

Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

June 1, 2022

Planning Board Members: Neil Connelly, Chairman
Rebecca Anderson
John Copas
Anthony Gorski
Joseph Keefe
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 Fowler, Jr.

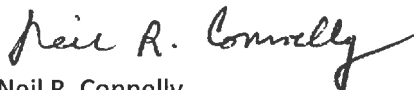
Town Highway Superintendent: John Pilato

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 June 1, 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 1st day of June 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
Lawrence Korzeniewski, Member

EXCUSED: None

ABSENT: None

ALSO PRESENT: None

Town Board Members: None

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 Chairman Neil Connelly at 7:00 p.m.

Pledge of Allegiance led by Chairman Neil Connelly.

Roll Call of Planning Board Members:

Chairman Neil Connelly- Present

Joseph Keefe- Present

Rebecca Anderson- Present

Lawrence Korzeniewski- Present

John Copas- Present

Anthony Gorski- Present

Minutes - A motion was made by Member Lawrence Korzeniewski to approve the minutes from the May 18th, 2022 Planning Board Meeting. Motion seconded by Member Anthony Gorski.

Motion carried.

TOWN OF LANCASTER PLANNING BOARD
COMMUNICATIONS FOR JUNE 1, 2022

- 6.01.01 Memo dated 5/28/22 from John Pilato, Highway Superintendent, indicating no comment regarding the addition at 4401 Walden Ave.
- 6.01.02 Memo dated 5/23/22 from Michelle Barbaro, Deputy Highway Superintendent, indicating no issues with the addition at 4401 Walden Ave.
- 6.01.03 Letter dated 5/12/22 from Thomas Fitzgerald, Tops Markets, voicing their objection to the proposed development at 4781 Transit Rd.
- 6.01.04 Notice of Public Hearing to be held 6/06/22 for a Local Law that will require the Planning Board to provide recommendations prior to Town Board approval for granting a site plan expansion
- 6.01.05 Copy of resolution approved by the Town Board on 5/16/22 which updates and corrects lot sizes within Zoning 400 Attachment 2, Schedule B
- 6.01.06 SEQR response dated 5/24/22 from the NYS DOT regarding Dollar General
- 6.01.07 SEQR response dated 5/24/22 from the NYS DOT regarding Try-It Distributing
- 6.01.08 SEQR response dated 5/25/22 from the NYS DEC regarding Try-It Distributing
- 6.01.09 Letter dated 5/24/22 from Mark Maser, P.E. with responses to comments by Ed Schiller, Town Engineer, regarding the Try-It Distributing project
- 6.01.10 Letter dated 5/27/22 from Ed Schiller, Town Engineer, with comments regarding Try-It Distributing
- 6.01.11 Letter dated 5/27/22 from Ed Schiller, Town Engineer, with comments regarding the site plan building addition at 4401 Walden Ave.
- 06.01.12 Letter dated 6/01/22 from Ed Schiller, Town Engineer, regarding 9 Division St.
- 06.01.13 Letter dated 6/01/22 from Ed Schiller, Town Engineer, regarding Robert James Sales
- 06.01.14 Response from Erie County Division Environment and Planning regarding Local Law for lot size change
- 06.01.15 Letter dated 6/01/22 from Mark Schaefer and Sheila Malicki voicing objection to 9 Division St.

REVISED SITE PLAN REVIEW – PROJECT #2836, SINGLE-FAMILY DWELLING ON VACANT LOT (CZERNIAK), SBL# 104.15-11-26, LOCATED 9 DIVISION ST. BOWANSVILLE, N.Y. 14206, BUILD A SINGLE DWELLING ON VACANT LAND

Jason and Lauren Czerniak were present and stated this property will be used to construct a single-family dwelling and will not be used to operate a business as previously planned. Mr. Czerniak informed the Board that the new dwelling will be an improvement to the area. Matt Fischione (Building & Zoning Inspector) stated this project will be constructed on an undeveloped parcel on a dead-end street and it could be considered a Type 2 Action or an Unlisted Action which would need an environmental review. Chairman Connelly said this is comparable to the Bradley Project # 1235 and thinks it should be tabled due to waiting on Council for their decision on Type 2 or Unlisted on Bradley Street Project. He also brought to the attention of Mr. and Mrs. Czerniak the concerns of the current neighbors about conducting business off this property along with equipment being stored on the property, trees being cleared and trucks coming down the road. This property is not zoned commercial. Mr. Czerniak denied doing any form of business on the property or having any trucks come down the road. He did however say he is storing building materials on the property for use in the construction of the single-family home when approved.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Member Rebecca Anderson to table the project to a future meeting. Motion seconded by Member Lawrence Korzeniewski.

Roll call as follows:

Chairman Connelly - YES

Joseph Keefe - YES

Rebecca Anderson - YES

Lawrence Korzeniewski - YES

John Copas- YES

Anthony Gorski - YES

Motion carried.

