November 6, 2019

Planning Board Members: Neil Connelly, Chairman
Rebecca Anderson
Anthony Gorski
Joseph Keefe
Stanley Jay Keysa III
Lawrence Korzeniewski
Kristin McCracken

Town Board Members: Johanna Coleman, Supervisor
Adam Dickman
Dawn Gaczewski
Ronald Ruffino, Sr.
Matthew Walter

Engineering Consultant: Ed Schiller, Wm. Schutt & Associates

Town Attorney: Kevin E. Loftus

Town Highway Superintendent: Daniel J. Amatura

Building & Zoning Inspector: Matthew Fischione

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held November 6, 2019. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Neil R. Connelly
Planning Board Chairman

NRC:cm
Encl.
A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the 6th day of November 2019 at 7:00 P.M. and there were present:

PRESENT: Neil Connelly, Chairman  
Rebecca Anderson, Member  
Anthony Gorski, Member  
Joseph Keefe, Member  
Stanley Jay Keysa III, Member  
Lawrence Korzeniewski, Member

EXCUSED: Kristin McCracken, Member

ABSENT: None

ALSO PRESENT: None

Town Board Members: Johanna Coleman, Supervisor

Other Elected Officials: None

Town Staff: Kevin Loftus, Town Attorney  
Ed Schiller of Wm. Schutt & Assoc.  
Matt Fischione, Code Enforcement Officer  
Cynthia Maciejewski, Recording Secretary
Meeting called to order by Chair Connelly at 7:00 P.M.

Pledge of Allegiance led by Chair Connelly.

Minutes-A motion was made by Anthony Gorski to approve the minutes from the October 16, 2019 Planning Board Meeting. Motion seconded by Joseph Keefe and unanimously carried.

Training Conference is available November 15, 2019 in Batavia, NY.

Tentative Planning Board meeting calendar was presented for 2020. The January meetings will change to the 8th and 22nd due to the January 1st meeting conflict. There will be 23 meetings scheduled and the board will vote on the schedule at the next Planning Board meeting November 20, 2019.

Town of Lancaster Planning Board
Communications-November 6, 2019

11.06.01 ZBA minutes from the 10/10/19 meeting.

11.06.02 SEQR response dated 10/17/19 from NYSDEC regarding DiMino 2-lot split at 271 Pavement Rd.

11.06.03 Notice of SEQR review to be held 11/06/19 for DiMino 2-lot split.

11.06.04 Copy of resolution adopted by Town Board on 10/21/19 approving the site plan for the proposed redevelopment of an existing utility supply station for National Fuel Gas Supply Corporation.

11.06.05 SEQR response dated 10/24/19 from Erie County Department of Environment and Planning regarding Thomann Asphalt, 70 Gunnville Rd.

11.06.06 SEQR response dated 10/24/19 from Erie County Department of Environment and Planning regarding the DiMino 2 Lot Split Subdivision.

11.06.07 SEQR response dated 10/29/19 from Erie County DPW regarding the DiMino 2 Lot Split Subdivision.

11.06.08 Letter dated 10/30/19 from Matt Fischione, Code Enforcement Officer, with comments regarding Love Joy Church addition at 5423 Genesee St.

11.06.09 Letter dated 10/30/19 from Matt Fischione, Code Enforcement Officer, with
comments regarding amended site plan for Cadby Industrial Park, 954 Ransom Rd.

11.06.10 Letter dated 11/01/19 from Ed Schiller, Town Engineer, with comments regarding amended site plan for Cadby Industrial Park.

11.06.11 Letter dated 11/01/19 from Ed Schiller, Town Engineer, with comments regarding Love Joy Church, 5423 Genesee St.

11.06.12 Letter dated 10/26/19 from Bernard Kolber, asking that “mini storage” be enabled in the “Commercial” zone, rather than its current status of being in “Light Industrial”.

Communication 11.06.12 was discussed about the current zoning being RCO and the possibility of CMS zoning with a Special Use Permit or LI zoning for the operation of a “mini storage” business.

