

# Town of Lancaster

## TOWN PLANNING BOARD

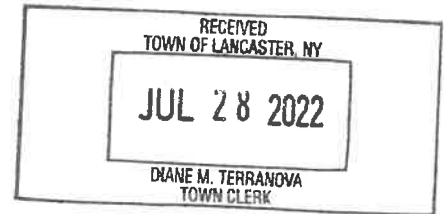
21 Central Ave.

Lancaster, NY 14086

July 20, 2022

Planning Board Members:

Neil Connelly, Chair  
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 E. Fowler, Jr.

Town Highway Superintendent:

John Pilato

Building and 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 July 20, 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, Chairman

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 July 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

ABSENT: None

ALSO PRESENT: Dave Mazur, Council Member

TOWN STAFF: Emily Orlando, Deputy Town Attorney  
Ed Schiller, Town Engineer  
Matt Fischione, Code Enforcement Officer

# PLANNING BOARD MINUTES - SEQR

JULY 20, 2022

PRESENT: REBECCA ANDERSON, MEMBER  
JOHN COPAS, MEMBER  
ANTHONY GORSKI, MEMBER  
JOSEPH KEEFE, MEMBER  
LAWRENCE KORZENIEWSKI, MEMBER  
NEIL CONNELLY, CHAIRMAN

ALSO PRESENT: DAVID MAZUR, COUNCIL MEMBER  
MATT FISCHIONE, CODE ENFORCEMENT OFFICER  
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOCIATES  
EMILY ORLANDO, DEPUTY TOWN ATTORNEY

PURPOSE OF MEETING: STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) FOR TRY-IT CNG  
PARKING LOT PROJECT #4642 SBL#105.00-2-9.13/B

The Planning Board reviewed the Short Environmental Assessment Form item for item regarding the project impact and magnitude as outlined on the Short Environmental Assessment Form entitled "Part 1 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 **Unlisted Action**, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR section 617.d and further recommends that the lead agency issue a **Negative Declaration** for the purpose of Article 8 of the Environmental Conservation Law in accordance with section 617.12.

## LEAD AGENCY

Lancaster Town Board

21 Central Ave. Lancaster, NY 14086

Thomas Fowler, Jr., Town Attorney

716-684-3342

### **NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed action is to construct a commercial parking lot to hold a maximum of 35 box trucks, 20 day cabs, and 25 passenger vehicles, area lighting, permanent SWM facilities, perimeter chain link fence and two card accessed motorized security gates. The location is 4155 Walden Ave.

**The following motion to offer a negative declaration was offered by member Lawrence Korzeniewski, who moved its adoption, seconded by member John Copas.**

**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 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
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 forgoing Recommendation was duly put to a vote which resulted as follows:

REBECCA ANDERSON, MEMBER	YES
JOHN COPAS, MEMBER	YES
ANTHONY GORSKI, MEMBER	YES
JOSEPH KEEFE, MEMBER	YES
LAWRENCE KORZENIEWSKI, MEMBER	YES
NEIL CONNELLY, CHAIRMAN	YES

The motion to recommend was thereupon adopted.

July 20, 2022

TOWN OF LANCASTER PLANNING BOARD

COMMUNICATIONS FOR JULY 20, 2022

- 7.20.01 SEQR responses dated 7/05/22 and 7/13/22 from the Erie County Division of Sewerage Management and the Division of Environment and Planning, respectively, regarding Bradley Dr. single family home.
- 7.20.02 Email dated 7/08/22 from Neil Connelly, PB Chair, to Anthony Pandolfe, representing the proposed Fieldstream Subdivision, indicating what needs to be included in the next submittal of preliminary plans.
- 7.20.03 SEQR response dated 7/12/22 from the Erie County Division of Environment and Planning regarding the Lucas James 2 lot subdivision of William St.
- 7.20.04 SEQR response dated 7/18/22 from the NYS DEC regarding Robert James Sales at 4543 Walden Ave.
- 7.20.05 SEQR response dated 7/13/22 from the Erie County Division of Environment and Planning regarding the rezone petition 0 Broadway.
- 7.20.06 Minutes of the ZBA meeting of 7/14/22.
- 7.20.07 Phone calls to Michael Metzger, representing the Bradley Dr. petitioner, and to the attorney representing the Division St. petitioners, informing them that these projects were not Planning Board issues, as per Attorney Charles Malcomb opinion.
- 7.20.08 Letter from Jonathan Barniak, representing the proposed Shop & Storage on Genesee St., requesting to be placed on the 7/20/22 PB agenda.
- 7.20.09 Notice of SEQR to be held 7/20/22 for Try-It CNG Parking Lot.
- 7.20.10 Letter dated 6/24/22 from Matt Fischione, Code Enforcement Officer, with comments regarding the Site Plan for Parking Improvements at 1230 Town Line Rd.

