



Town of Lancaster

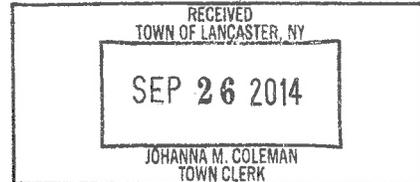
OFFICE OF THE SUPERVISOR

21 Central Avenue
Lancaster, New York 14086
(716) 683-1610
Fax (716) 683-0512

DINO J. FUDOLI
Supervisor

September 26, 2014

Honorable Town Board Members
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086



Dear Honorable Town Board Members:

I am pleased to present my 2015 tentative budget for the Town of Lancaster. All department requests were fully evaluated and given thoughtful consideration.

Total appropriations (i.e., estimated expenditures) are decreased by approximately \$120,000 in the 2015 tentative budget, compared to the 2014 adopted budget. Also, the tax levy is approximately \$20,000 less than in 2014. If adopted as presented, 2015 would be the third year in a row with a tax levy reduction amounting to a cumulative reduction of over \$420,000 over that time.

My 2015 tentative budget establishes decreases to taxes in the Town Outside Villages and Village of Lancaster and a slight increase in the Village of Depew.

I continue to hold fiscal responsibility to taxpayers as one of my highest priorities, while at the same time, preserving essential services provided to our residents.

These accomplishments are possible because of the cooperation of all department heads and their efforts to manage costs within their control. I offer my sincere appreciation for their ongoing efforts.

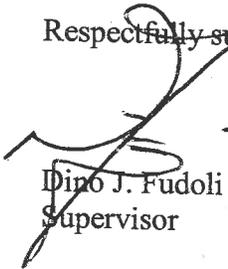
As you know, the New York State Legislature has enacted the Property Tax Freeze Credit as part of the 2015 State Budget. The law becomes effective for cities, towns, villages, counties and special districts beginning on January 1, 2015. It is important to note that my tentative budget, as presented, meets all required criteria established under the State's regulations and is anticipated to achieve savings for qualifying homeowners in the form of a State issued Freeze Credit issued in October of 2015. All local governments must certify their tax cap compliant budget with New York State on or before January 21, 2015.

Page 2
September 26, 2014

With these points in mind, attached you will find a summary of the highlights of my proposed budget.

Please feel free to contact me with any questions you may have.

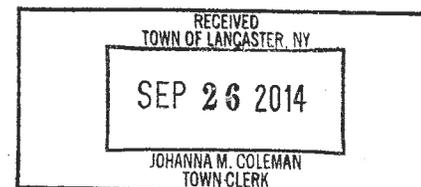
Respectfully submitted,



Dino J. Fudoli
Supervisor

Enclosure

**2015 Budget Officer's Tentative Budget
Presented on September 26, 2014**



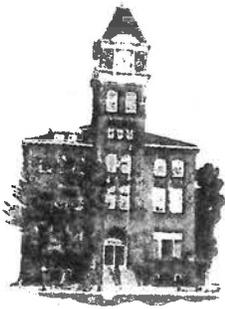
- ❖ Total appropriations (i.e., estimated expenditures) are decreased by approximately \$120,000 in the 2015 tentative budget, compared to the 2014 adopted budget. Also, the tax levy is approximately \$20,000 less than in 2014. If adopted as presented, 2015 would be the third year in a row with a tax levy reduction amounting to a cumulative reduction of over \$420,000 over that time.
- ❖ My 2015 tentative budget establishes decreases to taxes in the Town Outside Villages and Village of Lancaster and a slight increase in the Village of Depew.
- ❖ Sales tax revenues have continued to be strong; I have conservatively estimated an approximate 3.5% increase over the 2014 estimate
- ❖ Taxable Assessed Valuations grew by about \$41.6 million or approximately 1.5% Town wide

Highlights

- ❖ Increase Courts – Personal Services by approximately \$6,000 for additional security at courts facility
- ❖ Increase Highway Department paving by approximately \$25,000
- ❖ Increase appropriations for road salt by approximately \$70,000, due to an increase in salt prices
- ❖ Increase utility appropriations by approximately \$20,000 based on 2014 actual YTD expenditures
- ❖ Increase subsidy for Meals on Wheels in the amount of \$5,000 to assist senior citizens
- ❖ Increase payroll expenses for part-time staffing at pools and playgrounds by approximately \$6,000 due to minimum wage increase
- ❖ Increase Highway Department – Personal Services by approximately \$3,000 for part-time administrative assistance
- ❖ Increase Town wide IT budget by approximately \$40,000
- ❖ Decrease Town Clerk's IT budget by \$2,000
- ❖ Decrease Code Enforcement Office's IT budget by \$3,000
- ❖ Extension of Intermunicipal Agreement with Town of Clarence for shared Town Assessor for continued savings and no increase in costs
- ❖ Elimination of one (1) part-time Bingo Inspector for a savings of \$3,000
- ❖ Elimination of one (1) full-time Deputy in Town Clerk's office due to over-staffing for a savings of \$41,117 plus related fringe benefits
- ❖ Add Personal Services – Town Clerk's office in the amount of \$19,000 for part-time administrative assistance during tax collection periods

- ❖ Eliminate staffing in the Tax Office on Saturdays and holidays during tax collection periods and reduce Town Clerk's Office – Personal Services overtime budget by \$2,800
- ❖ Reduce Code Enforcement Officer stipend by \$3,500
- ❖ Decrease Dog Control budget by approximately \$60,000 to reflect reorganization of department and elimination of full time Dog Control Officer position
- ❖ Decrease Youth Bureau budget by approximately \$2,000
- ❖ Eliminate one (1) position in Parks and Recreation Department and eliminate Foreman stipend for savings of approximately \$57,000 plus related fringe benefits (Note that position has been vacant for 28 out of the last 33 months)
- ❖ Eliminate payment to Hull House as taxpayers are not responsible for supporting cultural organizations
- ❖ Reduce OEM budget by approximately 10% at the recommendation of the department head
- ❖ Annual pension costs will be reduced by approximately \$214,000 due to improved stock market and investment performance of the New York State Retirement System (Note that in 2013, the Town of Lancaster's annual pension costs were increased by approximately \$360,000 due to poor stock market and investment performance)
- ❖ Overall debt service is increased by approximately \$122,000
- ❖ Special Districts refuse costs are increased by approximately \$60,000 due to housing growth within the Town and projected price increases for disposal and collection contracts
- ❖ Remove LVAC from Worker's Compensation Insurance as LVAC secured their own coverage
- ❖ Institute self-insurance for Worker's Compensation insurance for Town employees and volunteer fire fighters, avoiding an increase of approximately \$300,000 in premium costs associated with the former Town's Worker's Compensation Insurance policy

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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
jdudziak@lancasterny.com

Kevin E. Loftus
Deputy Town Attorney

Leza E. Braun
Clerk Typist
lezabraun@lancasterny.com

September 25, 2014

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

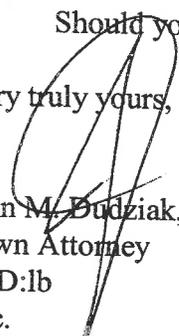
RE: Winnomotive Properties #3043
4304 Walden Avenue
Town of Lancaster, County of Erie

Dear Town Board and Planning Board Members:

Enclosed please find a SEQR response dated September 9, 2014 from the Erie County Division of Planning on the above-referenced project for you review.

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

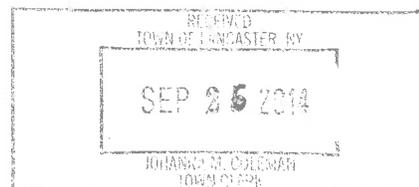
Very truly yours,


John M. Dudziak, Esq.
Town Attorney

JMD:lb

Enc.

CC: Supervisor
Town Clerk
Building Inspector
Town Engineer



SITE PLAN OR ZONING REFERRAL TO COUNTY OF ERIE, NY AND REPLY TO MUNICIPALITY

Note: Please complete in triplicate. Send original and one copy (with attachments) to Erie County Division of Planning, Room 1053, 95 Franklin Street, Buffalo, N.Y. 14202. Retain last copy for your files.

DO NOT WRITE IN THIS SPACE

Case No.: SP-14-513

Received: 9/11/14

RECEIVED

TOWN OF LANCASTER, NY

SEP 20 2014

The proposed action described herein is referred in accordance with the provisions of the General Municipal Law which provides that if no reply is received in 30 days after receipt of full information including a SEQR EAF if applicable, the municipal agency may take final action without considering such reply. If, however, reply is received at any time prior to municipal action, such reply shall be considered.

Description of Proposed Action

JOHN M. DUDZIAK
TOWN ATTORNEY

21 Central Avenue, Lancaster, NY 14086

1. Name of Municipality: Town of Lancaster

2. Hearing Schedule: **Date** 9/20/2014 **Time** 7:00 **Location** 21 Central Avenue, Lancaster, NY 14086

3. Action is before: Legislative Body Board of Appeals Planning Board

4. Action consists of: New Ordinance Rezone/Map Change Ordinance Amendment
 Site Plan Variance Special Use Permit Other

5. Location of Property: Entire Municipality Specific as follows Winnomotive Properties, LLC
4304 Walden Ave., Lancaster, NY 14086

6. Referral required as Site is within 500' of: State or County Property/Institution Municipal Boundary Farm Operation located in an Agricultural District
 Expressway County Road State Highway Proposed State or County Road, Property, Building/Institution, Drainageway

7. Proposed change or use: (be specific) 9600 sq ft addition to north elevation of existing building

8. Other remarks: (ID#, SBL#, etc.) _____

9. Submitted by: John M. Dudziak, Town Attorney June 2, 2014
21 Central Avenue, Lancaster, NY 14086

Reply to Municipality by Erie County Division of Planning

Receipt of the above-described proposed action is acknowledged on 9/11/14. The Division herewith submits its review and reply under the provisions of applicable state and local law, based on the information submitted with this referral.

1. The proposed action is not subject to review under the law.
2. Form ZR-3, Comment on Proposed Action is attached hereto.
3. The proposed action is subject to review; the Division makes the recommendation shown on Form ZR-4, Recommendation on Proposed Action, which is attached hereto.
4. No recommendation; proposed action has been reviewed and determined to be of local concern

By the Division of Planning: Rachel Christowicz Date: 9/22/14

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RECEIVED
TOWN OF LANCASTER, N.Y.



SEP 29 2014

JOHN M. DUDZIAK
TOWN ATTORNEY

RECEIVED BY
TOWN OF LANCASTER, NY on
SEP 26 2014
SUPERVISOR'S OFFICE

MEMO

To: Involved/ Interested Agency
From: Town of Elma and Drew Reilly, Wendel
Date: 9/23/14
RE: Lead Agency Notice

Please find enclosed, the lead agency mailing for the proposed Town of Elma Zoning Code and Zoning Map Revisions. The Town of Elma currently has a moratorium on Multiple Family developments. The attached Zoning Code modifications, including the development of four Zoning Overlay Districts, have been developed in accordance with that moratorium. Through a thorough analysis of the Town, its goals and local and regional planning, the Town has drafted these Code Revisions that address where and how multiple dwelling projects can be developed in the Town.

As outlined in the Lead Agency Notice, please provide your input to the Town for consideration.

RECEIVED
TOWN OF LANCASTER, NY
SEP 30 2014
JOHANNA M. COLEMAN
TOWN CLERK

RECEIVED
JAN 10 1964
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.

