

# ***Town of Lancaster***

## **TOWN PLANNING BOARD**

**21 Central Ave.**

**Lancaster, NY 14086**

August 3, 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.

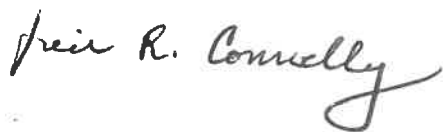
Town Highway Superintendent: John Pilato

Building and Zoning Inspector: Matthew Fischione

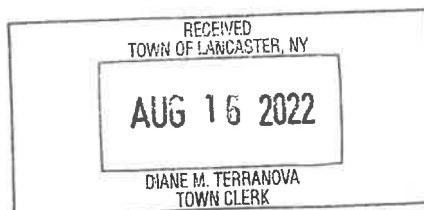
Ladies/Gentlemen:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held August 3, 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 3rd day of August 2022 at 7:00 P.M. and there were:

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

EXCUSED: John Copas, Member

TOWN STAFF: Emily Orlando, Deputy Town Attorney  
Ed Schiller, Town Engineer, Wm. Schutt & Associates  
Matt Fischione, Code Enforcement Officer  
David Mazur, Town Board Member

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:

Chair Connelly - Present	Rebecca Anderson - Present
John Copas - Excused	Anthony Gorski - Present
Joseph Keefe - Present	Lawrence Korzeniewski - Present

Minutes - A motion was made by Joseph Keefe to approve the minutes from the July 6, 2022 Planning Board meeting. The Communications List for 7/06/22 will be added to those minutes. Motion seconded by Lawrence Korzeniewski. Motion carried unanimously.

A motion was also made by Anthony Gorski to approve the minutes from the July 20, 2022 Planning Board meeting. Seconded by Rebecca Anderson. Motion carried unanimously.

The Communications List for 8/03/22 was reviewed.

### **Public Hearing**

At 7:05 P.M. a Public Hearing for project #2214, the William St. Minor Subdivision (Lucas James) located at 5550 William St. Lot split for a single family dwelling.

No one spoke at the Public Hearing. Chair Connelly moved to close the hearing. Seconded by Motion carried unanimously.

TOWN OF LANCASTER PLANNING BOARD COMMUNICATIONS FOR AUGUST 3, 2022

- 8.03.01 SEQR response dated 7/25/22 from the NYS DEC regarding Bradley Dr.
- 8.03.02 SEQR responses dated 7/14/22 and 7/22/22 from the Erie County Divisions of Sewerage Management and Environmental Planning respectively, regarding rezone at 6218 Broadway.
- 8.03.03 Email and response dated 7/26/22 from Neil Connelly to Tom Ferry regarding 272 Pavement Rd. Mr. Ferry has requested this to be referred to the PB.
- 8.03.04 Email dated 7/28/22 from Morgan Fay, Payroll Supervisor, to Neil Connelly and Jill Monacelli, regarding possible changes in payroll processing for Planning Board members and Zoning Board of Appeals members.
- 8.03.05 Letter dated 7/29/22 from Matt Fischione, Code Enforcement Officer, with comments regarding TurboPro Inc. building addition.
- 8.03.06 Letter dated 7/29/22 from Matt Fischione, Code Enforcement Officer, with comments regarding Site Plan Amendment for Classic Tube, 80 Rotech Dr.
- 8.03.07 Letter dated 7/29/22 from Matt Fischione, Code Enforcement Officer, with comments regarding Site Plan Amendment for Delta Sonic, 4817 Transit Rd.
- 8.03.08 Copy of resolution adopted by Town Board on 7/18/22 granting Joseph David, of Throny Events LLC, a Special Use Permit to operate a restaurant with outdoor patio seating on premises at 2753 Wehrle Dr. (4 conditions)
- 8.03.09 Letter dated 7/19/22 from John Pilato, Highway Superintendent, indicating "no comment" regarding minor subdivision on William St.
- 8.03.10 Letters dated 7/22/22 from John Pilato, Highway Superintendent, indicating "no comment" regarding 1230 Town Line Rd., Delta Sonic Carwash, Classic Tube, and the Cross Creek Subdivision at 538 Pavement Rd.
- 8.03.11 Letters dated 7/25/22 from Michelle Barbaro, Deputy Highway Superintendent, Indicating the Town's Forestry Department "has no issues" with the 1230 Town Line Rd., Delta Sonic Carwash, and Classic Tube projects.
- 8.03.12 Letter dated 7/25/22 from the Lancaster Police Department indicating no objection to the amended site plan for Delta Sonic.
- 8.03.13 Letter dated 7/28/22 from Matt Fischione, Code Enforcement Officer, with comments regarding 10 Lancaster Parkway, 2 lot minor subdivision.