AMENDED SITE PLAN REVIEW – PROJECT #8109, ROBERT JAMES SALES INC. PHASE II, SBL# 95.00-3-25, LOCATED AT 4543 WALDEN AVE. MODIFY APPROVED SITE PLAN TO ADD A TRUCK DOCK AND A POLE BARN FOR VEHICLE STORAGE

Chase Kraemer representing Hybrid Building Solutions was asking for the Board’s approval of the site plan for Phase II of Project # 8109. The original site plan consisted of two warehouses, an office building and seven truck docks. Mr. Kraemer would like to add a 4,800 sq. ft. pole barn and two additional truck docks. Ed Schiller (Town Engineer) stated the revised site plan only has a building permit for Phase I of the project and would no longer be in effect and a Public Improvement Permit (P.I.P.) for Phase II was never obtained. Due to this the project cannot move forward. This project will require a SEQR and is considered an unlisted action.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Chairman Neil Connelly to table the project to a future Planning Board Meeting. Motion seconded by Member John Copas.

Roll call as follows:

Chairman Connelly- YES

Joseph Keefe- YES

Rebecca Anderson- YES

Lawrence Korzeniewski- YES

John Copas - YES

Anthony Gorski- YES

Motion carried.

SITE PLAN REVIEW – PROJECT # 3211, WAREHOUSE ADDITION, SBL# 95.00-4-32.112, LOCATED AT 4401 WALDEN AVE. UNCONDITIONED WAREHOUSE SPACE TO BE ADDED TO EXISTING WAREHOUSE FOR THE STORAGE OF EQUIPMENT AND/OR MATERIALS

Justin White representing Waldemar Blaszak is asking for approval of a 1,000 sq. ft. warehouse addition located at 4401 Walden Ave. Matt Fischione (Building and Zoning Inspector) stated that the Building Department received a complaint on May 17th about site work happening on the southwest portion of the property and the operator of the machinery damaged the storm water system of the property. The Building Department issued a Stop Work Order. The company agreed to restore the storm water system to the original design. For work to be done on this site a building permit and site plan is needed before any digging to be done.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Member Anthony Gorski to approve the project if everything needed by the building department is provided. Motion seconded by Member Joseph Keefe.

Roll call as follows:

Chair Connelly- YES

Joseph Keefe - YES

Rebecca Anderson- YES

Lawrence Korzeniewski- YES

John Copas - YES

Anthony Gorski - YES

Motion carried.

SITE REVIEW – PROJECT #5055, CROSS CREEK PHASE 9, S.B.L. # 94.15-1-23, LOCATED AT 538 PAVEMENT RD. 6 LOT SINGLE FAMILY SUBDIVISION ON 2.20 ACRES SITE IS PROPERLY ZONED MFMU, INCLUDES ALL RELATED SITE IMPROVEMENTS AS DESCRIBED IN THE PROJECT PLANS

Ken Zollitisch from Greenman Pedersen was present asking for approval of a Preliminary Plat for Project #5055. The Planning Board agreed that the new lot size code within Zoning 400 Attachment 2, Schedule B will not apply to this project.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Chairman Neil Connelly to recommend approval of the project to the Town Board. Motion seconded by Member Lawrence Korzeniewski.

Roll call as follows:

Chairman Connelly- YES

Joseph Keefe- YES

Rebecca Anderson- YES

Lawrence Korzeniewski- YES

John Copas- YES

Anthony Gorski- YES

Motion carried.

DISCUSSION – APPROVE A LOCAL LAW FOR A SPECIAL USE PERMIT REGARDING HOME OCCUPATIONS

Emily Orlando (Deputy Town Attorney) asked the Planning Board to recommend approval of a Local Law Amending the Code of the Town of Lancaster by updating and correcting requirements for Home Occupations within the Residential Districts and Zoning 400 Attachment 1, Schedule A.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Chairman Connelly to recommend approval of correction to existing Residential Districts and Zoning 400 Attachment 1, Schedule A. Motion seconded by Member Rebecca Anderson.

Roll call as follows:

Chairman Connelly – YES

Anthony Gorski - YES

Rebecca Anderson – YES

Lawrence Korzeniewski - YES

John Copas – YES

Joseph Keefe - YES

The Motion to recommend approval was thereupon carried.

DISCUSSION – APPROVE A ZONING CODE, LOCAL LAW CHANGE TO LOT SIZES

Emily Orlando (Deputy Town Attorney) asked the Planning Board for a recommendation of Negative Declaration for a Local Law Amending the Code of the Town of Lancaster by updating and correcting lot sizes within Zoning 400 Attachment 2, Schedule B (400 Attachment 2:1-2:3 & 2:5).

DETERMINATION

The following motion to offer a Negative Declaration was offered by Member John Copas, who moved its adoption, seconded by Member Joseph Keefe.

Roll call as follows:

Chairman Connelly – YES

Anthony Gorski - YES

Rebecca Anderson – YES

Lawrence Korzeniewski - YES

John Copas – YES

Joseph Keefe – YES

The Motion to offer a Negative Declaration was thereupon carried.

Motion made by Chairman Neil Connelly at 8:24 p.m. to adjourn the meeting. Seconded by Member Joseph Keefe.

Motion Carried.