**NOTICE
SEQR: LEAD AGENCY DESIGNATION**

TOWN OF ELMA

Town Board

9/22/14

This notice is filed pursuant to Part 617 6NYCRR, Article 8 of the Environmental Conservation Law (SEQRA)

The Elma Town Board is proposing the following action:

Name of Action: Multiple Dwelling Zoning Code and Map Revisions

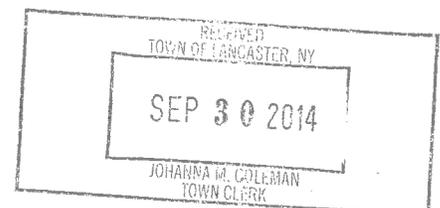
Contact Person: Jim Malczewski, Councilman

Phone: 228-8003

Regarding: Zoning Code amendments and zoning map revisions relating to multiple dwelling units in the Town of Elma.

Description & Location of Action: The Code amendments include; changes to definitions, amendments to the commercial districts (C-1, C-2, and C-3) language, deletion of the existing Multiple Dwellings section of the Code, and the creation of four new Overlay districts that allow multiple dwellings in designated areas. The action also involves zoning map revisions to illustrate the location of these zoning overlays; 2 locations on Transit road, the Springbrook area on Seneca street, and Clinton road near Transit road. The action effects all of the Town of Elma.

As the only local agency with approval authority, the Elma Town Board wishes to declare Lead Agency and conduct a coordinated review of the action.



Other potential permitting/approval agencies identified are (these are Interested agencies):

- Town Board
- Planning Board
- Zoning Board of Appeals
- Highway Department, Superintendent
- Building Department, Building Inspector
- Water District
- Sewer District
- County Highway Department, Commissioner of Public Works
- Erie County Department of Environment and Planning
- State Department of Environmental Conservation
- State Department of Transportation
- State Department of Health
- Army Corps of Engineers
- Others: _____

Other interested agencies may be:

- County Planning
- School District
- Fire Company
- Others (Federal, State, County): _____
- Surrounding communities

A preliminary review of the proposed action indicates that it is a SEQR Type:

- Unlisted Action
- Type I Action (affecting almost all of the Town)

The attached Full Environmental Assessment Form has been completed by the Town.

Please notify us within thirty (30) days, by 10/22/14, if your agency objects to our acting as lead agency, otherwise we will proceed with our review and determination of significance. Any information or concerns should be mailed to the below address. If no response is received by this date, we will assume your agency has no specific concerns about the action.

For further information please contact:

Our contact person: Andrew C. Reilly (consultant to the Town)

Wendel
140 John James Audubon Parkway, Suite 201
Buffalo, NY 14228
Telephone: 688-0766

Or

Jim Malczewski, Councilman
1600 Bowen Road
Elma, NY 14059
Telephone: 228-8003

Copies: (See Mailing List)

PROJECT: Multiple Dwelling zoning code and map revisions

Mailing List:

Erie County Department of Environment and Planning

New York State DEC

Town of West Seneca

Town of Orchard Park

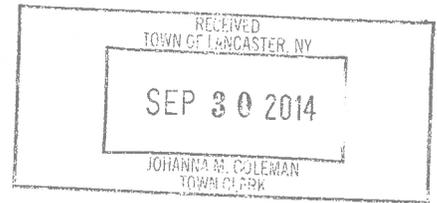
Town of Aurora

Town of Marilla

Town of Lancaster

S:\Forms\New York State\SEQR Lead Agency.doc

**Full Environmental Assessment Form
Part 1 - Project and Setting**



Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: MULTIPLE FAMILY ZONING CODE AND MAP AMENDMENTS		
Project Location (describe, and attach a general location map): TOWN OF ELMA, NEW YORK		
Brief Description of Proposed Action (include purpose or need): Amendments to the Town's Zoning Code to establish where and how Multiple Family Dwellings are allowed in the Town of Elma. Amendments include revisions to the Town's residential and Commercial Districts, Definitions, and the addition of four new overlay districts which dictate where multiple dwellings are allowed and their requirements. The action also includes the Amendment of the Town's Zoning Map to illustrate the location of these four overlays; two on Transit Road, one on Seneca in the Springbrook area and one on Clinton near Transit Road.		
Name of Applicant/Sponsor: Elma Town Board	Telephone: 652-3260	E-Mail:
Address: 1600 Bowen Road		
City/PO: Elma	State: NY	Zip Code: 14059
Project Contact (if not same as sponsor; give name and title/role): Supervisor Powers	Telephone:	E-Mail:
Address: Same		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): N/A	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	TOWN BOARD LOCAL LAW ADOPTION	
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City Council, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	COUNTY REFERRAL (ERIE COUNTY)	
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify the plan(s): _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify the plan(s): _____ _____ _____	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
AFFECTS ALL TOWN ZONING DISTRICTS

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? All Town School Districts

b. What police or other public protection forces serve the project site?
All Town Police and Public Protection Forces

c. Which fire protection and emergency medical services serve the project site?
Those serving all of the Town

d. What parks serve the project site?
N/A

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
• Total number of phases anticipated _____
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
• Anticipated completion date of final phase _____ month _____ year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____
 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
 If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
 If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
 If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
 If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
 If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 • If to surface waters, identify receiving water bodies or wetlands: _____

• Will stormwater runoff flow to adjacent properties? Yes No
 iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

- i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.
- ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____
- iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
- iv. Does the proposed action include any shared use parking? Yes No
- v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

- i. Estimate annual electricity demand during operation of the proposed action: _____
- ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____
- iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

- i. During Construction:
 - Monday - Friday: _____
 - Saturday: _____
 - Sunday: _____
 - Holidays: _____
- ii. During Operations:
 - Monday - Friday: _____
 - Saturday: _____
 - Sunday: _____
 - Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____

 • Operation: _____

 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____

 • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing: _____

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
- Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____

 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? Yes No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
_____ %
_____ %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____

 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
ii. Name: _____	
iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
i. Describe possible resource(s): _____	
ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify resource: _____	
ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Identify the name of the river and its designation: _____	
ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

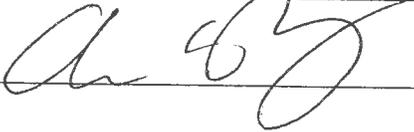
Attach any additional information which may be needed to clarify your project.

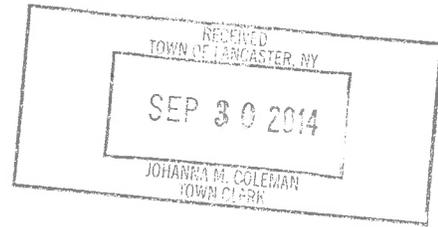
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Andrew C. Reilly Date 9/22/17

Signature  Title Project Consultant



Town of Elma

Zoning Law Amendments for Multiple Dwellings:

To complete the update to the Zoning Code for Multiple Dwellings, the following zoning code amendments are being proposed.

Correct definitions related to Multiple Dwellings:

Amend Section 144-2 Definitions and Word Usage as follows:

Replace the current definition of "Multiple Dwellings" with:

A dwelling which is either rented, leased, let or hired out to be occupied or is occupied as the temporary or permanent residence or home of three or more families living independently of each other, including, but not limited to, the following: a tenement, flat house, maisonette apartment, apartment house, apartment hotel, tourist house, bachelor apartment, studio apartment, duplex apartment, kitchenette apartment, lodging house, rooming house, boarding house, furnished room house, club, sorority house, fraternity house, college and school dormitory, convalescent, old age or nursing homes or residences. It shall also include a dwelling, two or more stories in height and with five or more boarders, roomers or lodgers residing with any one family.

Add new definition: Two Family Dwelling:

A building containing two dwelling units and designed or used exclusively for occupancy by two families living independently of each other, or two one-family dwellings having a party wall in common.

Replace the current definition of "Dwelling Unit" with:

One or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping.

Replace the current definition of "Family" with:

One or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit; provided that a group of four or more persons who are not within the second degree of kinship shall not be deemed to constitute a family.

Notwithstanding the definition in the preceding paragraph, a family shall be deemed to include four or more persons not within the second degree of kinship occupying a dwelling unit and living as a single, nonprofit housekeeping unit, if said occupants are handicapped persons as defined in Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988. Such unrelated individuals shall have the right to occupy a dwelling unit in the same manner and to the same extent as any family unit as defined in the first paragraph of this definition.

Add new Definition: Single Family Residential:

A single family residential building, to be used as a residence, to any one lot, for housekeeping of no more than one family.

Revise language in the Commercial Districts:

Amend Article VIII. Neighborhood Commercial (C-1) District

Amend §144-74 A. by replacing item (4) "*Residential on upper floors of commercial*", with the following:

(4) *Residential on the upper floors of an approved commercial use, limited to two dwelling units.*

Amend Article IX. Intermediate Commercial (C-2) District

Amend §144-84 A. by removing (2) "*nursing or assisted living homes*", and replace with the following:

(2) *Residential on the upper floors of an approved commercial use, limited to two dwelling units.*

Amend Article X. Major Commercial (C-3) District

Amend §144-86.8 A. by removing (2) "*multiple residential complexes*", and replacing it with:

(2) *Residential on the upper floors of an approved commercial use, limited to two dwelling units.*

Remove existing section on Multiple Dwellings:

Remove Article XVIII Multiple Dwellings in its entirety

Add the four new overlay districts:

Add these four (4) new Articles XVIII, XIX, XX, XXI (see attached)

Amend Fee Schedule

DRAFT TOWN OF ELMA SPRINGBROOK MULTIPLE DWELLING ZONING OVERLAY
June, 2014

Springbrook Multiple Dwelling Overlay

§ 144- Statement of Intent

In accordance with the Regional Comprehensive Plan and the work of the Multiple Dwelling Code Committee (MDCC), the Seneca Street Springbrook area Multiple Dwelling Overlay (SMDO) is established to allow for restricted types of multiple dwellings along Seneca Street as defined below. This area is a hamlet area which offers the opportunity for small scale multiple dwelling residential units and small scale commercial uses to work together for the revitalization of this area.

§ 144- Boundaries

The boundaries of the Springbrook Multiple Dwelling Overlay are as follows:

All parcels along both sides of Seneca Street to a depth of 300 feet from the roadway right-a-way (as of the date of this law enactment), from Northrup Road to the northwest and Old Pound Road to the north, then south to Rice Road, including the parcel located southeast across from Rice Road. As of the date of the enactment of this law, all parcels are currently zoned Commercial (C-1).

§ 144- Effective upon Zoning

The standards of the Springbrook Multiple Dwelling Overlay shall be superimposed over, and supplement, the underlying zoning standards. Each multiple dwelling use must conform to the applicable design standards of the underlying zoning district, as well as the standards of this overlay district, and if there is a conflict, the more stringent standards shall apply.

§ 144- Objectives

The standards contained herein, which govern multiple dwelling development and redevelopment within the boundaries of the Springbrook Multiple Dwelling Overlay (SMDO), are founded upon the following objectives:

- A. Establish standards to ensure that new multiple dwelling development or redevelopment is in character in terms of scale, design, and layout with the rural character envisioned for this area of the Town.
- B. Reduce signage clutter by controlling the number and size of signs, the placement of signs, and the appearance of signage.
- C. Landscaping and other amenities should be incorporated into site development to enhance the site and screen parking areas.
- D. Design should take into consideration the objectives of this rural hamlet area. Incorporation of elements such as picket fences and other rural atmosphere amenities are strongly encouraged.

DRAFT TOWN OF ELMA SPRINGBROOK MULTIPLE DWELLING ZONING OVERLAY
June, 2014

§ 144- Permitted Uses

The uses that are permitted within the Springbrook Multiple Dwelling Overlay shall be determined by the underlying zoning district and supplemented as follows:

- A. The following Principal Uses are allowed in addition to those allowed in the underlining zoning:
 - 1. "One", three or four unit multiple dwelling building per lot (multiple dwellings as defined in the definition section of the Zoning Code).

