

Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

May 3, 2023

Planning Board Members: Carlo DiRienzo, Chair
Rebecca Anderson
John Copas
Anthony Gorski
Joseph Keefe
Lawrence Korzeniewski
Michael Reinhold

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

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held May 3, 2023. 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,



Carlo DiRienzo
Planning Board Chair

CD: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 3rd day of May 2023 at 7:00 P.M. and there were present:

PRESENT: Carlo DiRienzo, Chair
Rebecca Anderson, Member
Anthony Gorski, Member
Joseph Keefe, Member
Lawrence Korzeniewski, Member
Michael Reinhold, Member

EXCUSED: None

ABSENT: John Copas, Member

ALSO PRESENT: None

Town Board Members: Councilmember Dave Mazur

Other Elected Officials: None

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

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

Pledge of Allegiance led by Chair DiRienzo.

Roll Call of Planning Board Members

Chair DiRienzo-Present

Joseph Keefe-Present

Rebecca Anderson-Present

Lawrence Korzeniewski-Present

John Copas-Absent

Michael Reinhold-Present

Anthony Gorski-Present

Minutes-A motion was made by Chair DiRienzo to approve the minutes from the April 19, 2023 Planning Board Meeting. Motion seconded by Rebecca Anderson.

Roll call as follows:

Chair DiRienzo-Yes

Joseph Keefe-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Absent

Michael Reinhold-Yes

Anthony Gorski-Yes

Motion carried.

TOWN OF LANCASTER PLANNING BOARD

COMMUNICATIONS LIST

May 3, 2023

5.3.01 Email from Lancaster Code Enforcement Officer (COE) Matt Fischione stating no outstanding issues with putting 21 Pavement on the Planning Board Meeting (town project #2010).

5.3.02 Letter from Erie County Public Works regarding 5827 Broadway (town project #2110) stating need to replace existing drainage structure in Bowen Road as well as their permit requirements for this project.

5.3.03 Letter from Erie County Public Works regarding Edgewater East (town project #2117) acknowledging Town of Lancaster as the SEQR Lead Agency and stating their permit requirements for this project.

5.3.04 Letter from Erie County Water Authority regarding West Herr Audi, 6501 Transit (town project #1902) acknowledging Town of Lancaster as the SEQR Lead Agency and stating their permit requirements for this project.

**REZONE & SITE PLAN REVIEW – PROJECT #2121, BANASIK, 6218 BROADWAY,
S.B.L. #117.00-1-1. REZONE OF PROPERTY TO CONSTRUCT A SMALL COMMERCIAL BUILDING
TO USE AS AN OFFICE AND WAREHOUSE SPACE FOR THE STORING OF AUTOMOBILES.**

Christopher Saeli, Esq. appeared regarding the project which did receive approval of a variance from the Zoning Board of Appeals on April 13, 2023.

There is an outstanding response needed regarding a request for additional information to assure the pass through drainage is accommodated.

DETERMINATION

A motion was made by Chair DiRienzo to table the Rezone and Site Plan review of 6218 Broadway, S.B.L. #117.00-1-1.

Motion seconded by Joseph Keefe.

Roll call as follows:

Chair DiRienzo-Yes

Joseph Keefe-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Absent

Michael Reinhold-Yes

Anthony Gorski-Yes

Motion carried.

**AMENDED SITE PLAN REVIEW – PROJECT #2010, 21 PAVEMENT ROAD, LLC LOCATED AT 21
PAVEMENT ROAD, S.B.L. # 116.08-1-71. MINOR PAVEMENT EXPANSION APPROXIMATELY
2,200 SQ FT. ALONG THE EXISTING PAVED DRIVE ON THE NORTH END OF THE SITE.**

Gary Machniak presented the project which received variance approval from the Zoning Board of Appeals on April 13, 2023.