PUBLIC HEARING SCHEDULED FOR 7:05 P.M.

At 7:05 p.m. the Planning Board held a Public Hearing to hear all interested persons upon an application for a preliminary plat plan approval for the proposed DiMino 2-Lot Split, Project #9056.

NAME OF PERSON(S) ADDRESSING THE PLANNING BOARD ON THIS SUBJECT

No comments from the public.

A motion was made by Lawrence Korzeniewski at 7:06 p.m. to close the public hearing for the DiMino 2-Lot Split. Motion seconded by Stanley Keysa.

Roll call as follows:
Chairman Connelly-Yes  Stanley Jay Keysa III-Yes
Rebecca Anderson-Yes  Lawrence Korzeniewski-Yes
Anthony Gorski-Yes  Kristin McCracken-Excused
Joseph Keefe-Yes

Motion carried.
Planning Board Minutes
SEQR Review
November 6, 2019

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 6th day of November 2019 at 7:08 p.m. and there were

PRESENT:  REBECCA ANDERSON, PLANNING BOARD MEMBER
           ANTHONY GORSKI, PLANNING BOARD MEMBER
           JOSEPH KEEFE, PLANNING BOARD MEMBER
           STANLEY JAY KEYSA III, PLANNING BOARD MEMBER
           LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
           NEIL CONNELLY, PLANNING BOARD CHAIRMAN

EXCUSED:   KRISTIN MCCracken, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, SUPERVISOR
               MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
               EDWARD SCHILLER, ENGINEER, Wm. Schutt & Assoc.
               KEVIN LOFTUS, TOWN ATTORNEY
               CYNTHIA MACIEJEWSKI, RECORDING SECRETARY

PURPOSE OF MEETING:
IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
Preliminary Plat-DiMino 2-Lot Split
00 Pavement Road

The Planning Board reviewed the Short Environmental Assessment Form on the two lot split with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form entitled “Part 2 Impact Assessment” which was provided to each member.

PLEASE TAKE NOTICE, that the Planning Board of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an unlisted action, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR §617.d, and further recommends that the lead agency issue a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with §617.12.
NAME AND ADDRESS OF LEAD AGENCY

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

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 35.1774 acres.

The location of the premises being reviewed is 0 Pavement Road, (S.B.L. 105.00-4-66.11)
Lancaster, New York 14086, Erie County.

This project described as a two lot split with 0 acre physically disturbed area.

THE FOLLOWING MOTION TO OFFER A NEGATIVE DECLARATION WAS OFFERED
BY MEMBER KEYS, WHO MOVED ITS ADOPTION, SECONDED BY MEMBER
GORSKI

TO WIT:

REASONS SUPPORTING RECOMMENDATION

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No impact.**
2. Will the proposed action result in a change in the use or intensity of use of land? **No impact**
3. Will the proposed action impair the character or quality of the existing community? **No impact**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No impact**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact**
7. Will the proposed action impact existing:
   a. Public/private water supplies? **No impact**
b. Public/private wastewater treatment utilities? **No impact**

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? **No impact**

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)? **No impact. It is noted that the splitting of the land into two lots has no effect on the environment. It is further noted that additional information will be required when the land is developed and that the wetland areas will be avoided.**

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact. The mitigated wetland areas will need to be avoided during the building process.**

11. Will the proposed action create a hazard to environmental resources or human health? **No impact**

and,

**BE IT FURTHER**

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

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

- REBECCA ANDERSON, PLANNING BOARD MEMBER VOTED YES
- ANTHONY GORSKI, PLANNING BOARD MEMBER VOTED YES
- JOSEPH KEEFE, PLANNING BOARD MEMBER VOTED YES
- STANLEY JAY KEYSAS III, PLANNING BOARD MEMBER VOTED YES
- LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER VOTED YES
- KRISTIN MCCCRACKEN, PLANNING BOARD MEMBER EXCUSED
- NEIL CONNELLY, PLANNING BOARD CHAIRMAN VOTED YES

The Motion to Recommend was thereupon adopted.