§ 144- Submission Requirements

- A. The applicant shall meet all submission requirements of site plan review.
- B. The applicant shall submit building plans and elevations indicating the façade treatments and construction materials and colors of all structures in compliance with the standards of the underlying zoning district and the SMDO.
- C. The applicant shall submit a minimum of two different renderings of the proposed structure(s) to be developed on the site to allow the Planning Board to choose the alternative or recommend other alternatives that they feel will best comply with the Overlay.
- D. The applicant shall submit a site plan that identifies all components of the development and indicates compliance with all the requirements of the Zoning Law and this Overlay.
- E. The applicant shall submit a landscape plan identifying the location, type, size, and planting specifications of all landscaping proposed for the site. The landscape plan shall also identify, in general, existing vegetation on the site.
- F. The applicant shall submit a signage plan that shows the size, type, color, placement, lighting, design, and construction materials of each sign proposed for the site comply with all the requirements of the Zoning Law and this Overlay.

§ 144- Other Zoning Requirements and Design Standards

All multiple dwelling developments within the Springbrook Multiple Dwelling Overlay shall conform to the following requirements and standards:

- A. Minimum Unit size: Single story 650 sf per unit; two story 500-800 sf per unit (144-142/A.8.)
- B. Minimum Lot size: 30,000 square feet.

DRAFT TOWN OF ELMA SPRINGBROOK MULTIPLE DWELLING ZONING OVERLAY
June, 2014

- C. Density: 8 units per acre and must meet all other zoning requirements.
- D. Height: 2.5 stories
- E. Maximum Lot Coverage: the maximum coverage of the proposed buildings, accessory buildings, driveways, parking areas, and other impervious surfaces is limited to 50 percent of the entire lot.

E. Building Setbacks:

The following setbacks shall supersede the setbacks of the underlying zoning and apply to all multiple dwelling developments within the SMDO to promote the rural atmosphere. Where a setback is not established, the underlying setback shall be applied.

- 1. Front building setbacks shall be no less than 40 feet and no more than 80 feet as measured from the street right-of-way. Awnings, balconies, porches, and other architectural amenities shall be permitted to encroach upon the front setback by a maximum of 5 feet.

F. Architecture

The architecture and design of any structure within the SMDO shall comply with the standards of the underlying zoning and shall conform to the following general guidelines.

1. General Design

- a. The architecture and design of any multiple dwelling structure shall:
 - i. Comply with the character envisioned for this area, enhance the visual quality of the area;
 - ii. Be harmonious with adjacent uses;
 - iii. All multiple dwelling structures should have the appearance of a single family home, including peak roofs, front doors and windows, etc.
 - iv. Comply with any additional Town Design Guidelines, where applicable.

2. Building Materials

- a. Any side of a building that faces a street or public right-of-way shall incorporate a façade constructed of any of the following materials: stone, brick, masonry, marble, wood or vinyl siding, or other material approved by the Planning Board.
- b. The use of cast concrete, cinder blocks, or metal paneling shall not be used on sides of a building that faces a street or public right-of-way.

G. Site Layout

DRAFT TOWN OF ELMA SPRINGBROOK MULTIPLE DWELLING ZONING OVERLAY
June, 2014

The site layout for a multiple dwelling within the SMDO shall comply with the general standards of the underlying zoning and conform to the following overlay guidelines. In the case of conflicting standards, the regulations of the Overlay District shall prevail.

1. All new multiple dwelling development buildings within the SMDO shall be located towards the road with parking behind the structure or in garages.

H. Parking and loading areas

Off-street parking shall comply with the standards of the underlying zoning and Article IV of the Zoning Code, and shall conform to the following additional standards:

1. Parking and loading areas must be behind the building.
2. A minimum of 10% of the interior of a parking area shall be devoted to landscaping used to break up the parking stalls where the parking area is visible from the public right-of-way.
3. Parking areas shall not contain a continuous single row of parking stalls of greater than 5 parking spaces without interruption by a landscaped island where the parking area is visible from the public right-of-way.
4. In addition to the screening of a parking area required in §144-44 E.(3), the use of decorative ornamental features, masonry walls, fencing, or a mix of each is encouraged to additionally screen parking and loading areas and to create a more visually appealing streetscape.

I. Landscaping/ Screening

Landscaping and screening shall comply with the standards of the underlying zoning and shall conform to the following additional standards:

1. For every 25 feet of road frontage, a street tree shall be planted in conformance with County and Town standards, where applicable. (A street tree is defined as any tree growing within the public right-of-way, provided however, that no shrub planting or tree foliage shall be placed or maintained which obstructs vision at an elevation between three and seven feet above street level. 144-44/E.3.a.)
2. Additional shade trees shall be planted throughout the site at a ratio of 1 tree per 2,000 square feet of lot area.
3. The required front yard shall consist of vegetative ground cover, perennial and annual landscaped areas, and/or other amenities that enhance the visual appearance of the streetscape.
4. All landscaped areas shall be maintained and any vegetation that dies shall be replaced during the following planting season. (New code: 2 year warranty)

DRAFT TOWN OF ELMA SPRINGBROOK MULTIPLE DWELLING ZONING OVERLAY
June, 2014

J. Signage

Signage shall comply with the standards of the underlying zoning and §144-102.1 Signs, and shall conform to the following additional standards:

1. Proposed signage shall be limited in this district as these uses are small scale residential units.
2. No building signs are allowed.
3. Only small free standing ground mounted signs are permitted. (ten square feet)
4. The use of digital signage or flashing signs is not permitted.
5. Overall signage may not be lit from internal lights, only the use of individually internally lit characters on a sign, back lit signage, or directional lighting shall be used to light signage. The use of flashing or neon lights is not permitted.
6. The appearance and placement of signage shall be subject to Planning Board discretion as part of the site plan review process.

K. Other

1. The use of decorative lighting structures is encouraged to comply with the character envisioned for this area.
2. The maximum height of any lighting structures shall be 16 feet.
3. Fencing placed in the front yard shall be no higher than 3 feet and shall consist of wood or faux wood picket or ornamental iron construction. A mix of stone, brick, or other masonry wall and fencing may be permitted. The use of stockade, metal, woven wire, or barb wire fences are not permitted in the front yard.

DRAFT TOWN OF ELMA TRANSIT NORTH MULTIPLE DWELLING ZONING OVERLAY
June, 2014

Transit North Multiple Dwelling Overlay

§ 144- Statement of Intent

In accordance with the Regional Comprehensive Plan and the work of the Multiple Dwelling Code Committee (MDCC), the Transit Road North area Multiple Dwelling Overlay (TNMDO) is established to allow for a variety of types of multiple dwellings in the Transit Road North area as defined below. This area is located along the busy Transit road corridor in the mixed use area denoted in the Town's Comprehensive Plan.

§ 144- Boundaries

The boundaries of the Transit Road North Multiple Dwelling Overlay are as follows:

All parcels fronting Transit Road from Bullis road north to the Lancaster town line (as of the date of enactment of this law). The boundary of the district excludes the rear 100 feet of the property (No multi-family dwellings shall be allowed in the rear 100 feet of any property).

§ 144- Effective upon Zoning

The standards of the Transit North Multiple Dwelling Overlay shall be superimposed over, and supplement, the underlying zoning standards. Each multiple dwelling use must conform to the applicable design standards of the underlying zoning district, as well as the standards of this overlay district, and if there is a conflict, the more stringent standards shall apply.

§ 144- Objectives

The standards contained herein, which govern multiple dwelling development and redevelopment within the boundaries of the Transit North Multiple Dwelling Overlay (TNMDO), are founded upon the following objectives:

- A. Establish standards to ensure that new multiple dwelling development or redevelopment is in character in terms of scale, design, and layout with the rural character envisioned for this area of the Town.
- B. Reduce signage clutter by controlling the number and size of signs, the placement of signs, and the appearance of signage.
- C. Landscaping and other amenities should be incorporated into site development to enhance the site and screen parking areas.

DRAFT TOWN OF ELMA TRANSIT NORTH MULTIPLE DWELLING ZONING OVERLAY
June, 2014

- D. Design should take into consideration the objectives of this rural agrarian area. Incorporation of elements such as community gardens, picket fences, and other rural atmosphere amenities is strongly encouraged.

§ 144- Permitted Uses

The uses that are permitted within the Transit North Multiple Dwelling Overlay shall be determined by the underlying zoning district and supplemented as follows:

- A. The following Principal Uses are allowed in addition to those allowed in the underlining zoning:
 - 1. All Multiple dwelling type units as defined by this zoning Code, as well as a mixture of these types of uses on one lot.

§ 144- Submission Requirements

- A. The applicant shall meet all submission requirements of site plan review.
- B. The applicant shall submit building plans and elevations indicating the façade treatments and construction materials and colors of all structures in compliance with the standards of the underlying zoning district and the TNMDO.
- C. The applicant shall submit a minimum of two different renderings of the proposed structure(s) to be developed on the site to allow the Planning Board to choose the alternative or recommend other alternatives that they feel will best comply with the Overlay.
- D. The applicant shall submit a site plan that identifies all components of the development and indicates compliance with all the requirements of the Zoning Law and this Overlay.
- E. The applicant shall submit a landscape plan identifying the location, type, size, and planting specifications of all landscaping proposed for the site. The landscape plan shall also identify, in general, existing vegetation on the site.
- F. The applicant shall submit a signage plan that shows the size, type, color, placement, lighting, design, and construction materials of each sign proposed for the site comply with all the requirements of the Zoning Law and this Overlay.

§ 144- Other Zoning Requirements and Design Standards

All multiple dwelling developments within the Transit North Multiple Dwelling Overlay shall conform to the following requirements and standards:

DRAFT TOWN OF ELMA TRANSIT NORTH MULTIPLE DWELLING ZONING OVERLAY
June, 2014

- A. Minimum Lot size: 2 acres (These uses can be placed on existing commercial property and contain both commercial and multi-family uses.)
- B. Density: 15 units per acre and must meet all other zoning requirements
- C. Height: 3 stories (maximum height of 36 feet)
- D. Maximum Lot Coverage: the maximum coverage of the proposed buildings, accessory buildings, driveways, parking areas, and other impervious surfaces is limited to 75 percent of the entire lot.
- E. Building Setbacks:

The following setbacks shall supersede the setbacks of the underlying zoning and apply to all multiple dwelling developments within the TNMDO to promote the rural atmosphere. Where a setback is not established, the underlying setback shall be applied.

- 1. Front building setbacks shall be no less than 50 feet from Transit Road as measured from the street right-of-way. Awnings, balconies, porches, and other architectural amenities shall be permitted to encroach upon the front setback by a maximum of 5 feet.
- 2. This overlay allows residential units to be placed behind commercial uses.

F. Architecture

The architecture and design of any structure within the TNMDO shall comply with the standards of the underlying zoning and shall conform to the following general guidelines.

1. General Design

- a. The architecture and design of any multiple dwelling structure shall:
 - i. Comply with the character envisioned for this area, enhance the visual quality of the area;
 - ii. Be harmonious with adjacent uses;
 - iii. Multiple dwelling structures can take on the appearance of more commercially styled buildings to fit into the character of this commercial area.
 - iv. Comply with any additional Town Design Guidelines, where applicable.

2. Building Materials

- a. Any side of a building that faces a street or public right-of-way shall incorporate a façade constructed of any of the following materials:

DRAFT TOWN OF ELMA TRANSIT NORTH MULTIPLE DWELLING ZONING OVERLAY
June, 2014

stone, brick, masonry, marble, wood or vinyl siding, or other material approved by the Planning Board.

