342  
FAX: (716) 681-7475

**JOHN M. DUDZIAK**

*Town Attorney*

November 26, 2012

Mr. David Denk  
Regional Administrator  
N.Y.S. DEC  
270 Michigan Avenue  
Buffalo, New York 14203-2999

Mr. Matt Salah  
Coordinator of Construction Projects  
Division of Sewerage Management  
95 Franklin Street  
Buffalo, New York 14202

Mr. Carl Dimmig  
Erie County DPW  
Division of Highway  
95 Franklin Street  
Buffalo, New York 14202

Mr. Ed Rutkowski  
Planner  
NYS DOT  
100 Seneca Street  
Buffalo, New York 14203

Mr. Thomas Casey  
Erie County Health Department  
Rath Building, Room 931  
95 Franklin Street  
Buffalo, New York 14202

Mr. Jason Knight  
Review Planner  
Erie County DEP  
95 Franklin Street  
Buffalo, New York 14202

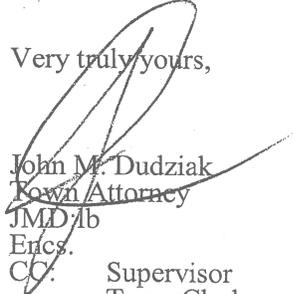
Michael Metzger, PE  
Metzger Civil Engineering  
8560 Main Street  
Williamsville, New York 14221

Re: Park Lane Apartments II  
Transit Road, South of Michael Anthony Lane  
7, 16 Unit Multifamily Apartments  
Town of Lancaster, County of Erie

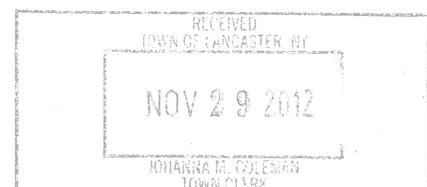
To Whom It May Concern:

Enclosed with each of your respective letters is a copy of an executed "Notice of Determination: Negative Declaration", which was adopted by the Town Board of the Town of Lancaster at a Special Meeting held on November 19, 2012 together with a copy of the Minutes of said meeting for your records.

Very truly yours,

  
John M. Dudziak  
Town Attorney  
JMD/ab  
Encs.  
CC:

Supervisor  
Town Clerk  
Building Inspector  
Town Engineer



**617.20**  
**Appendix A**  
**State Environmental Quality Review**  
**FULL ENVIRONMENTAL ASSESSMENT FORM**

**Purpose:** The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

**Full EAF Components:** The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

---

**THIS AREA FOR LEAD AGENCY USE ONLY**

**DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions**

Identify the Portions of EAF completed for this project:       Part 1                       Part 2                       Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore a **negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a **CONDITIONED negative declaration will be prepared.\***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a **positive declaration will be prepared.**

\*A Conditioned Negative Declaration is only valid for Unlisted Actions

Park Lane Apartments II

\_\_\_\_\_  
Name of Action

Town of Lancaster

\_\_\_\_\_  
Name of Lead Agency

Dino J. Fudoli

\_\_\_\_\_  
Supervisor, Town of Lancaster

\_\_\_\_\_  
Print or Type Name of Responsible Officer in Lead Agency

\_\_\_\_\_  
Title of Responsible Officer

\_\_\_\_\_  
Signature of Responsible Officer in Lead Agency

\_\_\_\_\_  
Signature of Preparer (If different from responsible officer)

November 19, 2012

\_\_\_\_\_  
Date

State Environmental Quality Review  
**NEGATIVE DECLARATION**  
Notice of Determination of Non-Significance

Project Number 1227

Date: November 19, 2012

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

The Town of Lancaster as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Impact Statement will not be prepared.

**Name of Action:**

Park Lane Apartments II

**SEQR Status:** Type 1   
Unlisted

**Conditioned Negative Declaration:**  Yes  
 No

**Description of Action:**

Construction of seven 16 unit multifamily apartments.

**Location:** (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Transit Road- South of Michael Anthony La, Town of Lancaster, County of Erie, State of New York

**Reasons Supporting This Determination:**

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

SEE ATTACHED

**If Conditioned Negative Declaration**, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

**For Further Information:**

Contact Person: John M. Dudziak, Town Attorney

Address: 21 Central Avenue, Lancaster, New York 14086

Telephone Number: (716) 684-3342

**For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:**

Chief Executive Officer, Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany NY, 12233-1750 (Type One Actions only)

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY  
REVIEW (SEQR) OF THE  
PARK LANE APARTMENTS II SITE PLAN**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Park Lane Apartments II 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 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 an **unlisted 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  
John Dudziak, Town Attorney  
716-684-3342

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

The proposed development is of a parcel involving approximately 10.6 acres.

The location of the premises being reviewed is Transit Road, South of Michael Anthony Lane, County of Erie, Lancaster, New York,

This project is described as construction of seven 16 unit apartments.

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

**RESOLVED**, that the following Negative Declaration be adopted:

**NOTICE OF DETERMINATION  
PARK LANE APARTMENTS II  
NEGATIVE DECLARATION**

**REASONS SUPPORTING DETERMINATION**

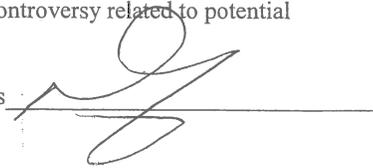
**FINDINGS STATEMENT - PROJECT IMPACTS**

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 the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site.
  - It is noted that the depth to the water table is .5 feet seasonally.
2. The proposed action will not affect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate impact on surface or ground water quality or quantity.
  - It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required during construction.
  - It is noted that the action will require the use of 22,000 gallons of water per day.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action will have a small to moderate impact on threatened or endangered species.

- It is noted that herbicide and pesticide will be used for lawn care.
9. The proposed action will not substantially affect non-threatened or non-endangered species.
  10. The proposed action will not affect agricultural land resources.
  11. The proposed action will not affect aesthetic resources.
  12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
  13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
  14. 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).
  15. The proposed action will have a small to moderate impact on existing transportation systems.
    - It is noted that there will be a small to moderate change in the pattern of movement of people.
  16. The proposed action will not affect the community's sources of fuel or energy supply.
  17. The proposed action will have a small to moderate impact on the local ambient noise level during construction.
  18. The proposed action will not affect public health and safety.
  19. The proposed action will have a small to moderate impact on the character of the existing community.
    - It is noted that there will be an increased demand for police and fire protection and the creation of jobs during construction and after.
  20. There is not, nor is there likely to be, public controversy related to potential adverse environmental impacts.

s/s



SEAL

Dino Fudoli, Supervisor  
Town of Lancaster

November 19, 2012

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 Erie 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 vote which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	WAS ABSENT	
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	VOTED	YES
PLANNING BOARD MEMBER CONNELLY	VOTED	YES
PLANNING BOARD MEMBER MCCRACKEN	VOTED	YES
PLANNING BOARD MEMBER KORZENIEWSKI	WAS ABSENT	
PLANNING BOARD MEMBER SOCHA	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED	YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED	YES

The Notice of Determination was thereupon adopted.

November 19, 2012

State of New York  
County of Erie ) ss:  
Town of Lancaster

This is to certify that I, Johanna M. Coleman, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of a resolution with the original thereof filed in my office at Lancaster, New York, on the 19th day of November 2012 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 21st day of November 2012.

Seal

  
Town Clerk and Registrar of Vital Statistics