



Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

November 17, 2021

Planning Board Members:

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

Town Board Members:

Ronald Ruffino, Sr., Supervisor
Adam Dickman
Robert Leary
David Mazur
Mike Wozniak

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 17, 2021. 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 Town Hall, 21 Central Avenue, Lancaster, NY, on the 17th day of November 2021 at 7:00 P.M. and there were present:

PRESENT: Neil Connelly, Chairman
Anthony Gorski, Member
Joseph Keefe, Member
Lawrence Korzeniewski, Member

EXCUSED: Rebecca Anderson, Member
Stanley Jay Keysa III, Member
Councilman Mike Wozniak

ABSENT: None

ALSO PRESENT: None

Town Board Members: Councilman Dave Mazur

Other Elected Officials: None

Town Staff: Emily Orlando, Deputy Town Attorney
William Schutt of Wm. Schutt & Assoc.
Matt Fischione, Code Enforcement Officer
Cynthia Maciejewski, Recording Secretary

Meeting called to order by Chair Connelly at 7:00p.m.

Pledge of Allegiance led by Chair Connelly.

Roll Call of Planning Board Members

Chairman Connelly-Present

Rebecca Anderson-Excused

Anthony Gorski-Present

Stanley Jay Keysa III-Excused

Lawrence Korzeniewski-Present

Joseph Keefe-Present

Minutes-A motion was made by Joseph Keefe to approve the minutes from the November 3, 2021 Planning Board Meeting. Motion seconded by Anthony Gorski and unanimously carried.

There will be 23 Planning Board meetings scheduled for the year 2022. Meetings will continue to be on the 1st and 3rd Wednesday of the month with the exception of the December 22, 2022 meeting.

Motion to approve the 2022 Planning Board Schedule by Chair Connelly and seconded by Joseph Keefe.

Chairman Connelly-Yes

Rebecca Anderson-Excused

Anthony Gorski-Yes

Stanley Jay Keysa III-Excused

Lawrence Korzeniewski-Yes

Joseph Keefe-Yes

Motion carried.

Town of Lancaster Planning Board
Communications for November 17, 2021

- 11.17.1 SEQR response dated 11/03/21 from the NYS DEC regarding the Buffalo Tournament Club project.
- 11.17.2 SEQR response dated 11/03/21 from the NYS DEC regarding the Salvatore's Restaurant Patio.
- 11.17.3 SEQR response dated 11/01/21 from the NY State Office of Parks, Recreation and Historic Preservation regarding the Soil Recycling Facility at 6125 Genesee St.
- 11.17.4 Letter dated 10/29/21 from John 8. Battaglia, Principal EnSol, in response to SEQR comments from David Denk of NYS DEC.
- 11.17.5 Letter dated 10/25/21 from Ryan Elliot, Staff Scientist, regarding a walkover of wetlands at 6125 Genesee St.
- 11.17.6 SEQR response dated 11/03/21 from the Erie County Division of Sewerage Management regarding the Buffalo Tournament Club.
- 11.17.7 SEQR response dated 11/05/21 from the Erie County Division of Planning regarding the Buffalo Tournament Club.
- 11.17.8 SEQR response dated 11/03/21 from the Erie County Division of Sewerage Management regarding the Salvatore's Hotel project.
- 11.17.9 SEQR response dated 11/05/21 from the Erie County Division of Planning regarding the Salvatore's Hotel project.
- 11.17.10 SEQR response dated 11/12/21 from the NYS DEC regarding 338 Harris Hill Rd.
- 11.17.11 SEQR response dated 11/01/21 from the NY State Office of Parks, Recreation and Historic Preservation regarding the proposed Soil Recycling Facility.
- 11.17.12 Letter dated 11/01/21 from the OPRHP regarding 6125 Genesee St. (No Impact)