- b. The use of cast concrete, cinder blocks, or metal paneling shall not be used on sides of a building that faces a street or public right-of-way.

G. Site Layout

The site layout for a multiple dwelling within the TNMDO shall comply with the general standards of the underlying zoning and conform to the following overlay guidelines. In the case of conflicting standards, the regulations of the Overlay District shall prevail.

1. The layout of sites with the TNMDO can include the creative mixture of commercial and residential uses in a harmonious manner.

H. Parking and loading areas

Off-street parking shall comply with the standards of the underlying zoning and Article IV of the Zoning Code, and shall conform to the following additional standards:

1. Parking and loading areas must be setback from the street right-of-way a minimum of 100 feet.
2. A minimum of 10% of the interior of a parking area shall be devoted to landscaping used to break up the parking stalls where the parking area is visible from the public right-of-way.
3. Parking areas shall not contain a continuous single row of parking stalls of greater than 5 parking spaces without interruption by a landscaped island where the parking area is visible from the public right-of-way.
4. In addition to the screening of a parking area required in §144-44 E.(3), the use of decorative ornamental features, masonry walls, fencing, or a mix of each is encouraged to additionally screen parking and loading areas and to create a more visually appealing streetscape.

I. Landscaping/ Screening

Landscaping and screening shall comply with the standards of the underlying zoning and shall conform to the following additional standards:

1. For every 25 feet of road frontage, a street tree shall be planted in conformance with County and Town standards, where applicable.
2. Additional shade trees shall be planted throughout the site at a ratio of 1 tree per 2,000 square feet of lot area.

DRAFT TOWN OF ELMA TRANSIT NORTH MULTIPLE DWELLING ZONING OVERLAY
June, 2014

3. The required front yard shall consist of vegetative ground cover, perennial and annual landscaped areas, and/or other amenities that enhance the visual appearance of the streetscape.
4. All landscaped areas shall be maintained and any vegetation that dies shall be replaced during the following planting season. New Code 2-yr warranty.

J Signage

Signage shall comply with the standards of the underlying zoning and §144-102.1 Signs, and shall conform to the following additional standards:

1. Proposed signage shall be designed to complement the architecture of the building.
2. Each building shall be permitted only one building sign.
3. Individual building signs shall not be larger than 20 square feet.
4. Building signs shall be completely affixed to a building and shall not protrude from the building more than 6 inches. An exception may be granted by the Planning Board for a building sign that protrudes from a building by a supporting arm or other ornamental feature of no more than five (5) feet so long as the sign is perpendicular to the building façade and sidewalk and does not obstruct views, cause a safety hazard, or negatively impact the character envisioned for this area.
5. Free standing signs are permitted and can be incorporated with other commercial signage on the site. New free standing signage shall be ground mounted.
6. The use of digital signage or flashing signs is not permitted.
7. Overall signage may not be lit from internal lights, only the use of individually internally lit characters on a sign, back lit signage, or directional lighting shall be used to light signage. The use of flashing or neon lights is not permitted.
8. The appearance and placement of signage shall be subject to Planning Board discretion as part of the site plan review process.

K. Other

1. The use of decorative lighting structures is encouraged to comply with the character envisioned for this area.
2. The maximum height of any lighting structures shall be 16 feet.
3. Fencing placed in the front yard shall be no higher than 3 feet and shall consist of wood or faux wood picket or ornamental iron construction. A mix of stone, brick, or other masonry wall and fencing may be permitted.

DRAFT TOWN OF ELMA TRANSIT NORTH MULTIPLE DWELLING ZONING OVERLAY
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The use of stockade, metal, woven wire, or barb wire fences are not permitted in the front yard.

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Transit South Multiple Dwelling Overlay

§ 144- Statement of Intent

In accordance with the Regional Comprehensive Plan and the work of the Multiple Dwelling Code Committee (MDCC), the Transit Road, near State Highway 400 (South area) Multiple Dwelling Overlay (TSMDO) is established to allow for a variety of types of multiple dwellings in the Transit Road, near State Highway 400 area as defined below. This area lies within the "mixed use area" of the Town's Comprehensive Plan and offers easy access to Route 78 and to Route 400.

§ 144- Boundaries

The boundaries of Transit Road, near State Highway 400, Multiple Dwelling Overlay are as follows:

All parcels fronting Transit Road between the Route 400 interchange and Seneca Street to the south; including the corner parcel on the south side of Seneca Street (as of the date of enactment of this law). The boundary of the district excludes the rear 100 feet of the property (No multi-family dwellings shall be allowed in the rear 100 feet of any property).

§ 144- Effective upon Zoning

The standards of the Transit Road/State Hwy 400 area Multiple Dwelling Overlay shall be superimposed over, and supplement, the underlying zoning standards. Each multiple dwelling use must conform to the applicable design standards of the underlying zoning district, as well as the standards of this overlay district, and if there is a conflict, the more stringent standards shall apply.

§ 144- Objectives

The standards contained herein, which govern multiple dwelling development and redevelopment within the boundaries of the Transit South Multiple Dwelling Overlay (TSMDO), are founded upon the following objectives:

- A. Establish standards to ensure that new multiple dwelling development or redevelopment is in character in terms of scale, design, and layout with the rural character envisioned for this area of the Town.
- B. Reduce signage clutter by controlling the number and size of signs, the placement of signs, and the appearance of signage.
- C. Landscaping and other amenities should be incorporated into site development to enhance the site and screen parking areas.

DRAFT TOWN OF ELMA TRANSIT SOUTH MULTIPLE DWELLING ZONING OVERLAY
June, 2014

- D. Design should take into consideration the objectives of this rural agrarian area. Incorporation of elements such as community gardens, picket fences, and other rural atmosphere amenities is strongly encouraged.

§ 144- Permitted Uses

The uses that are permitted within the Transit South Multiple Dwelling Overlay shall be determined by the underlying zoning district and supplemented as follows:

- A. The following Principal Uses are allowed in addition to those allowed in the underlining zoning:
 - 1. All Multiple Dwelling type units as defined in this zoning Code, as well as a mixture of these types of uses on one lot.

§ 144- Submission Requirements

- A. The applicant shall meet all submission requirements of site plan review.
- B. The applicant shall submit building plans and elevations indicating the façade treatments and construction materials and colors of all structures in compliance with the standards of the underlying zoning district and the TSMDO.
- C. The applicant shall submit a minimum of two different renderings of the proposed structure(s) to be developed on the site to allow the Planning Board to choose the alternative or recommend other alternatives that they feel will best comply with the Overlay.
- D. The applicant shall submit a site plan that identifies all components of the development and indicates compliance with all the requirements of the Zoning Law and this Overlay.
- E. The applicant shall submit a landscape plan identifying the location, type, size, and planting specifications of all landscaping proposed for the site. The landscape plan shall also identify, in general, existing vegetation on the site.
- F. The applicant shall submit a signage plan that shows the size, type, color, placement, lighting, design, and construction materials of each sign proposed for the site comply with all the requirements of the Zoning Law and this Overlay.

§ 144- Other Zoning Requirements and Design Standards

All multiple dwelling developments within the Transit Road Multiple Dwelling Overlay shall conform to the following requirements and standards:

- A. Minimum Lot size: 2 acres

DRAFT TOWN OF ELMA TRANSIT SOUTH MULTIPLE DWELLING ZONING OVERLAY
June, 2014

- B. Density: 8-12 units per acre (meeting other zoning requirements and any requirements for septic systems)
- C. Height: 2.5 stories
- D. Maximum Lot Coverage: the maximum coverage of the proposed buildings, accessory buildings, driveways, parking areas, and other impervious surfaces is limited to 75 percent of the entire lot.

E. Building Setbacks:

The following setbacks shall supersede the setbacks of the underlying zoning and apply to all multiple dwelling developments within the TSMDO to promote the rural atmosphere. Where a setback is not established, the underlying setback shall be applied.

- 1. Front building setbacks shall be 100 feet as measured from the street right-of-way. Awnings, balconies, porches, and other architectural amenities shall be permitted to encroach upon the front setback by a maximum of 5 feet.

F. Architecture

The architecture and design of any structure within the TSMDO shall comply with the standards of the underlying zoning and shall conform to the following general guidelines.

1. General Design

- a. The architecture and design of any multiple dwelling structure shall:
 - i. Comply with the character envisioned for this area, enhance the visual quality of the area;
 - ii. Be harmonious with adjacent uses;
 - iii. All multiple dwelling structures should include peak roofs
 - iv. Comply with any additional Town Design Guidelines, where applicable.

2. Building Materials

- a. Any side of a building that faces a street or public right-of-way shall incorporate a façade constructed of any of the following materials: stone, brick, masonry, marble, wood or vinyl siding, or other material approved by the Planning Board.
- b. The use of cast concrete, cinder blocks, or metal paneling shall not be used on sides of a building that faces a street or public right-of-way.

G. Site Layout

DRAFT TOWN OF ELMA TRANSIT SOUTH MULTIPLE DWELLING ZONING OVERLAY
June, 2014

The site layout for a multiple dwelling within the TSMDO shall comply with the general standards of the underlying zoning and conform to the following overlay guidelines. In the case of conflicting standards, the regulations of the Overlay District shall prevail.

1. All new multiple dwelling development building within the TSMDO shall face Transit Road.
2. Accessory buildings will be located behind the structure.
3. Required 50 feet natural setback buffer at rear of site (no disturbance)

H. Parking and loading areas

Off-street parking shall comply with the standards of the underlying zoning and Article IV of the Zoning Code, and shall conform to the following additional standards:

1. Parking and loading areas must be setback from the street right-of-way a minimum of 100 feet.
2. A minimum of 10% of the interior of a parking area shall be devoted to landscaping used to break up the parking stalls where the parking area is visible from the public right-of-way.
3. Parking areas shall not contain a continuous single row of parking stalls of greater than 5 parking spaces without interruption by a landscaped island where the parking area is visible from the public right-of-way.
4. In addition to the screening of a parking area required in §144-44 E.(3), the use of decorative ornamental features, masonry walls, fencing, or a mix of each is encouraged to additionally screen parking and loading areas and to create a more visually appealing streetscape.

I. Landscaping/ Screening

Landscaping and screening shall comply with the standards of the underlying zoning and shall conform to the following additional standards:

1. For every 25 feet of road frontage, a street tree shall be planted in conformance with County and Town standards, where applicable.
2. Additional shade trees shall be planted throughout the site at a ratio of 1 tree per 2,000 square feet of lot area.
3. The required front yard shall consist of vegetative ground cover, perennial and annual landscaped areas, and/or other amenities that enhance the visual appearance of the streetscape.
4. All landscaped areas shall be maintained and any vegetation that dies shall be replaced during the following planting season. New Code 2-yr warranty.

DRAFT TOWN OF ELMA TRANSIT SOUTH MULTIPLE DWELLING ZONING OVERLAY
June, 2014

J. Signage

Signage shall comply with the standards of the underlying zoning and §144-102.1 Signs, and shall conform to the following additional standards:

1. Proposed signage shall be designed to complement the architecture of the building.
2. Each building shall be permitted one building sign.
3. Individual building signs shall not be larger than 20 square feet.
4. Building signs shall be completely affixed to a building and shall not protrude from the building more than 6 inches. An exception may be granted by the Planning Board for a building sign that protrudes from a building by a supporting arm or other ornamental feature of no more than five (5) feet so long as the sign is perpendicular to the building façade and sidewalk and does not obstruct views, cause a safety hazard, or negatively impact the character envisioned for this area.
5. Free standing signs are permitted, but the restrictions for ground signs, of a maximum of 12 feet in height.
6. The use of digital signage or flashing signs is not permitted.
7. Overall signage may not be lit from internal lights, only the use of individually internally lit characters on a sign, back lit signage, or directional lighting shall be used to light signage. The use of flashing or neon lights is not permitted.
8. The appearance and placement of signage shall be subject to Planning Board discretion as part of the site plan review process.