The amendment to the site plan is to keep the project as built which did vary from the approved site plan. All zoning requirements are met. Noise has been a complaint from the neighbor to the north and a 12' barrier was installed in July, 2022 to mitigate noise. The decibel level has been monitored by the applicant and ranges from 69-75 decibels dependent on the doors being open or closed. This property has never been cited for violation of the noise ordinance or any other violation according to the applicant. Mr. Machniak has operated this business for 34 years and has made no changes to the equipment. The hours of operation do not go past 9pm and the shop does operate on the weekend. The amended site plan has no bearing on the level of noise produced. The gate in the alcove area was installed to the height of the building. Lights have been changed to accommodate complaints from the neighbor in an effort to work with the neighbor. Members did acknowledge the efforts of the applicant to mitigate the complaints of the neighbor.

DETERMINATION

A motion was made by Rebecca Anderson to recommend the approval of the Amended Site Plan for 21 Pavement Road, LLC to the Town Board

Motion seconded by Joseph Keefe.

Roll call as follows:

Chair DiRienzo-Yes
Rebecca Anderson-Yes
John Copas-Absent
Anthony Gorski-Yes

Joseph Keefe-Yes
Lawrence Korzeniewski-Yes
Michael Reinhold-Yes

Motion carried.

RECREATIONAL VEHICLE CODE REVISION REVIEW – CHAPTER 400-16(d) COMMERCIAL +/- OR UNLICENSED VEHICLES IN RESIDENTIAL AREAS.

Councilmember Mazur spoke regarding the first of two public hearings being held by the Town Board. The first was on May 1st and the second will be May 15th. No comments from the public were made at the first meeting. Changes were made to the code which include the height of an RV allowed to be parked in a residential area and the specifications of a commercial vehicle were discussed. The discussion of the RV code was started due to a complaint and has gone through a process which included the public and has resulted in a revision that many have assisted with. A SEQR review is needed after the second public hearing.

Town Attorney, Thomas Fowler, Jr. emailed the Planning Board regarding their recommendation to approve the rezoning of 4781 Transit Road. When the amended site plan was approved by the Planning Board at the April 19, 2023 meeting, it included a new portion of land given by the adjacent property owner. In an effort to have the entire new parcel rezoned the original recommendation of the rezone was rescinded and a new motion including the 45' x 274.86' land was made.

A motion was made by Chair DiRienzo to rescind the Planning Board's August 10, 2021 recommendation to the Town Board to rezone 4781 Transit Road.

Motion seconded by Anthony Gorski.

Roll call as follows:

Chair DiRienzo-Yes
Rebecca Anderson-Yes
John Copas-Absent
Anthony Gorski-Yes

Joseph Keefe-Yes
Lawrence Korzeniewski-Yes
Michael Reinhold-Yes

Motion carried.

A motion was made by Chair DiRienzo to recommend the rezoning of the entire, new parcel known as 4781 Transit Road which includes a 45' x 274.86' addition, to the Town Board.

Motion seconded by Michael Reinhold.

Roll call as follows:

Chair DiRienzo-Yes
Rebecca Anderson-Yes
John Copas-Absent

Joseph Keefe-Yes
Lawrence Korzeniewski-Yes
Michael Reinhold-Yes

Anthony Gorski-No

Motion carried.

Complaints regarding the condition of sidewalks are being addressed by Code Enforcement. The Town Board has referred the Broadway and Bowen project by Lucas James back to the Planning Board. This is due to the Special Use Permit application stating it will be a Tim Horton's. Traffic counts will be needed and SEQR reopened.

Motion to adjourn the meeting by Chair DiRienzo at 7:48p.m. and seconded by Joseph Keefe.

Motion approved.

Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

MEMO

TO: Honorable Town Board
Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: May 3, 2023

RE: 21 Pavement Road, LLC

PROJECT #: 2010

LOCATION: 21 Pavement Road

TYPE: Amended Site Plan

RECOMMENDATION: APPROVE
Roll call vote:
Chair DiRienzo-Yes
Rebecca Anderson-Yes
John Copas-Absent
Anthony Gorski-Yes
Joseph Keefe-Yes
Lawrence Korzeniewski-Yes
Michael Reinhold-Yes

CONDITION: N/A

CONCERNS: N/A