- 11.17.13 Letter dated 11/02/21 from Ed Schiller, Town Engineer, with comments regarding the proposed Fieldstream Subdivision (preliminary submittal).
- 11.17.14 Letter dated 11/02/21 from Ed Schiller, Town Engineer, with comments regarding the proposed Soil Recycling Facility.
- 11.17.15 Letter dated 11/10/21 from Ed Schiller, Town Engineer, with comments regarding the National Grid Facility at 293 Cemetery Rd.
- 11.17.16 Letter dated 10/29/21 from Matt Fischione, Code Enforcement Officer, with comments regarding the rezone petition at 338 Harris Hill Rd.
- 11.17.17 Memos dated 11/03/21 and 11/04/21 indicating no issues with the projects at Salvatore's, Buffalo Tournament Club, Adam's Nursery, and Fieldstream Subdivision.
- 11.17.18 Memos dated 11/04/21 and 11/08/21 from Dan Amatura, Highway Superintendent, indication no comment for the projects at the Buffalo Tournament Club, Salvatore's Restaurant, Adam's Nursery, and Fieldstream Subdivision.
- 11.17.19 Copy of resolution adopted by Town Board on 11/01/21 approving the Apple Rubber amended site plan.
- 11.17.20 Copy of resolution adopted by the Town Board on 11/01/21 approving the site plan for the construction of two pole barns for Raw Rutes, 4266 Walden Ave.
- 11.17.21 Copy of resolution adopted by the Town Board on 11/01/21 approving the site plan for the office addition at Apple Rubber, 204 Cemetery Rd.
- 11.17.22 Letter dated 10/21/21 from Marco Laurienzo, Patrol Captain, indicating no objection for the site plan for Buffalo Tournament Club.
- 11.17.23 Letter dated 11/02/21 from Marco Laurienzo, Patrol Captain, indicating no objection to the preliminary plat for the Fieldstream

Subdivision. He does note that a "52 lot subdivision adding 100 or more vehicles ... should be considered a substantial increase" and this should be indicated on the Full EAF submitted by the applicant.

- 11.17.24 Letter dated 11/15/21 from Matt Fischione, CEO regarding Special Use Permit for Salvatore's Italian Restaurant.
- 11.17.25 Letter dated 11/15/21 from Erie County Department of Environment and Planning regarding the Rezone on Harris Hill Road.
- 11.17.26 SEQR response dated 11/16/21 from Erie County Sewer Management regarding the Rezone on Harris Hill Road.
- 11.17.27 Revised SEQR response dated 11/9/21 from Erie County Sewer Management regarding Apple Rubber.

PLANNING BOARD MEETING SCHEDULE FOR 2022

	<u>Meeting Date</u>	<u>Submission Date</u>
January	5, 2022 19, 2022	Dec. 14, 2021 Dec. 28, 2021
February	2, 2022 15, 2022	Jan. 11, 2022 Jan. 25, 2022
March	2, 2022 16, 2022	Feb. 8, 2022 Feb. 22, 2022
April	6, 2022 20, 2022	March 15, 2022 March 29, 2022
May	4, 2022 18, 2022	April 12, 2022 April 26, 2022
June	1, 2022 15, 2022	May 10, 2022 May 24, 2022
July	6, 2022 20, 2022	June 14, 2022 June 28, 2022
August	3, 2022 17, 2022	July 12, 2022 July 26, 2022
September	7, 2022 21, 2022	Aug. 16, 2022 Aug. 30, 2022
October	5, 2022 19, 2022	Sept. 13, 2022 Sept. 27, 2022
November	2, 2022 16, 2022	Oct. 11, 2022 Oct. 25, 2022
December	7, 2022 XXXXXX	Nov. 15, 2022 XXXXXX

Planning Board Minutes
SEQR Review
November 17, 2021

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 17th day of November 2021 at 7:08 p.m. and there were

PRESENT: JOSEPH KEEFE, PLANNING BOARD MEMBER
 LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
 ANTHONY GORSKI, PLANNING BOARD MEMBER
 NEIL CONNELLY, PLANNING BOARD CHAIRMAN