K. Other

1. The use of decorative lighting structures is encouraged to comply with the character envisioned for this area.
2. The maximum height of any lighting structures shall be 16 feet.
3. Fencing placed in the front yard shall be no higher than 3 feet and shall consist of wood or faux wood picket or ornamental iron construction. A mix of stone, brick, or other masonry wall and fencing may be permitted. The use of stockade, metal, woven wire, or barb wire fences are not permitted in the front yard.

**DRAFT TOWN OF ELMA CLINTON MULTIPLE DWELLING ZONING OVERLAY
June, 2014**

Clinton Multiple Dwelling Overlay

§ 144- Statement of Intent

In accordance with the Regional Comprehensive Plan and the work of the Multiple Dwelling Code Committee (MDCC), the Clinton Multiple Dwelling Overlay (CMDO) is established to allow for restricted types of multiple dwellings in the Clinton Street area as defined below. This area is located off of the Transit road corridor and adjoining the Town of Lancaster. This provides an opportunity to provide multiple dwelling housing to commuters and to residents of the Town in a manner that meets the rural aesthetics of Elma.

§ 144- Boundaries

The boundaries of the Clinton Multiple Dwelling Overlay are as follows:

All parcels extending 300 feet east from the right-a-way off Transit Road, and north to the Lancaster townline; then fronting along the north side of Clinton Street to approximately 300 feet west of Homeward Road where it intersects with Clinton Road. As of the date of this law enactment, all parcels are zoned Commercial (C-2).

§ 144- Effective upon Zoning

The standards of the Clinton Multiple Dwelling Overlay shall be superimposed over, and supplement, the underlying zoning standards. Each multiple dwelling use must conform to the applicable design standards of the underlying zoning district, as well as the standards of this overlay district, and if there is a conflict the more stringent standards shall apply.

§ 144- Objectives

The standards contained herein, which govern multiple dwelling development and redevelopment within the boundaries of the Clinton Multiple Dwelling Overlay (CMDO), are founded upon the following objectives:

- A. Establish standards to ensure that new multiple dwelling development or redevelopment is in character in terms of scale, design, and layout with the rural character envisioned for this area of the Town.
- B. Reduce signage clutter by controlling the number and size of signs, the placement of signs, and the appearance of signage.
- C. Landscaping and other amenities should be incorporated into site development to enhance the site and screen parking areas.

DRAFT TOWN OF ELMA CLINTON MULTIPLE DWELLING ZONING OVERLAY
June, 2014

- D. Design should take into consideration the objectives of this rural agrarian area. Incorporation of elements such as community gardens, picket fences, and other rural atmosphere amenities is strongly encouraged.

§ 144- Permitted Uses

The uses that are permitted within the Clinton Multiple Dwelling Overlay (CMDO) shall be determined by the underlying zoning district and supplemented as follows:

- A. The following Principal Uses are allowed in addition to those allowed in the underlining zoning:
1. All Multi-Dwelling type units as defined in this zoning Code, as well as a mixture of these types uses on one lot.

§ 144- Submission Requirements

- A. The applicant shall meet all submission requirements of site plan review.
- B. The applicant shall submit building plans and elevations indicating the façade treatments and construction materials and colors of all structures in compliance with the standards of the underlying zoning district and the CMDO.
- C. The applicant shall submit a minimum of two different renderings of the proposed structure(s) to be developed on the site to allow the Planning Board to choose the alternative or recommend other alternatives that they feel will best comply with the Overlay.
- D. The applicant shall submit a site plan that identifies all components of the development and indicates compliance with all the requirements of the Zoning Law and this Overlay.
- E. The applicant shall submit a landscape plan identifying the location, type, size, and planting specifications of all landscaping proposed for the site. The landscape plan shall also identify, in general, existing vegetation on the site.
- F. The applicant shall submit a signage plan that shows the size, type, color, placement, lighting, design, and construction materials of each sign. Each proposed sign for the site must comply with all the requirements of the Zoning Law and this Overlay.

§ 144- Other Zoning Requirements and Design Standards

All multiple dwelling developments within the Clinton Multiple Dwelling Overlay shall conform to the following requirements and standards:

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June, 2014

- A. Minimum Lot size: 5 acres
- B. Density: 8 units/acre
- C. Height: 2.5 stories
- D. Maximum Lot Coverage: the maximum coverage of the proposed buildings, accessory buildings, driveways, parking areas, and other impervious surfaces is limited to 50 percent of the entire lot.

E. Building Setbacks

The following setbacks shall supersede the setbacks of the underlying zoning and apply to all multiple dwelling developments within the CMDO to promote the rural atmosphere. Where a setback is not established, the underlying setback shall be applied.

- 1. Front building setbacks shall be no less than 50 feet and no more than 100 feet as measured from the street right-of-way. Awnings, balconies, porches, and other architectural amenities shall be permitted to encroach upon the front setback by a maximum of 5 feet.

F. Architecture

The architecture and design of any structure within the CMDO shall comply with the standards of the underlying zoning and shall conform to the following general guidelines.

1. General Design

- a. The architecture and design of any multiple dwelling structure shall:
 - i. Enhance the visual quality of the area;
 - ii. Be harmonious with adjacent uses;
 - iii. All multiple dwelling structures should avoid windows and entrance-ways that have materials and designs that would make the development appear too commercial. Instead include such visual design as peaked roofs, etc.
 - iv. Comply with any additional Town Design Guidelines, where applicable.

2. Building Materials

- a. Any side of a building that faces a street or public right-of-way shall incorporate a façade constructed of any of the following materials: stone, brick, masonry, marble, wood or vinyl siding, or other material approved by the Planning Board.
- b. The use of cast concrete, cinder blocks, or metal paneling shall not be used on sides of a building that faces a street or public right-of-way.

G. Site Layout

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June, 2014

The site layout for a multiple dwelling within the CMDO shall comply with the general standards of the underlying zoning and conform to the following overlay guidelines. In the case of conflicting standards, the regulations of the Overlay District shall prevail.

1. All new multiple dwelling developments within the CMDO shall not have parking lots in front of the building. Buildings should face the road and be open and inviting to pedestrian traffic.

H. Parking and loading areas

Off-street parking shall comply with the standards of the underlying zoning and Article IV of the Zoning Code, and shall conform to the following additional standards:

1. Parking and loading areas must be setback from the street right-of-way a minimum of 75 feet.
2. A minimum of 10% of the interior of a parking area shall be devoted to landscaping used to break up the parking stalls where the parking area is visible from the public right-of-way.
3. Parking areas shall not contain a continuous single row of parking stalls of greater than 5 parking spaces without interruption by a landscaped island where the parking area is visible from the public right-of-way.
4. In addition to the screening of a parking area required in §144-44 E.(3), the use of decorative ornamental features, masonry walls, fencing, or a mix of each is encouraged to additionally screen parking and loading areas and to create a more visually appealing streetscape.

I. Landscaping/ Screening

Landscaping and screening shall comply with the standards of the underlying zoning and shall conform to the following additional standards:

1. For every 25 feet of road frontage, a street tree shall be planted in conformance with County and Town standards, where applicable.
2. Additional shade trees shall be planted throughout the site at a ratio of 1 tree per 2,000 square feet of lot area.
3. The required front yard shall consist of vegetative ground cover, perennial and annual landscaped areas, and/or other amenities that enhance the visual appearance of the streetscape.
4. All landscaped areas shall be maintained and any vegetation that dies shall be replaced during the following planting season (see applicable Town requirements for replacement requirements: 2-yr warranty)
5. The site should include an area set aside as a community gardens area to be utilized by the residents of the facility. This will be designed to enhance the site and be part of the rural/agricultural nature of the area.

DRAFT TOWN OF ELMA CLINTON MULTIPLE DWELLING ZONING OVERLAY
June, 2014

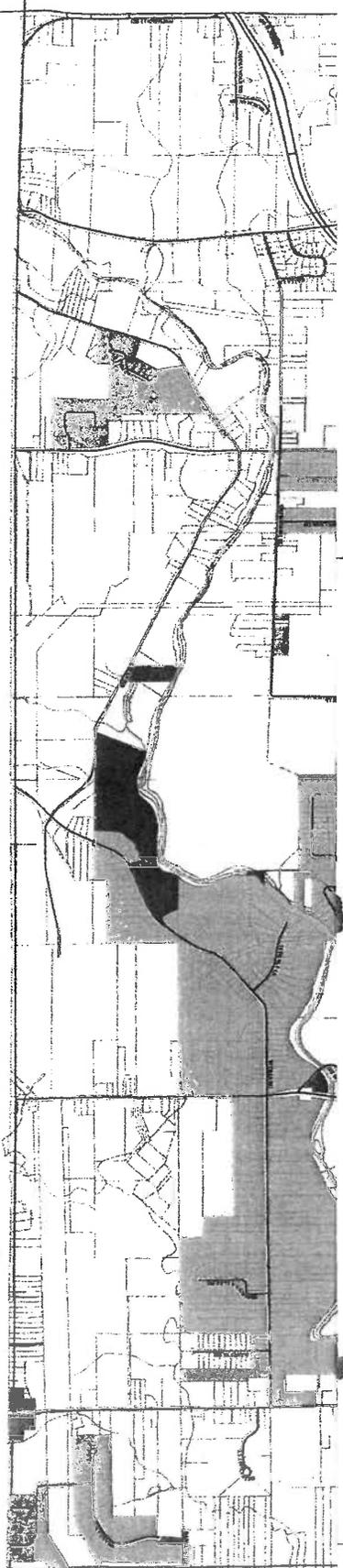
J. Signage

Signage shall comply with the standards of the underlying zoning and §144-102.1 Signs, and shall conform to the following additional standards:

1. Proposed signage shall be designed to complement the architecture of the building.
2. Each building shall be permitted one sign.
3. Free standing signs cannot be pole mounted. All signage shall be ground signs with landscaping.
4. The use of digital signage or flashing signs is not permitted.
5. Overall signage may not be lit from internal lights, only the use of individually internally lit characters on a sign, back lit signage, or directional lighting shall be used to light signage. The use of flashing or neon lights is not permitted.
6. The appearance and placement of signage shall be subject to Planning Board discretion as part of the site plan review process.

K. Other

1. The use of decorative lighting structures is encouraged to comply with the character envisioned for this area.
2. The maximum height of any lighting structures shall be 16 feet.
3. Fencing placed in the front yard shall be no higher than 3 feet and shall consist of wood or faux wood picket or ornamental iron construction. A mix of stone, brick, or other masonry wall and fencing may be permitted. The use of stockade, metal, woven wire, or barb wire fences are not permitted in the front yard.



Town of Elma Zoning Map Adopted 10/1/2008

TSM

TM

Districts



576

VILLAGE OF LANCASTER, NY

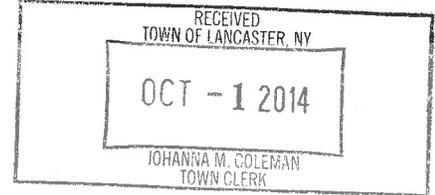
September 22, 2014

OFFICIAL MEETING MINUTES

Page 1 of 6

The regular meeting of the Village of Lancaster Board of Trustees was held in the Municipal Building Council Chambers, 5423 Broadway, Lancaster, NY, on Monday, September 22, 2014, at 7:00 P.M.

