

Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

April 20, 2022

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

Town Board Members: Ronald Ruffino, Sr., Supervisor
Mark Burkard
Adam Dickman
Robert Leary
David Mazur

Engineering Consultant: Ed Schiller, Wm. Schutt & Associates

Town Attorney: Thomas E. Fowler, Jr.

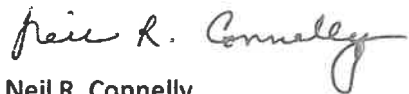
Town Highway Superintendent: John Pilato

Building & Zoning Inspector: Matthew Fischione

Ladies/Gentlemen:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held April 20th, 2022. 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:sg

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 20th day of April 2022 at 7:00 P.M. and there were present:

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

EXCUSED: None

ABSENT: None

ALSO PRESENT: None

Town Board Members: Councilman Dave Mazur

Other Elected Officials: None

Town Staff: Emily Orlando, Deputy Town Attorney
Ed Schiller of Wm. Schutt & Assoc.
Matt Fischione, Code Enforcement Officer
Sherry Guarino, Recording Secretary

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

Pledge of Allegiance led by Chair Connelly.

Roll Call of Planning Board Members:

Chairman Connelly- Present

Rebecca Anderson- Present

John Copas- Present

Anthony Gorski- Present

Joseph Keefe- Present

Stanley Jay Keysa III- Present

Lawrence Korzeniewski- Present

Minutes - A motion was made by Anthony Gorski to approve the minutes from the April 6th, 2022 Planning Board Meeting. Motion seconded by Rebecca Anderson.

Motion carried.

TOWN OF LANCASTER PLANNING BOARD

COMMUNICATIONS FOR 4/20/22

- 4.20.01 Letter dated 3/30/22 from the Parkhaven Board of Managers providing input and voicing their concerns regarding the proposed Dollar General at 5807 Broadway.
- 4.20.02 Copy of resolution adopted by the Town Board on 4/04/22 appointing Sherry Guarino to the position of Secretary of the Planning Board effective 4/05/22.
- 4.20.03 Resolution for a Public Hearing to be held 4/18/22 for the purpose of considering and possibly adopting a local law to amend the Town Code Chapter 400 Zoning regarding site plan review procedures.
- 4.20.04 Letter dated 4/04/22 from Jim Poremba and Elaine Reese of 20 Dover Ct, voicing concerns regarding the proposed Dollar General, particularly the accuracy of their site plan in terms of dimensions and calculations
- 4.20.05 Letter dated 4/12/22 from Ed Schiller, Town Engineer, with comments regarding 5827 Broadway.
- 4.20.06 Email dated 4/14/22 from Matt Fischione, Code Enforcement Officer, which includes a voice message from Keith Anderson of Anderson's, Transit Rd. indicating that the site plan approval has yet to advance and Certificate of Occupancy and Special Use Permit cannot be issued until all town requirements are met.
- 4.20.07 Memo from Ed Schiller, Town Engineer, with attachment of Cheektowaga's Midtown Apartments Community, Transit Rd., across from Hillview School.
- 4.20.08 Letter dated 4/11/22 from Ed Schiller, Town Engineer, showing proposed changes to lot sizes.
- 4.20.09 SEQR response dated 4/12/22 from the Erie County DPW regarding the proposed mixed use project at 5827 Broadway.
- 4.20.10 SEQR response dated 3/08/22 from the Erie County Division of Sewerage Management regarding Anderson's at 4855 Transit Rd.
- 4.20.11 Zoning Board of Appeals Minutes from April 14, 2022

Planning Board Minutes
SEQR Review
April 20, 2022

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 20th day of April 2022 at 7:00p.m. and there were

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

EXCUSED: NONE

ALSO PRESENT: DAVID MAZUR, COUNCILMEMBER
EMILY ORLANDO, DEPUTY TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
ED SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.
SHERRY GUARINO, RECORDING SECRETARY

PURPOSE OF MEETING:

IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE
SITE PLAN: BROADWAY AND BOWEN DEVELOPMENT #2210
S.B.L. #116.31-1-3

The Planning Board reviewed the Short Environmental Assessment Form on the 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
Thomas E. Fowler, Jr., Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed rezone is of a parcel involving approximately 1.23 +/- acres.

The location of the premises being reviewed is 5827 Broadway Street, Lancaster, New York 14086, Erie County.

This project described as a motel and mixed use facility, commercial space and coffee shop on the first floor.