NOVEMBER 6, 2019
PRELIMINARY PLAT REVIEW PROJECT #9056, DIMINO 2 LOT SPLIT LOCATED SOUTH OF 271 PAVEMENT ROAD (S.B.L. #105.00-4-66.11). SPLIT EXISTING RESIDENTIAL LOT INTO 2 PARCELS APPROXIMATELY 17.60 ACRES EACH.

Shawn DiMino presented the splitting of the 35.2 acre lot into two 17.6 acre lots. One lot will be have a single family dwelling built on it and the other will remain owned by the applicants family members.

DETERMINATION
Based on the information presented to the Planning Board, a motion was made by Anthony Gorski to recommend the approval of the preliminary plat, as submitted, to the Town Board. Motion seconded by Joseph Keefe.
Roll call as follows:
Chairman Connelly-Yes
Rebecca Anderson-Yes
Anthony Gorski-Yes
Joseph Keefe-Yes
Stanley Jay Keysa III-Yes
Lawrence Korzeniewski-Yes
Kristin McCracken-Excused
Motion carried.

REVISED SITE PLAN REVIEW- PROJECT # 9510, LOVE JOY CHURCH LOCATED AT 5423 GENEESE ST. COMBINE FOUR LOTS OWNED BY LOVE JOY CHURCH INTO ONE LOT, S.B.L. #82.19-3-(4-7). SPLIT LOT S.B.L. #82.19-3-7 INTO TWO LOTS WITH THE EXISTING HOUSE BEING A SEPARATE PARCEL. BUILD A NEW 4,150 SQ FT. ADDITION AND NEW PARKING FOR 46 CARS, ADD NEW LIGHT POLES, LANDSCAPING AND NECESSARY UTILITIES AND SITE AMENITIES.

David Stutz of Studio T3 Engineering presented the scaled back version of the addition to the existing church. There will now be 156 seats in the addition and parking spaces will be reduced from 269 to 252. The curbing and sidewalk around the building will be removed along with the drop off area. The Storm Water Management plan that was submitted will stay the same. The scaling back of the plan is due to the cost of the project.
The new deeds for the properties along with the Storm Water Management agreement need to be filed.

DETERMINATION
Based on the information presented to the Planning Board, a motion was made by Rebecca Anderson to recommend the approval of the revised site plan, as submitted, to the Town Board with the following conditions:
1. New deeds need to be filed
2. Storm Water Management agreement needs to be filed
Motion seconded by Lawrence Korzeniewski.
Roll call as follows:
Chairman Connelly-Yes
Rebecca Anderson-Yes
Anthony Gorski-Yes
Joseph Keefe-Yes
Stanley Jay Keysa III-Yes
Lawrence Korzeniewski-Yes
Kristin McCracken-Excused

Motion carried.

SITE PLAN REVIEW-PROJECT #4019, CADBY INDUSTRIAL PARK LOCATED AT 954 RANSOM ROAD, S.B.L. #95.00-4-22, CONSTRUCT A TEMPORARY PRE-ENGINEERED TUBULAR STEEL FRAME BUILDING WITH NYLON FABRIC ROOF AND WALLS 15.25M X 30.5M X 7 M FOR COLD DRY STORAGE OF TOPSOIL/ ROAD SALT.

Tim Szczepanski, Vice President of Northeast Diversifications Inc. presented on behalf of the owner Lee Cadby the 50’x100’ soft sided building used for storing topsoil during the summer and salt during the winter. It is a temporary type structure but due to the fact that it will be in place for more than 6 months, the structure is then considered permanent.

Engineering-The land sheet flows to the road and the question is who owns the road. Drainage from Cadby Industrial goes to a catch basin and then to a stream. Ultimately all water flows to the same retention area and no changes to drainage are being made. A silt sock is in place to deter sediment from entering the storm sewers. An updated engineering or drainage report of the site needs to be submitted for review by Ed Schiller, Town Engineer.