EXCUSED: REBECCA ANDERSON, PLANNING BOARD MEMBER
 STANLEY JAY KEYSA III, PLANNING BOARD MEMBER
 MIKE WOZNIAK, COUNCILMEMBER

ALSO PRESENT: DAVID MAZUR, COUNCILMEMBER
 EMILY ORLANDO, DEPUTY TOWN ATTORNEY
 MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
 WILLIAM SCHUTT, ENGINEER, WM. SCHUTT & ASSOC.
 CYNTHIA MACIEJEWSKI, RECORDING SECRETARY

PURPOSE OF MEETING:

IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
Soil Recycling Facility
6125 Genesee Street

The Planning Board reviewed the Full Environmental Assessment Form on the soil recycling facility with an item for item review and discussion of the project impact and magnitude as outlined on the Full Environmental Assessment Form entitled "Part 2 Identification of Potential Project Impacts" 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 **Type 1 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 95 acres.

The location of the premises being reviewed is 6125 Genesee Street, Lancaster, New York 14086, Erie County.

This project described as a soil recycling facility of 6.5 acres physically disturbed area.

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

TO WIT:

REASONS SUPPORTING RECOMMENDATION

- 1. Impact on land – No impact.**
- 2. Impact on Geological Features – No impact**
- 3. Impacts on Surface Water – No impact.**
- 4. Impact on Groundwater – No impact**
- 5. Impact on Flooding – No impact The proposed action may result in development within a 100 year floodplain – Yes, small impact.**
- 6. Impact on Air – No impact**
- 7. Impact on Plants and Animals – No impact**
- 8. Impact on Agricultural Resources – No impact**
- 9. Impact on Aesthetic Resources – No impact**
- 10. Impact on Historic and Archeological Resources – No impact**
- 11. Impact on Open Space and Recreation – No impact**
- 12. Impact on Critical Environmental Areas – N/A**
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).**
- 13. Impact on Transportation – No impact**
- 14. Impact on Energy – No impact**
- 15. Impact on Noise, Odor and Light – No impact**
- 16. Impact on Human Health – No impact**

17. Consistency with Community Plans – No impact. The proposed action is inconsistent with local land use plans or zoning regulations – Small impact, once the mining operation ceases the SGA overlay will be removed and the property will revert to AR making this an existing non conforming use

18. Consistency with Community Character – 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	EXCUSED
ANTHONY GORSKI, PLANNING BOARD MEMBER	VOTED YES
JOSEPH KEEFE, PLANNING BOARD MEMBER	VOTED YES
STANLEY JAY KEYSA III, PLANNING BOARD MEMBER	EXCUSED
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER	VOTED YES
NEIL CONNELLY, PLANNING BOARD CHAIRMAN	VOTED YES

The Motion to recommend was thereupon adopted.

November 17, 2021

Planning Board Minutes
SEQR Review
NOVEMBER 17, 2021

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 17th day of November 2021 at 7:25 pm and there were

PRESENT: JOSEPH KEEFE, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER
NEIL CONNELLY, PLANNING BOARD CHAIRMAN

EXCUSED: REBECCA ANDERSON, PLANNING BOARD MEMBER
STANLEY JAY KEYSA III, PLANNING BOARD MEMBER
MIKE WOZNIAK, COUNCILMAN

ALSO PRESENT: DAVID MAZUR, COUNCILMEMBER
EMILY ORLANDO, DEPUTY TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
WILLIAM SCHUTT, ENGINEER, WM. SCHUTT & ASSOC.
CYNTHIA MACIEJEWSKI, RECORDING SECRETARY

PURPOSE OF MEETING:

IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
National Grid
293 Cemetery Road

The Planning Board reviewed the Full Environmental Assessment Form on the Emergency Response Facility matter with an item for item review and discussion of the project impact and magnitude as outlined on the Full Environmental Assessment Form entitled "Part 2 Identification of Potential Project Impacts" 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 a Type 1 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 140 acres.