## Planning Board Minutes - SEQR August 3, 2022

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Ave., Lancaster, NY on the 3rd day of August 2022 at 7:08 P.M. and there were:

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

EXCUSED                      JOHN COPAS, MEMBER

ALSO PRESENT              DAVID MAZUR, COUNCILMAN  
                                     EMILY ORLANDO, DEPUTY TOWN ATTORNEY  
                                     EDWARD SCHILLER, TOWN ENGINEER  
                                     MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER

### PURPOSE OF MEETING:

In the matter of the State Environmental Quality Review of the Site Plan: Robert James Sales Phase II located at 4543 Walden Ave.

The Planning Board reviewed the Short Environmental Assessment Form 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 Review Act, 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 purposes of Article 8 of the Environmental Conservation Law in accordance with section 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Lancaster Town Board

21 Central Ave.

Lancaster, NY 14086

Thomas E. Fowler, Jr., Town Attorney

716-684-3342

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

The proposal will add a truck dock and a pole barn for vehicle storage at 4543 Walden Ave.

**THE FOLLOWING MOTION TO OFFER A NEGATIVE DECLARATION WAS OFFERED BY MEMBER LAWRENCE KORZENIEWSKI, WHO MOVED ITS ADOPTION, SECONDED BY MEMBER ANTHONY 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 or 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. 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? 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? 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:

NEIL CONNELLY, PLANNING BOARD CHAIRMAN	YES
REBECCA ANDERSON, PLANNING BOARD MEMBER	YES
ANTHONY GORSKI, PLANNING BOARD MEMBER	YES
JOSEPH KEEFE, PLANNING BOARD MEMBER	YES
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER	YES

**The Motion to recommend was thereupon carried.**

**August 3, 2022**

**Site Plan Review - Robert James Sales Phase II**

The flow calculations have been resolved as per Town Engineer Schiller. Lawrence Korzeniewski moved to recommend approval of the site plan. Seconded by Joseph Keefe. Motion approved unanimously.

**Amended Site Plan Review - Delta Sonic Carwash, 4817 Transit Rd.**

There will be an addition of a 12' x 28' vinyl shed installed on the existing parking lot area to the south of the car wash tunnel. This is a Type II action and will not require SEQR. A motion was made by Rebecca Anderson to recommend approval, seconded by Neil Connelly. Motion approved unanimously.

### **Preliminary Plat Plan Review for a 2 Lot Split at 10 Lancaster Parkway**

A SEQR will be required and a Public Hearing. Chair Connelly motioned to set a Public Hearing for September 7 at 7:05 P.M. Seconded by Joseph Keefe. Motion carried unanimously. The review was also tabled pending further discussion and review. Motion to table made by Chair Connelly, seconded by Lawrence Korzeniewski. Motion carried unanimously.

### **Amended Site Plan Review - Turbo Pro Inc. 1284 Town Line Rd.**

Brenda Bantle presented the project consisting of 2 building additions with grading and drainage which includes a small detention pond to the rear of the property. A motion was made by Chair Connelly to table the project to a future meeting pending review by the Town Engineer. Seconded by Rebecca Anderson. Carried unanimously.

### **Discussion Items**

1. Tom Ferry is asking for a dump permit at 272 Pavement Rd. He requested this be referred to the Planning Board. The Planning Board does not have the authority to issue dump permits. Although the petitioner contends he is not developing the lot at this time, the dumping appears to be an initial step towards development of the lot. This is in violation of the previous resolution from 9/21/20 which calls for the Code Enforcement Officer and/or the Town Engineer to accept a development plan for that lot before returning to the Planning Board for recommendation of approval. Deed restrictions were also never filed as required in that resolution.
2. Applications for projects need to be updated. In that regard the Town Attorney's Office has asked the Planning Board to look into applicants being required to submit electronic versions of entire projects, at least to that office. This would facilitate the sending of documents to involved SEQR agencies. Perhaps a "boilerplate" of the stormwater agreement could be included on the applications. The Building Department will look into providing a model for the Planning Board in the near future.
3. Campers parked in driveways has become an issue in the Town. There are safety concerns and complaints of neighbors. This needs to be looked at in an objective manner so as to address the problems yet be fair to those who own those campers.

**A motion was made adjourn the meeting at 7:58 P.M. by Chair Connelly. Seconded by Lawrence Korzeniewski. Motion carried unanimously.**