Road-Ownership of the road needs to be determined by the Town. In 2010 there was a deed transfer recorded and PIP’s issued. The road was constructed to Town specs and the Town Engineer approved that upon inspection of the road. The Town Attorney did acknowledge the road but there is no record of the road being dedicated or mapping of the road done by Erie County. The Town Highway Dept. does plow this road. The deed that is filed with the County Clerk needs to be seen to assist in determining ownership.

Business-Currently there are two tenants of 954 Ransom Road, Northeast Diversified and Mainline. Other businesses of auto repair, storage of tree cutting equipment and a septic company were mentioned. There is a third building from the original site plan that will be constructed. Cadby Industrial Park was developed with an original plot plan of 11 parcels that could be sold off as needed according to the applicant. The decision of the road ownership is pivotal in this development. Subdividing the lots would need to come in front of the Planning Board and Town Board for approval. 954 Ransom Road remains as one parcel.

This project does need SEQR review and an updated engineer’s report. SEQR could be done at the next Planning Board meeting.
DETERMINATION
Based on the information presented to the Planning Board, a motion was made by Neil Connelly to table the project to the November 20, 2019 Planning Board meeting. Motion seconded by Stanley Keysa.
Roll call as follows:
Chairman Connelly-Yes  Stanley Jay Keysa III-Yes
Rebecca Anderson-Yes Lawrence Korzeniewski-Yes
Anthony Gorski-Yes Kristin McCracken-Excused
Joseph Keefe-Yes
Motion carried

ZONING UPDATE DISCUSSIONS
Kevin Loftus, Town Attorney has sent the updated zoning code to Erie County for their review and input. Matt Fischione, Code Enforcement Officer has a meeting tomorrow with the planner that was hired by the town to assist with code changes. Member Anderson has been reviewing the work to date and has several questions. Primarily terms that are in the code need definition and other items need clarification. Work sessions are needed to get through the zoning code. Subjects to be addressed include single family dwellings located in a county AG district. AR and R-1 discussion is needed regarding use limitations and looking at keeping higher density toward the Villages and not the west town line. Transit Road is developing into a healthy tax revenue source and ultimately a mix of residential and commercial in the town would be most beneficial. William Street and the potential widening of it will be studied by Erie County, including the addition of turning lanes.

Other items discussed:
Representatives of the Land Conservancy will be at the December 4, 2019 meeting.

At 8:10 p.m. a motion was made by Rebecca Anderson and seconded by Joseph Keefe to adjourn the meeting. Motion carried.
MEMO

TO: Honorable Town Board
   Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: November 6, 2019

RE: DiMino 2 lot split

PROJECT#: 9056

LOCATION: 0 Pavement Road, S.B.L. 105.00-4-66.11

TYPE: Preliminary Plat Review

RECOMMENDATION: Approve
Roll call vote:
Chair Connelly-Yes
Rebecca Anderson-Yes
Anthony Gorski-Yes
Joseph Keefe-Yes
Stanley Jay Keysa III-Yes
Lawrence Korzeniewski-Yes
Kristin McCracken-Excused

CONDITIONS: N/A

CONCERNS: N/A
MEMO

TO: Honorable Town Board
    Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: November 6, 2019

RE: Love Joy Church

PROJECT#: 9510

LOCATION: 5423 Genesee Street

TYPE: Revised Site Plan Review

RECOMMENDATION: Approve
    Roll call vote:
    Chair Connelly-Yes
    Rebecca Anderson-Yes
    Anthony Gorski-Yes
    Joseph Keefe-Yes
    Stanley Jay Keysa III-Yes
    Lawrence Korzeniewski-Yes
    Kristin McCracken-Excused

CONDITIONS: 1. New deeds need to be filed
              2. Storm Water Management agreement needs to be filed

CONCERNS: N/A