Roxanne Weber led the pledge to the flag.



MEETINGS TO DATE 12
NO. OF REGULARS 11
NO. OF SPECIALS 1

Attendance:

		<u>Attended / Absent</u>
Paul M. Maute	Mayor	11 / 1
Kenneth L. O'Brien III	Trustee / Deputy Mayor	9 / 3
Dawn M. Robinson	Trustee	11 / 1
William C. Schroeder	Trustee	11 / 1
Russell W. Sugg	Trustee	10 / 2

Also Present:

Michael E. Stegmeier	Clerk – Treasurer
Arthur A. Herdzik	Village Attorney
George E. Miller, Jr.	DPW Crew Chief
Joseph M. Ligammare	Fire Chief
James B. Allein	Planning Commission Chairperson

Motion by **Trustee O'Brien** and seconded by **Trustee Robinson** to accept the minutes of the September 8, 2014 regular meeting.

Adopted Resolution: 204 Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

ABSTRACT OF AUDITED VOUCHERS

Motion by **Trustee Robinson** and seconded by **Trustee O'Brien** that the Treasurer be authorized to pay, from the vouchers, all the claims against the GENERAL, WATER, SEWER, TRUST, CAPITAL, EQUIPMENT RESERVE, COMMUNITY DEVELOPMENT and SPECIAL REPAIR RESERVE FUNDS for the period from 9/9/14 to 9/22/14.

Further, that the report of the Finance Committee be accepted from the abstract of the audited vouchers, a total of 74 claims were approved, and that all claims were paid against the:

GENERAL FUND -----	in the amount of	\$	203,593.51
WATER FUND -----	in the amount of	\$	--
SEWER FUND -----	in the amount of	\$	10,224.09
TRUST FUND -----	in the amount of	\$	580.10
CAPITAL FUND -----	in the amount of	\$	--
EQUIPMENT RESERVE -----	in the amount of	\$	--
COMMUNITY DEVELOPMENT -----	in the amount of	\$	--
SPECIAL REPAIR RESERVE FUND -----	in the amount of	\$	--
For the period from <u>8/26/14</u> To <u>9/8/14</u>			

BUILDING PERMITS:

Motion by **Trustee Sugg** and seconded by **Trustee O'Brien** to accept the report of building permits issued by the Town of Lancaster Building Department for properties within the Village of Lancaster as follows:

PERMIT NO	LAST NAME	ADDRESS	PURPOSE OF PERMIT
14-23250	Brecker	3567 Walden Ave	Residential Alteration
14-23254	Lelek	3495 Walden Ave	Roof
14-23266	Skubis	17 Division St	Porch
14-23269	Babula	85 Aurora St	Shed
14-23270	McMahon	71 Cambria St	Deck
14-23271	Independent Housing	23 Oxford Ave	Deck
14-23276	Knapp	38 Court St	Porch
14-23277	Jagord	10 Pershing Ave	Roof
14-23281	White	119 Garfield St	Roof
14-23282	Marshall	1938 Como Park Blvd	Roof
14-23283	Kush	141 Robert Dr	Fence
14-23288	Williams	140 Central Ave	Roof
14-23295	Kopra	36 Kelly Ct	Roof
14-23301	Tanski	230 Lake Ave	Deck
14-23305	Spencer	21 Wilkshire Pl	Residential Addition

Adopted Resolution: **211**

Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

AUDIENCE PARTICIPATION:

Bill Buchholz: He reviewed the schedule of events that will take place during the grand opening of the skate park on Sunday, September 28, 2014.

James Enser – 87 Fourth Avenue: He commented on the condition of a paper street (Third Avenue) and brush being thrown against his fence.

Sharon Zimpfer – 11 Richmond Street: She questioned the results of the investigation of sanitary sewer conditions in the Oxford Avenue / Richmond Street area.

Crew Chief George Miller reviewed the findings of the video inspection. A root mass (less than 50%) was found on Richmond Street and removed by the contractor. The sewer mains are in no need of immediate repair or maintenance. The sewer mains will be checked and reviewed every 90 days by the sewer department as a precautionary measure.

Paul Wagner (Sharon Zimpfer's father): He commented on the possible interpretations of the sewer inspection report.

Mayor Maute stated that the Village Board will continue to work with Mrs. Zimpfer on this matter. He directed her to submit any documentation regarding sewer backup damages to the Village Clerk's office.

Frank Maddock – 43 Wren Avenue: He provided an update on a sign to be installed in the Clark Street parking lot with a dedication to the Stribing family. He also commented on a fraudulent phone call he received from an individual claiming to be an IRS representative.

There was discussion of possible ways to notify elderly residents to provide warning of phone scams and other potential threats to their safety and welfare.

COMMITTEE REPORTS & FOLLOW UPS:**➤ FINANCE & CLAIMS – Trustee Robinson**

No report.

➤ PUBLIC WORKS – Trustee Schroeder

No report.

➤ PUBLIC SAFETY – Trustee Robinson

She reported that Lancaster was ranked as the 18th safest community in New York State.

➤ BUILDING, LIGHTS & CODES – Trustee O'Brien

No report.

➤ HUMAN RESOURCES – Trustee Sugg

A meeting was scheduled for Monday, October 20, 2014 following the CDBG public hearing at 6:00 p.m. to discuss new information regarding the possible dissolution of the Justice Court.

➤ COMMUNITY EVENTS – Trustee Schroeder

He reported on the results of the “Just Off Broadway” event that was held on September 13, 2014.

The “Zombierville” event will take place on Saturday, October 11, 2014. There has been interest from local organizations to participate in the event.

➤ ECONOMIC DEVELOPMENT – Trustee Sugg

Mayor Maute provided an update on the West Main Street project. Letters of Interest were received from five (5) developers regarding the former BOCES property owned by the Community Development Corporation (CDC). There will be future meetings held to discuss the next steps after taking time to review the Letters of Interest.

The Zoning Board of Appeals will be meeting on Wednesday, October 1, 2014 at 7:15 p.m. to consider a variance request from the owners of 127 Southwest Parkway with respect to a proposed addition to an existing dwelling.

The Central Avenue Historic District was approved by the State Review Board and formally recommended for listing on the State and National Registers of Historic Places.

Trustee O'Brien has instructed Superintendent Cansdale to contact the approved engineer to commence the traffic study for the West Main Street area. The cost of the study will be reimbursed by the Lancaster Industrial Development Agency.

ADJOURNMENT:

Motion by **Trustee Schroeder** and seconded by **Mayor Maute** to adjourn the meeting at 7:34 p.m. in memory of Barbara Kuhn, Hugh Chavis, Sr., Jeanne Peters, Millard "Stoney" Stonebraker, Florence Berent, Emily Caselinuovo, Stanley Chudy, Ralph Fudoli, and Leroy Arber.

Adopted Resolution: **213** Ayes: Mayor Maute, Trustees O'Brien, Robinson, Schroeder, and Sugg

Respectfully submitted,



Michael E. Stegmeier
Village Clerk – Treasurer



TOWN OF LANCASTER
HIGHWAY DEPARTMENT
525 PAVEMENT ROAD
LANCASTER, NY 14086

Daniel Amatura
Highway Superintendent
Tel (716)683-3426
Fax (716)685-0271

COMMUNICATIONS

October 1, 2014

Dave Brown
Director of Administration and Finance
Town of Lancaster
21 Central Avenue
Lancaster, NY 14086

Re: Surface Pro 3 Tablet Core

Dear Dave

As you may or may not know the Surface Pro 3 Tablet Core that we are requesting for John Smith is to locate underground facilities. Underground location does not fall under highways as it was acquired when we outsourced our Engineering Department. I feel that the tablet is necessary to perform the duties and I believe the decision should be made by the Board as to whether we should continue this service or not. In the past we have solicited quotes for outsourcing underground locating and the cost was more than what it is costing the Town right now. We have eliminated the overtime for this service and I feel it would be in the best interest of the Town to continue doing this in-house. The cost of this tablet is \$1,690.22 and this tablet is necessary in order to continue locating underground facilities. Also in order to run this program it will be necessary to purchase a new cell phone with a data plan to run the hot spot application.

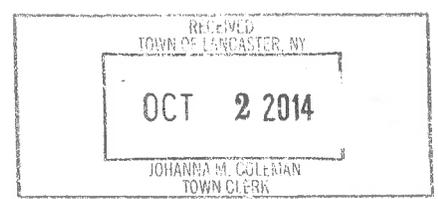
I would be happy to authorize this as long as it has Board approval. If you have any questions, please do not hesitate to contact me.

Respectfully yours

Dan Amatura
Highway Superintendent

DA/mb
Attached

cc: Dino Fudoli, Supervisor
Town Board Members



SALES QUOTE

GovConnection, Inc.
7503 Standish Place
Rockville, MD 20855

Account Executive: Jon McClure
Phone: (800) 800-0019 ext. 75010
Fax: (603) 683-0312
Email: jmcclure@govconnection.com

23744788.01

PLEASE REFER TO THE ABOVE
QUOTE # WHEN ORDERING

Account Manager:
Phone:
Fax:
Email:

Date: 9/30/2014
Valid Through: 10/30/2014
Account #: 5074044

Customer Contact: Valerie
Email: _____ com

Phone: (716) 683-1610
Fax: (716) 683-0512

QUOTE PROVIDED TO:

AB#: 5074044
TOWN OF LANCASTER
ACCOUNTS PAYABLE
21 CENTRAL AVE
LANCASTER, NY 14086

(716) 683-1311

SHIP TO:

AB#: 12985592
TOWN OF LANCASTER
SUPERVISORS OFFICE
21 Central Ave
LANCASTER, NY 14086

(716) 683-1610

Sub Total	\$ 1,780.22
Fee	
Ship Via	Small Pkg Ground Service Level
Shipping and Handling	
Tax	
Total	\$ 1,780.22

DELIVERY 1-30 Days A/R/O	FOB Destination	TERMS NET 30	*Lease for as low as: \$59.35/Mo.	CONTRACT ID#
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* Line #	Qty	Item #	Manuf. Part #	Description	Manuf.	Price	Ext
1							\$ -
2	1	17381701	QG2-00001	Surface Pro 3 Tablet Core i5 / 8GB / 256GB / acabgn / BT / 2xWC / 12" FHD+ MT / W8.1P Contents: Surface Pro 3, Surface Pen, Power Supply, documentation Microsoft Surface	Microsoft Surface	\$ 1,203.22	\$ 1,203.22
3				Optional accessories:			\$ -
4	1	17387184	RF2-00001	Surface Pro 3 Type Cover, Black Microsoft Surface	Microsoft Surface	\$ 103.00	\$ 103.00
5	1	17478297	3QM-00001	Surface Pro 3 Docking Station Microsoft Surface	Microsoft Surface	\$ 158.00	\$ 158.00
6	1	16420624	A9W-00001	3-year Commercial Extended Service Plan for Surface Pro 2 / Pro 3 Microsoft Surface/Service	Microsoft Surface/Service	\$ 90.00	\$ 90.00
7	1	16421150	A9W-00005	3-year Commercial Extended Service Plan w / ADH for Surface Pro 2 / Pro 3 Microsoft Surface/Service	Microsoft Surface/Service	\$ 226.00	\$ 226.00
							\$ 1,780.22

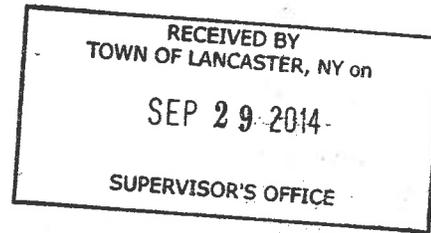
1690.22



**New York State Office of Parks,
Recreation and Historic Preservation**

Historic Preservation Field Services • Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643 Fax: 518-233-9049

www.nysparks.com



578

Andrew M. Cuomo
Governor

Rose Harvey
Commissioner

TC
TB
D. BROWN
M. LUBERKA

September 22, 2014

Town Hall
21 Central Ave.
Lancaster, NY 14086

Re: Central Avenue Historic District
21 Central Ave., 40 Clark St. Lancaster, NY 14086
Erie County

Dear Town Hall:

Following a detailed review, the State Review Board has recommended to the Commissioner of Parks, Recreation and Historic Preservation, who is the New York State Historic Preservation Officer (SHPO), that the property identified above be listed on the New York State Register of Historic Places and nominated to the National Register of Historic Places.

