

Town of Lancaster

TOWN PLANNING BOARD
21 Central Avenue
Lancaster, New York 14086

August 16, 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 E. 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 August 16, 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 16th day of August 2023 at 7:00 P.M. and there were present:

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

EXCUSED: Councilmember Mazur

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
Cyndi Maciejewski, Secretary

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

Pledge of Allegiance led by Chair DiRienzo.

Minutes-A motion was made by Anthony Gorski to approve the minutes from the August 2, 2023 Planning Board Meeting. Motion seconded by John Copas.

Roll call as follows:

Chairman DiRienzo-Yes

Joseph Keefe-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Yes

Michael Reinhold- Yes

Anthony Gorski-Yes

Motion carried.

**TOWN OF LANCASTER PLANNING BOARD
COMMUNICATIONS LIST
August 16, 2023**

8.16.01 Email from Matt Fischione, Code Enforcement Officer (CEO), to Planning Board regarding Town Line Fire Hall (Town Project #2225) previously approved, informing that Building Department request Town Board authorization to issue building permit even though a site plan amendment will be required when suitable design is acceptable to NYSDEC, County Health and Highway Departments.

8.16.02 Email from Building Department forwarding NYSDOT comments regarding 5943 Genesee Street (Town Project #1594) stating NYSDOT agrees with Town of Lancaster as lead agency, NYSDOT Highway Permit is not needed, and NYSDOT wants to be kept in the loop of parcel split at this location.

8.16.03 Email from Ed Schiller, Town Engineer, to Planning Board regarding 324 Pavement Road (Town Project #2131) alerting it is unclear what is existing and what is proposed on plan, as this parcel is part of a former mine, documentation from NYSDEC is required, application should not be placed on agenda until items in letter are addressed.

8.16.04 Letter from Matt Fischione, CEO, to Planning Board regarding 324 Pavement Road (Town Project #2131) alerting that site is in General Industrial District, Project is considered unlisted action per SEQR, Western Parcel shall be merged to create conforming parcel, access agreement shall be filed between newly created lots, cross access agreement shall be filed, and verification from NYSDEC for mine reclamation completion or land division of a permitted mine is necessary to move forward.

8.16.05 Letter from Matt Fischione, CEO, to Planning Board regarding Pine Hill Estates (Town Project # 9082) alerting that preliminary plat review was tabled on December 7, 2022 for SEQR responses, SHPO "no impact" letter recommends Vinecke family cemetery be avoided, temporary fencing shall be installed, and a 5-meter buffer be created, Erie County Highway Department was specific to detail areas of roadway not available for construction, contaminants, easements and/or restrictions shall be reviewed and approved prior to any recommendation to Town Board.

8.16.06 Letter from Matt Fischione, CEO, to Planning Board regarding 5767 Genesee Street (Town Project #2224) notifying a minor subdivision is part of rezone application, the project is classified as a Type 1 action and prior comments from Building and Zoning Departments apply.

8.16.07 Letter from Matt Fischione, CEO, to Town Board members regarding Fieldstream Subdivision alerting review of final plat is complete and final plat must contain drainage easement to ensure surface runoff is addressed before proceeding.

Project #2121, Rezone and Site Plan Review for Banasik, 6218 Broadway, S.B.L. #117.00-1-1 was withdrawn by Christopher Saeli, Esq. due to the project being put on hold by the applicant.

AMENDED SITE PLAN REVIEW – PROJECT #2131, PIT TOPSOIL STORAGE SHELTER, LOCATED AT 324 PAVEMENT ROAD, S.B.L. #105.00-2-13.1 CONSTRUCTION OF A 61’ X 61.42’ STORAGE SHELTER.

Kenneth Zollitsch of GPI presented the storage shelter on a 34.36+/- acre lot to be created through a minor subdivision application. This is an open air structure to protect materials that are used for construction activities. Grading and drainage have been addressed and this is a type 2 action so no SEQR review is required. Topsoil will be brought in and out of the site to accommodate construction activities. The bike path is adjacent to this parcel and has a crosswalk located just to the south of the property. Accessibility and yield concerns were raised due to the traffic on Pavement Road and a hawk light was suggested. A Special Use Permit application has been sent to the applicant.

DETERMINATION

A motion was made by Chair DiRienzo to table the project. Motion seconded by Anthony Gorski.

Roll call as follows:

Chair DiRienzo-Yes

Joseph Keefe-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Yes

Michael Reinhold-Yes

Anthony Gorski-Yes

Motion carried.

REVISED PRELIMINARY PLAT PLAN – PROJECT #2131, ANASTASI MINOR SUBDIVISION, LOCATED AT 324 PAVEMENT ROAD, S.B.L. #105.00-2-13.1 SPLITTING OF EXISTING LOT INTO TWO PARCELS.

Kenneth Zollitsch of GPI presented the minor subdivision of 324 Pavement Road. The eastern parcel will be 34.36 acres with the storage shelter on it. There will be a 30’ wide easement for ingress/egress to access the western parcel which measures 42.33 acres. Combination of other parcels that are also owned by Anastasi was discussed.

Motion made by Chair DiRienzo to schedule a public hearing for September 20th at 7:05pm.

Motion was seconded by John Copas.

Roll call as follows:

Chair DiRienzo-Yes

Joseph Keefe-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Yes

Michael Reinhold-Yes

Anthony Gorski-Yes

Motion carried

REVISED PRELIMINARY PLAT – PROJECT #9082, PINE HILL ESTATES LOCATED AT 611 PAVEMENT ROAD, S.B.L. #94.00-3-10, 10 LOT SUBDIVISION.

Mike Metzger of Metzger Civil Engineers presented the 10 lot subdivision which is located on 75 acres. The 30 day SEQR review time period has passed and the site was found to be archeologically sensitive. There is a July 18, 2023 SHPO letter signing off on the site with one area that requires protection. There is a burial area that does need to be fenced off for protection during construction and a permanent fence was also discussed. A deed restriction or covenant will be further discussed to prevent the area from being disturbed. The size of the area to be protected needs to be determined. The Army Corps of Engineers did identify a wetland area along the corridor to be protected and to remain undisturbed. The storm water drainage plan has been submitted along with a storm water pollution plan. Erie County Health Department has acknowledged that under their standards this is not a subdivision as per New York State. The septic design is needed for each site. The homes will be above the floodplain elevations. The map cover will need to be filed with the County Clerk. The wetlands have been marked by Earth Dimensions and need to be monumented on the surveys. The floodplain area was identified and follows the creek and includes the pond. Deeds would need to reference the map cover and identify approximate delineated area on the deed for floodplain. Future property owners will need to be shown these areas on the subdivision map.

DETERMINATION

A motion was made by John Copas to schedule a Public Hearing for Pine Hill Estates Subdivision on September 20th at 7:05pm. Motion seconded by Anthony Gorski.

Roll call as follows:

Chair DiRienzo-Yes

Joseph Keefe-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

John Copas-Yes

Michael Reinhold-Yes

Anthony Gorski-Yes

Motion carried.

Motion made by Chair DiRienzo to schedule a Public Hearing for 5767 & 5775 Genesee Street Subdivision on September 6, 2023 at 7:05pm. Motion Seconded by Lawrence Korzeniewski.

Roll call as follows:

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

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

Motion carried.

Motion to adjourn the meeting by Chair DiRienzo at 7:53pm and seconded by John Copas.
Motion approved.