**Site Plan Review Try It Distributing / CNG Parking Lot 4155 Walden Ave. SBL #105.00 - 2-2.13/A and SBL# 105.00 - 2 - 9.13/B**

This project will construct a commercial parking lot to hold a max of 35 box trucks, 20 day cabs, and 25 passenger vehicles. It will include area lighting, permanent SWM facilities, a perimeter chain link fence and two card access motorized security gates.

Marc Maser, P.E., representing the project sponsor, indicated that the two stormwater agreements had been submitted to and confirmed by the Town Attorney's Office. All other issues were in order.

A motion was made by Anthony Gorski to recommend approval of the site plan as presented. Seconded by Rebecca Anderson. Motion carried unanimously.

**Site Plan Review Shop & Storage 5841 Genesee St. SBL#94.00 - 2.11.11**

Jon Barniak presented the proposal that includes 13 storage unit buildings, a storage office building, and 4 warehouse/shop/office buildings. The construction will include a stormwater management system, utility improvements, and a total of 42 parking spaces. The project previously received a negative declaration upon SEQR.

The well that is on site has been previously decommissioned and verification can be provided online. All requests from the NY State DEC and DOT were met by the developer.

A motion was made by Joseph Keefe to recommend approval of the site plan subject to the filing of the stormwater agreement with the Town Attorney's Office. Second by Anthony Gorski. Motion carried unanimously.

**Site Plan Review for 1230 Town Line Rd. SBL #95.00-3-22.1**

Tyler Sojka indicated that the project will be a yard improvement, including scraping and removal of stone the eastern most area of the present stone lot. Backfill will be used in present lot. Disturbed area will be refilled with topsoil and seeded.

This is a Type II action and will not require SEQR.

A motion was made by Chair Connelly to recommend approval of the site plan. Seconded by Lawrence Korzeniewski. Motion carried unanimously.

**Amended Site Plan Review - 4543 Walden Ave., Robert James Sales Phase II. SBL# 95.00-3-25**

Chase Kraemer presented the plan to modify the approved Site plan to add a truck dock and a pole barn for vehicle storage. Town Engineer Ed Schiller indicated that the plans call for a post existing 100 year flow would exceed the pre-existing 10 year flow, which would not meet Town Code.

According to the NYS DEC, hydric soils are on site, and the Army Corps of Engineers should be consulted.

A motion was made by Chair Connelly to table the project for SEQR and Site Plan review to a future meeting, in August if feasible. Seconded by Joseph Keefe. Motion approved unanimously.

#### **Amended Site Plan Review - Classic Tube 80 Rotech Dr., SBL 83.00-5-2.121**

Chris Andrejewski presented an expansion plan that would include adding 7000 sq. ft. and would add 2 more jobs for owner Paul Fix. The additional space will be used for parking that will create 22 more spaces. The project would be implemented in one phase over 12 months. All excavated materials will be reused on site and managed with standard erosion and sediment control practices.

A motion was made to table to a future meeting, most likely in September, by Chair Connelly and seconded by Rebecca Anderson. Motion carried unanimously.

#### **Amended Site Plan Review - Delta Sonic Car Wash, Transit Rd.**

This may or may not be a Type II action. Deputy Attorney Orlando and Code Enforcement Officer will review to determine the action as per SEQRA.

Mike Yount explained that this is an accessory addition of a 12' x 28' vinyl shed that would be installed on the existing parking lot south of the car wash tunnel. The number of parking spaces required would still exceed code.

A motion was made to table this project to a future meeting pending determination of SEQR status by Chair Connelly. Seconded by John Copas. Motion carried unanimously.

#### **Discussion Items**

1. A dumping permit for 272 Pavement Rd. was denied because previously required deed restrictions were never filed, and a driveway had been installed at the site. (Permit granted by Erie County.) According to the resolution passed by the Town Board on 9/21/20, no development of this lot can take place until the deed restrictions are filed, and the Code Enforcement Officer and/or Town Engineer approve the development plan. This would include appropriate grade elevations, and



the status of existing well.

2. Code Enforcement Officer Fischione mentioned that code updates may be needed. Any amendments should be done by 12/31/22. In addition, the town applications for projects need to be updated and modified.