The location of the premises being reviewed is 293 Cemetery Road, Lancaster, New York 14086, Erie County.

This project described as an Emergency Response Facility on 18 acre physically disturbed area.

THE FOLLOWING MOTION TO OFFER A NEGATIVE DECLARATION WAS OFFERED BY MEMBER KEEFE, WHO MOVED ITS ADOPTION, SECONDED BY CHAIR CONNELLY, TO WIT:

REASONS SUPPORTING RECOMMENDATION

- 1. Impact on land – No impact**
- 2. Impact on Geological Features – No impact**
- 3. Impacts on Surface Water – No impact**
- 4. Impact on Groundwater – No impact**
- 5. Impact on Flooding – No impact**
- 6. Impact on Air – No impact**
- 7. Impact on Plants and Animals – No impact**
- 8. Impact on Agricultural Resources – No impact**
- 9. Impact on Aesthetic Resources –No impact**
- 10. Impact on Historic and Archeological Resources – No impact**
- 11. Impact on Open Space and Recreation – No impact**
- 12. Impact on Critical Environmental Areas – N/A**
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).**
- 13. Impact on Transportation – No impact. Demonstrates the need for Public Transportation**
- 14. Impact on Energy – No impact**

- 15. Impact on Noise, Odor and Light – No impact
- 16. Impact on Human Health – No impact
- 17. Consistency with Community Plans – No impact
- 18. Consistency with Community Character – No impact

and,

BE IT FURTHER

RESOLVED, that the 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	EXCUSED
ANTHONY GORSKI, PLANNING BOARD MEMBER	VOTED YES
JOSEPH KEEFE, PLANNING BOARD MEMBER	VOTED YES
STANLEY JAY KEYSA III, PLANNING BOARD MEMBER	EXCUSED
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER	VOTED YES
NEIL CONNELLY, PLANNING BOARD CHAIRMAN	VOTED YES

The Motion to recommend was thereupon adopted.

November 17, 2021

NATIONAL GRID EMERGENCY RESPONSE FACILITY

The Site Plan for National Grid Emergency Response Facility has outstanding issues such as:

- 1. Erie County Water permit
- 2. Erie County Sewer permit
- 3. Driveway permit
- 4. Calculations of retention
- 5. Plantings in bio retention area
- 6. Private Road names on cover sheet and lack of easement information

The applicant stated that they were not aware of the outstanding issues and will address along with submitting a revised cover sheet to reflect a driveway and not a private road.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Chair Connelly to table the project until the December 1, 2021 meeting. Motion seconded by Joseph Keefe.

Roll call as follows:

Chairman Connelly-Yes	Stanley Jay Keysa III-Excused
Rebecca Anderson-Excused	Lawrence Korzeniewski-Yes
Anthony Gorski-Yes	Joseph Keefe-Yes

Motion carried.

CONCEPT PLAN – 5480 GENESEE STREET

Mike Metzger of Metzger Civil Engineering, PLLC requested that this plan be removed from the agenda.

OTHER ITEMS DISCUSSED:

The Town Board has scheduled a public hearing for the rezone at 4781 Transit Road on Monday, December 6, 2021.

The Town Board has opted out of the distribution and consumption of cannabis.

Chair Connelly will work on a code to accept Concept Plans after the first of the year.

Matt Fischione, CEO attended a Webinar regarding the downspout disconnects and discussed the connection of this in the Climate Smart Initiative. The adoption of a Universal Solar permit is coming closer to a reality and Jason Kulaszewski, of UBRI is a resource for accomplishing the goals to be a Clean Energy Community.

Lawrence Korzeniewski made a motion to adjourn the meeting at 8:46 p.m. Seconded by Anthony Gorski. Motion carried.