After reviewing the nomination, the SHPO has agreed with the recommendation of the State Review Board and has listed the property on the State Register of Historic Places. We shall now forward the nomination to the Keeper of the National Register in Washington, D. C.

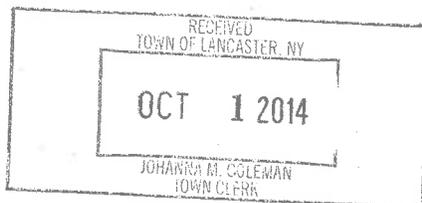
If the Keeper of the National Register approves the nomination, the property will be listed on the National Register. You will be notified when this decision is made.

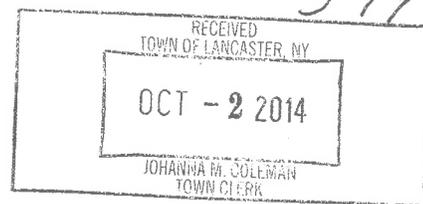
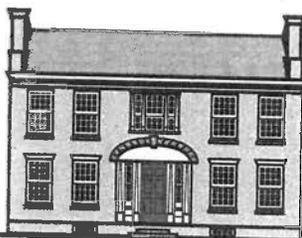
Information about the results of State and National Register listing were included in our earlier notification letter. If you have any further questions, please contact your field representative Jennifer Waikowski, at the **Division for Historic Preservation**, (518) 237-8643 ext. 3214.

Sincerely,

Ruth L. Pierpont

Ruth L. Pierpont
Deputy Commissioner for Historic
Preservation





HULL HOUSE FOUNDATION

September 29, 2014

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

Dear Council Members,

On behalf of the Board of Trustees of the Hull House Foundation, I wish to thank you for your continuing support of the Hull Family Home & Farmstead. Your commitment to the cultural enrichment of our community is greatly appreciated and your many years of support have contributed greatly to our ability to make important strides in the restoration project.

At this time of budget preparation of the Town's 2015 fiscal year, I am hopeful that you will again include an appropriation of \$4000 to help advance the work of the Foundation as we strive to return this valuable historic asset to the community. Our progress is encouraging. Recognition of and attendance at this important historic site is increasing and is evident now more than ever. While much work remains, much has been accomplished and the full restoration of the home is closer now than ever. Financial help from the Town of Lancaster coupled with help from our other supporters and our fund raising efforts conducted throughout the year will give us the opportunity to significantly advance our work.

I hope that you will give our request every consideration and that we can continue to build upon the strong relationship we have thus far enjoyed.

Thank you.

Sincerely,

Gary N. Costello, President

5976 Genesee Street, Lancaster, New York 14086 (716) 681-6451

Hull House Foundation, a 501c-3 tax exempt organization chartered by the Board of Regents of the State University of New York is developing the Hull Family Home & Farmstead as an educational interpretive center to present the history, culture and architecture of Western New York in the early 19th century.



MEMORANDUM

DATE: October 2, 2014
TO: Johanna Coleman, Town Clerk
FROM: Chief Gerald J. Gill, Jr.
SUBJECT: Articles/Communications

A handwritten signature in cursive script, appearing to read "Gerald J. Gill, Jr.", is written over the "FROM:" line.

Please place the attached documents on communications.

If there are any questions, please feel free to contact me.

Enclosures



Lancaster among safest cities in New York State

By News 4 Digital Staff

Published: September 18, 2014, 9:31 pm | Updated: September 18, 2014, 10:56 pm

LANCASTER, N.Y. (WIVB) – Safe Choice Security says it has found the 29 safest cities in New York State, but only one is in Western New York.

Using FCI Crime Statistics from 2012 on violent and property crimes, the website calculated the risk to residents and found Briarcliff Manor, a suburb of New York City, to be the safest city in the state.

The only city in Western New York to make the list was Lancaster, at number 18. With a population of 10,000 and only .29 violent crimes per 1,000 and 10.16 property crimes per 1,000, Safe Choice Security says Lancaster is safer than 76 percent of U.S. cities. The website calls the police department “multifaceted and committed to delivering on keeping the town exceedingly safe.”

Spindle items



**JULIE
HALM**

Lancaster/
Depew Editor

© SAFETY
FIRST — Safe
Choice Security
recently compiled
a list of the 29
safest towns and
cities in the state.
In Western New
York, only one
community had
the distinction of
making the list,
and it was Lan-
caster.

The rankings were based on total population and the overall incidence of both violent and property crimes, and Lancaster placed 18th. According to Safe Choice Security's website, the total population of Lancaster is 10,000, and it has a crime index of 76, meaning that it's safer than 76 percent

of cities in the United States. The site also states that there are 29 violent crimes per 1,000 and 10.16 property crimes per 1,000. While numbers tell part of the story, what truly hits home in the rankings is the description given of Lancaster.

"The historic town is home to one of the oldest stone structures in the county, the Warren Hull House, and it also has beautiful streams, impressive parks and waterways spread throughout town," states the site.

"The Buffalo suburb is easily accessed and is convenient for those who wish to live outside the city but still enjoy its advantages," the site says. "The Lancaster Police Department is multi-faceted and committed to delivering on keeping the town exceedingly safe."

Residents are fortunate to have such vigilant authorities in town, and many thanks are owed to all those who keep the community safe on a daily basis and go without thanks too often.



MEMORANDUM

**From: Gerald J. Gill, Jr.
Chief of Police**

A handwritten signature in cursive script, appearing to read "Gerald J. Gill, Jr.", is written over the typed name and title.

Date: 10/1/14

To: Officer Edward Clark
Officer David Anthony

Subject: Linda Mallia

Please be advised that Ms. Mallia took the time to write a letter acknowledging the professional manner in which you handled a request for service.

Thank you for placing the Lancaster Police Department in a favorable light.

A copy of her letter is enclosed.

enclosure

Gerald Gill

From: Gerald Gill
Sent: Monday, September 22, 2014 2:59 PM
To: 'William Karn'
Subject: Linda Mallia

Please be advised that Ms. Mallia took the time to write a letter praising you for the professional manner in which you tended to her concern.

Thank you for placing the Lancaster Police Department in a positive light.

I will forward you a copy of the letter subsequent to this communication.

Gerald J. Gill, Jr.
Chief of Police
Lancaster Police Department
525 Pavement Road
Lancaster, NY 14086
(716) 683-2800

September 17, 2014

Chief Gerard Gill
Lancaster Police
525 Pavement Rd.
Lancaster, NY 14086

Dear Chief Gill:

My daughter's home in _____ was broken into on Sunday September 7, 2014. Thankfully a neighbor was able to identify the man that broke in as he was a former tenant. His name is Nick Cefaly. The _____ police and detectives have been incredibly difficult to deal with. I won't bore you with all the details but it has been stunning to me as my daughter and I have been treated as if we committed the crime rather than the victims. Since the _____ police have been so harsh and difficult I picked up the phone and called the Lancaster police. I simply said I need help, I've been the victim of a crime in Amherst and I realize you can't solve it, but I'm a resident of Lancaster and all I want is for someone to hear me out and then tell me how this works. The Lancaster Detective patiently answered all of my questions and said I could call back if I had any others.

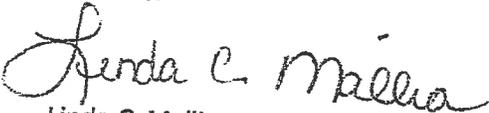
As a result of this crime I began using my alarm system at my home again. Day one the alarm went off, I called the Lancaster police and gave them the details of my daughter's break in and identified Nick Cefaly, as I didn't want them showing up unprepared. It turned out to be a false alarm, we had no idea why the alarm went off. A few days later the same area (basement window) went off and I knew it had to be a defective system. I've already had Amherst Alarm out and it's been fixed. I wanted you to know that I mentally prepared myself for a berating by the police given this was the second false alarm. Instead I was greeted by two very nice officers who assured me it was "better safe than sorry". As I was apologizing profusely I rushed to go into the house and the office stopped me and said please wait until we make sure it's safe. About five years ago when I had an alarm go off at my office that was then in _____ at ten PM, the officer made me go into the darkened office by myself to check it out while he stood outside. The difference in attitude is incredible and so, so very much appreciated by this proud Lancaster resident.

The culture of the Lancaster police is to help people. I suspect that culture comes from the top as most cultures do in any organization. Whatever you are doing to inform your officers they serve the public is being heard loud and clear by them, and you and they are doing a fantastic job. If I sound like I'm gushing, I am, I'm impressed. I'm a tough task master with my own company and employees so I'm difficult to impress.

I wish I knew the officers names that showed up at my house today, perhaps you can take a moment to thank them. My house is ; and I'm guessing it was at approximately 11:30 am 9/17/2014.

My daughter lives in fear while Mr. Ceflay remains at large. The have informed me they "have other cases" and will "get to it when they get to it" and last but not least, last Saturday I arranged to meet with Mr. Ceflay and the detective told me it was his day off and didn't I understand that everyone deserves a day off. When I requested another officer and/or detective to make the meeting I was again berated and the opportunity to find him is now postponed indefinitely. I can't imagine that's the way the system is supposed to work.

Sincerely,


Linda C. Mallia

LANCASTER STRIDERS
RUNNING CLUB

Mr. Gerald J. Gill, Jr.
Chief of Police
Lancaster Police Department Headquarters
525 Pavement Road
Lancaster, New York 14086

Re: Strider Glider Quarter Marathon Charity Road Race

Dear Chief Gill,

On Saturday morning at **9:00 a.m., October 25, 2014**; the Lancaster Striders running club will again be hosting our 3rd annual running event from Westwood Park. The race will begin at the Westwood pavilion, travel out to the Heritage Trail, and finish back at the pavilion.

Through the efforts of numerous volunteers, sponsors and participants; we have been able to donate over \$ 8,000.00 to the Trinity Food Pantry; which has helped them assist many families during the Thanksgiving and Christmas holiday seasons.

We are once again asking if you could provide assistance with our race. We really appreciate your assistance with the traffic control.

A brief coordination meeting will be held on **Tuesday evening, October 21st; at 7:00 pm** at the Westwood pavilion.

Attached is a course map, suggested road closing times, and a race application.

I'd appreciate it if you could give me a phone call and let me know if you could again help us out.

Thanks again,

Mark Brautlacht



Vice President, Lancaster Striders

(m) 266-8100

(h) 683-0701

Lancaster Central School District

*Lancaster High School
1 Forton Dr.
Lancaster, NY 14086-1199*

*Student Union
(716) 686-3277*

September 14, 2014

Chief Gerald Gill
Lancaster Town Police
525 Pavement Road
Lancaster, NY 14086

Dear Chief Gill::

The Student Union of Lancaster High School is sponsoring the 30th Bonfire for Lancaster/Depew Week. The date of this event will be Tuesday, October 14, 2014, beginning at 6:00 p.m. and concluding at 9:00 p.m. The raindate is Wednesday, October 15, 2014. It will take place on the southwest corner of the high school's property.