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

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? **Small 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)? **N/A**
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? **Small 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.**
- 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact.**
- 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 |
| JOHN COPAS, PLANNING BOARD MEMBER | VOTED - YES |
| ANTHONY GORSKI, PLANNING BOARD MEMBER | VOTED - YES |
| JOSEPH KEEFE, PLANNING BOARD MEMBER | VOTED - YES |
| STANLEY JAY KEYSA III, PLANNING BOARD MEMBER | VOTED - RECUSED |
| LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER | VOTED - YES |
| NEIL CONNELLY, PLANNING BOARD CHAIRMAN | VOTED - YES |
| The Motion to recommend was thereupon adopted. | |

April 20, 2022

SITE PLAN REVIEW – PROJECT #2210, BROADWAY AND BOWEN DEVELOPMENT, S.B.L. 116.31-1-3 LOCATED AT 5827 BROADWAY (US ROUTE 20). MOTEL AND MIXED USE FACILITY, COMMERCIAL SPACE AND COFFEE SHOP ON FIRST FLOOR.

Lucas James discussed the changes that will be made for drainage capability to the plans for the Motel and Mixed Use Facility project at Broadway and Bowen. Mr. Lucas met with Town Engineer Ed Schiller and was informed that the project had to meet the 100-year storm flood characteristics.

Storm Water – A fair amount of the engineering part was adjusted to be able to hold and accommodate for a 100-year flood situation. The shape and building plans did not change much. The building will be pushed back 5 feet north for the appropriate drainage. A variance was obtained for this change.

Landscaping – There is a large retention area that does not allow much room for trees. The dead trees will be removed and new ones will be planted for privacy.

Noise – There should not be any additional noise in the p.m. due to deliveries being made during business hours.

Handicap Accessible – There will be 2 units on the first floor that will have handicap access. This will eliminate the need for an elevator.

Drive Thru – Most of the traffic flow will go through the drive thru then will be directed around the building and will exit onto Bowen Road.

Coffee Shop – Mr. James prefers a “small boutique” coffee shop with a large gathering space for more indoor seating. He does not have a signed lease agreement yet. Mr. James said he would prefer it not to be a Tim Hortons.

Frontage – The style of the building will be modern. The main products being used will be stacked stone, longboard and stucco.

Traffic – A Traffic Impact Study was done. The study compared traffic flow between when the restaurant was there to now. They concluded that there will be a few more cars per hour in the peek a.m. Traffic flow will be significantly reduced in the p.m. hours compared to when the restaurant was there.

Delivery Trucks – Extra parking area will be available on the east side of the building. There is room for 2 loading areas including extra room for overflow on the property adjacent to the building.

Dumpster – Mr. James has an agreement with United Refinery to have the dumpster on their property. If for some reason this agreement is discontinued Mr. James said the drive thru is double wide deep and the loading zone can be put back there.

Driveway – There are currently 3 access spots to the property. One will be eliminated leaving 2 full entrance/exit.

Fence – A fence cannot exceed 8ft. Mr. James plans on replacing the fence on the south side of the property. He would like to reuse the 4X4s and 2X4s from the current fence.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Chair Connelly to table the Site Plan Review until the next meeting on May 4, 2022. Motion seconded by Joseph Keefe.

Roll call as follows:

Chairman Connelly- YES

Rebecca Anderson - YES

John Copas - YES

Anthony Gorski - YES

Joseph Keefe - YES

Stanley Jay Keysa III - RECUSED

Lawrence Korzeniewski – YES

Motion carried.

Other items discussed

Tara Mathias, Development manager, appeared in front of the board on behalf of The Broadway Group, LLC to discuss the updated plans for Dollar General located at 5807 Broadway. She stated that she met with the residents of Parkhaven Properties to discuss their concerns on the project. They agreed per Ms. Mathais on the exterior design of the building including hard plank siding, some brick, shutters, awnings, and an 8-foot pole to display a 50 square foot sign. Also discussed was a landscaping plan for the removal of the existing trees on the southern property boundary, architectural rendering of the front and rear building facades and architectural elevations.

The change of definition to residential and light commercial setbacks were addressed with Town Engineer Ed Schiller. He recommended residential minimum width lot sizes be changed from the current code enforcement of 75 feet to 100 feet minimum. Mr. Schiller also proposed under light commercial lot size the width be changed from 50 feet to 100 feet.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Chair Connelly to recommend the changes proposed by Town Engineer. Ed Shiller to the Town Board. Motion seconded by Member John Copas.

Roll call as follows:

Chairman Connelly- YES

Joseph Keefe - YES

Rebecca Anderson - YES

Stanley Jay Keysa III - YES

John Copas - YES

Lawrence Korzeniewski – YES

Anthony Gorski - YES

Motion carried.

Motion made by Chair Connelly at 8:57 p.m. to adjourn the meeting. Seconded by Anthony Gorski, Motion carried.