We would appreciate any support your department can give us in helping conduct the evening's activities.

An organizational meeting of all participants will be held on Tuesday, October 7, 2014 at the south end of the school at 2:30 p.m. We would appreciate if you or your representative could attend.

If you have any questions, please feel free to contact the Student Union Advisor, Mr. Mark Skowron at school at 686-3277. Thank you for your time.

Sincerely,

Bonfire Chairpersons

Nicole Bless

Gabriella Farace

Joseph Chudy

c: Officer Pat O'Brien

[diskb/bonfire
LancasterTown Police]

Lancaster Central School District

*Lancaster High School
1 Forton Dr.
Lancaster, NY 14086-1199*

*Student Union
(716) 686-3277*

September 17, 2014

Chief Gerald Gill
Town of Lancaster Police Headquarters
525 Pavement Road
Lancaster, NY 14086

Dear Chief Gill:

Enclosed please find a copy of our letter sent to the Town of Lancaster requesting permission for our annual Lancaster-Depew Motorcade on Friday, October 17, 2014.

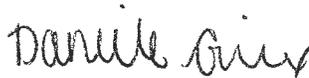
Please make arrangements for Officer Pat O'Brien to be present at the Motorcade meeting for student drivers, which will be held on Wednesday, October 15, 2014 at 7:05 a.m. and 2:15 p.m. in Room 242 at Lancaster High School.

If you have any questions, please feel free to contact our advisor, Mr. Skowron at school at 686-3277.

Enclosed please find a copy of the route and time schedule.

Sincerely,

MOTORCADE CHAIRPERSONS



Danielle Giroux

Brooke Tryjankowski

c: Officer Pat O'Brien

Lancaster Central School District

Lancaster High School
One Forton Drive
Lancaster, NY 14086-1199

Cesar M. Marchioli, Principal
(716) 686-3255
Theresa M. Adamec, Assistant Principal
(716) 686-3296
Monica B. Daigler, Assistant Principal
(716) 686-3255
Jamie C. Pernick, Assistant Principal
(716) 686-3296

September 19, 2014

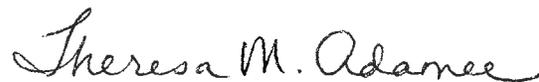
Chief Gerald Gill
Lancaster Police Department
525 Pavement Road
Lancaster NY 14086

Dear Chief Gill:

On Thursday, October 2, the high school will hold their annual Open House. Since a large number of people attend this event, it would be appreciated if you could assign one of your men for traffic control that night. Our Open House is scheduled for that evening from 7:00pm – 9:00pm.

Thank you for your continued cooperation. If you have any questions regarding the above, please do not hesitate to contact me.

Sincerely,



Theresa M. Adamec
Assistant Principal

bjh

c: M. Valley
C. Marchioli
M. Daigler
J. Pernick
M. Skowron
P. O'Brien



MEMORANDUM

From: Gerald J. Gill, Jr.
Chief of Police

A handwritten signature in cursive script, reading "Gerald J. Gill, Jr.", positioned to the right of the typed name and title.

Date: September 19, 2014

To: Officer David Anthony
Detective Edward Wojtal
Detective Grant Gunsher

Subject: Unattended death-complaint number 14-413056

Please be advised that Mr. John O'Connor took the time to contact our agency in order to praise each of you for the professional and kind manner in which you performed your duties with respect to the above referenced case. Most noteworthy was his quote that we "have a lot to be proud of" at the Lancaster Police Department and that he is "thankful for the Lancaster Police Department" - an opinion that I personally concur with.

It is apparent from Mr. O'Connor's expressions that your efforts are appreciated.

Thank you for placing the Lancaster Police Department in a positive light.



Department of Justice

United States Attorney William J. Hochul, Jr.
Western District of New York

FOR IMMEDIATE RELEASE
SEPTEMBER 25, 2014
www.usdoj.gov/usao/nyw

CONTACT: Barbara Burns
PHONE: (716) 843-5817
FAX: (716) 551-3051

TONAWANDA MAN ARRESTED; CHARGED WITH PRODUCTION AND POSSESSION OF CHILD PORNOGRAPHY

Buffalo, N.Y.--U.S. Attorney William J. Hochul, Jr. announced today that Jason M. Smith, 34, of Tonawanda, NY, has been arrested and charged by criminal complaint with production of child pornography and possession of child pornography. The charges carry a maximum penalty of 30 years in prison, a fine of \$250,000, or both.

Assistant U.S. Attorney S. Allen, Jr., who is handling the case, stated that, according to the complaint, on April 11, 2014, the Lancaster Police Department executed a search warrant at Smith's residence on Byron Avenue in Tonawanda. During the search, officers seized an external hard drive. Subsequent examination by the Western New York Regional Forensic Laboratory determined the hard drive contained child pornography. Further investigation determined that the defendant was producing some of the child pornography at his residence. Some of the images depicted Smith engaged in sexual contact with what appears to be a minor, under the age of 10.

Smith was in court today before U.S. Magistrate Judge Jerimiah J. McCarthy for a detention hearing. The defendant is being held.

This case was brought as part of Project Safe Childhood, a nationwide initiative to combat the growing epidemic of child sexual exploitation and abuse launched in May 2006 by the Department of Justice. Led by United States Attorneys' Offices and the Criminal Division's Child Exploitation and Obscenity Section (CEOS), Project Safe Childhood marshals federal, state and local resources to better locate, apprehend and prosecute individuals who exploit children via the Internet, as

well as to identify and rescue victims. For more information about Project Safe Childhood, please visit www.projectsafechildhood.gov.

The criminal complaint is the culmination of an investigation on the part of Special Agents of the Federal Bureau of Investigation, the Lancaster Police Department, under the direction of Chief Gerald J. Gill, Jr., and the Cheektowaga Police Department, under the direction of Chief David Zack.

The fact that a defendant has been charged with a crime is merely an accusation and the defendant is presumed innocent until and unless proven guilty.

###

Lancaster man receives probation after selling fentanyl

A Lancaster man has pleaded guilty to conspiracy to possess with intent to distribute and to distributing fentanyl.

Jordan Warunek, 22, of Lancaster, was sentenced to two years of probation by U.S. District Judge Richard J. Arcara.

Assistant U.S. Attorney Mary Catherine Baumgarten, who is handling the case, stated that between September and December 2012, Warunek conspired with others to distribute fentanyl, oxycodone and oxycodone, schedule II controlled substances.

During the conspiracy, Warunek purchased 100-mcg fentanyl patches from co-defendant Barbara Moran, which he then sold to an undercover officer on

Nov. 30 and Dec. 3, 2012, Baumgarten said.

Additionally, he purchased oxycodone and oxycodone from Moran. Warunek sold the oxycodone to an undercover officer on Sept. 20, 2012, and the oxycodone to an undercover officer on Dec. 9, 2012.

The plea and sentencing are the culmination of an investigation on the part of the Drug Enforcement Administration, under the direction of Special Agent in Charge James J. Hunt, New York Field Division, and the Cheektowaga Police Department, under the direction of Chief David Zach.

Barbara Moran, Mary Moran and Gregory Pendziwiatr have all been convicted of similar charges and are awaiting sentencing.

Gerald Gill

From: Gerald Gill
Sent: Monday, September 22, 2014 12:10 PM
To: Town Board Members

Subject: FW: Voice Mail (1 min 43 sec) from (716) .7/14 04:39 PM
Attachments: 5419F19F.4.wav

An example of professionalism and the performance of duty above and beyond.

Jerry

From: William Karn
Sent: Thursday, September 18, 2014 8:09 AM
To: Gerald Gill; Marco Laurienzo
Cc: David Anthony; Edward Wojtal; Grant Gunsher
Subject: FW: Voice Mail (1 min 43 sec) from (716); 9/17/14 04:39 PM

Captain William J. Karn Jr.
Lancaster Police Department
Detective Bureau
525 Pavement Road
Lancaster, NY 14086

Dispatch: (716)683-2800

From: (716) <@lancasterny.gov>
Sent: Wednesday, September 17, 2014 4:41 PM
To: William Karn
Subject: Voice Mail (1 min 43 sec) from (716) 9/17/14 04:39 PM

This is a voice message. Open the attached file to listen.

[Link to message](#) Thank you for using the Toshiba Unified Messaging system. For more information visit telecom.toshiba.com

Crash investigation continues

Community remembers pilot, teen

by JULIE HALM
Editor

A mid-air collision of two planes in Lancaster, which claimed the lives of two residents, will likely be under investigation for the next year, according to Lancaster Police Chief Gerald Gill, Jr.

The incident is being investigated by the Lancaster Police Department, the National Transportation Safety Board and the Federal Aviation Administration. Each agency is responsible for a separate portion of the investigation, according to Gill. The NTSB will address crash reconstruction and probable cause of the crash.

"A final probable cause is expected to be released in a year," Gill said. The FAA is responsible for looking into regulatory compliance of the aircraft.

Of the planes involved in the crash, a Cessna, piloted by Anthony Mercurio, 78, came down vertically into a field on the west side of Erie Street on private property. Both Mercurio and his passenger, James Metz, 14, died in the crash.

According to Gill, there were multiple witnesses to the event, but no person or structure was close enough to the crash to have been in significant danger.

"It was close enough for people to hear it but not to the extent where they suffered damage to their home from debris," he said.

According to Gill, the National Transportation Safety Board is relying heavily on information provided to them by Lancaster police and the Erie County Sheriff's Office witness interviews and field observations.

The second plane, whose pilot and passenger survived, made an emergency landing in Alden. The plane was designated an "experimental" aircraft, which Gill said indicates an aircraft built by an individual or group. Those involved were participating in a flight program that took place at the Buffalo Lancaster Regional Airport.

According to Superintendent Michael Valley of the Lancaster School District, Metz, the youngest victim in the crash, had been in the district since kindergarten and had recently begun ninth grade. He had earned a spot on the varsity swim team last year.

"He was just coming into his own," said Valley. Metz also played trumpet in the school's music program, and Valley said the news was a particular shock for the young musicians who played beside him. The marching band

was scheduled to compete in the annual Revelry at Lancaster on Saturday night, according to Valley, and band members received the news at around 4 p.m.

"They cried and talked and were dealing with the loss of James," he said, adding that the students chose to perform that evening.

Valley noted that there have been emergency response procedures in place since Monday morning, ensuring that students and teachers have the necessary resources in their grieving process.

Mercurio's family will be present from 4 to 8 p.m. Friday, Oct. 3, at Urban-Arnigone Funeral Home, 7540 Clinton St., Elma. A Mass of Christian Burial will be celebrated at 11:30 a.m. Saturday, Oct. 4, at Annunciation of the Blessed Virgin Mary Church, 7580 Clinton St.

Metz's family will be present from 4 to 8 p.m. Thursday, Oct. 2, at Wendel & Loecher Inc. Funeral Home, 27 Aurora St., Lancaster. A Mass of Christian Burial will be celebrated at 10 a.m. Friday, Oct. 3, at Our Lady of Pompeii Church, 158 Laverack Ave., Lancaster.



Anthony Mercurio, top, and James Metz died Saturday morning in the collision of two planes in Lancaster. A tribute in the form of pictures and posters has been set up at Metz's locker, No. 2028, at Lancaster High School where he was in the ninth grade.

Locker photo by Julie Halm