

Town Board Minutes
The Municipal Review Committee

March 19, 2018

Meeting No. 8

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, acting as the Municipal Review Committee, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 19th day of March 2018, at 6:15 PM and there were

PRESENT: ADAM DICKMAN, COUNCIL MEMBER
DAWN GACZEWSKI, COUNCIL MEMBER
MATTHEW WALTER, COUNCIL MEMBER
JOHANNA COLEMAN, SUPERVISOR
REBECCA ANDERSON, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
KRISTIN MCCRACKEN, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
NEIL CONNELLY, PLANNING BOARD CHAIRMAN

ABSENT: RONALD RUFFINO, COUNCIL MEMBER
ANTHONY GORSKI, PLANNING BOARD MEMBER

EXCUSED: JOSEPH KEEFE, PLANNING BOARD MEMBER

ALSO PRESENT: DIANE TERRANOVA, TOWN CLERK
KEVIN LOFTUS, TOWN ATTORNEY
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER
WILLIAM SCHUTT, ENGINEER, WM. SCHUTT & ASSOC.

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for one (1) action.

**IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY
REVIEW (SEQR) OF THE**

REZONE & SITE PLAN PLUMB CREEK PATIO HOMES

The Municipal Review Committee reviewed the Long Environmental Assessment Form on the Rezone & Site Plan Plumb Creek Patio Homes matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled “Part 2 Project Impacts and Their Magnitude” which was provided to each member.

PLEASE TAKE NOTICE, that the Municipal Review Committee 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 Type 1, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR § 617.7, 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 § 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Lancaster Town Board
21 Central Avenue
Lancaster, New York 14086
Kevin Loftus, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 8.58 acres.

The location of the premises being reviewed is 0 Broadway Street, Lancaster, New York 14086, Erie County.

Rezone:

This project is described as the rezoning of approximately 8.58 acres from Residential District one (R-1) to Multifamily Residential District Three (MFR-3) to accommodate a proposed residential project consisting of 39 detached single-family patio homes. The layout of the proposed residential project is depicted on the Site Plan prepared by Carmina Wood Morris DPC dated June 29, 2017. The proposed residential project is an Unlisted Action pursuant to the State Environmental Quality Review Act (“SEQRA”) since none of the impacts will cross any of the thresholds for a Type 1 action per 6 NYCRR Part 617.4. It is anticipated that the Town of Lancaster Town Board will be the lead agency for the required environmental review of the proposed project since the rezoning of the Project Site falls within the jurisdiction of the Town Board. The proposed residential project will also require Preliminary Plat and Final Plat Approval. Detailed information regarding the proposed residential project is provided on the fully engineered plans and Stormwater Pollution Prevention Plan and Engineer’s Report prepared by Christopher Wood, P.E., of Carmina Wood Morris DPC with the Rezoning Application. The Project Sponsor is requesting that the lead agency issue a negative declaration pursuant to SEQRA since the proposed residential project will not result in any potentially significant adverse environmental impacts.

Site Plan:

The action involves a 39 lot subdivision consisting of detached patio homes as depicted on the fully engineered plans prepared by Carmina Wood Morris DPC accompanying the Preliminary Plat Application dated January 26, 2018. The proposed residential project requires Preliminary Plat and Final Plat Approval and the rezoning of a portion of the Project Site from R-1 to MFR-3 is pending before the Town Board. The proposed action has been defined broadly to include all required discretionary approvals and permits as well as all proposed site improvements including proposed detached single family homes, internal roadways, driveways, parking spaces, grading activities, a storm water management system, and all required utility improvements and connections. The Project Sponsor is requesting that the Town of Lancaster issue a negative declaration pursuant to SEQRA since the proposed residential project will not result in any potentially significant adverse environmental impacts.

THE FOLLOWING MOTION WAS OFFERED BY
PLANNING BOARD MEMBER MCCRACKEN, WHO
MOVED ITS ADOPTION, SECONDED BY PLANNING
BOARD MEMBER KORZENIEWSKI, TO WIT:

That the Municipal Review Committee has reviewed the potential environmental impacts associated with the Rezone & Site Plan Plumb Creek Patio Homes Project identified in the Environmental Assessment Form, and, under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3) for the reasons indicated below based on the discussion of each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment and therefore recommends that the Town Board finds that there are no significant adverse impacts from the proposed project, and issue the following Negative Declaration.

REASONS SUPPORTING RECOMMENDATION

- 1. Impact on land - No impact.**
- 2. Impact on Geological Features – No impact.**
- 3. Impacts on Surface Water – Small impact.**
 - The wetland investigation letter indicates there is a 0.60 acre federal wetland on the northernmost portion of the project site. This wetland will be preserved in its entirety.
- 4. Impact on Groundwater – No impact.**
- 5. Impact on Flooding – No impact.**
- 6. Impact on Air – No impact.**
- 7. Impact on Plants and Animals – No impact.**
- 8. Impact on Agricultural Resources – No impact.**
- 9. Impact on Aesthetic Resources – No impact.**
- 10. Impact on Historic and Archeological Resources – No impact.**
- 11. Impact on Open Space and Recreation – No impact.**
- 12. Impact on Critical Environmental Areas – N/A**
 - The Town of Lancaster has not established a Critical Environmental Area (CEA).

13. **Impact on Transportation – No impact.**
14. **Impact on Energy – No impact.**
15. **Impact on Noise, Odor and Light – Small impact during construction.**
16. **Impact on Human Health – No impact.**
17. **Consistency with Community Plans – Small impact.**
 - It is noted that this project is a rezone from R1 to MFR3 and will be consistent with the Comprehensive Master Plan update.
18. **Consistency with Community Character – No impact.**

and,

BE IT FURTHER

RESOLVED, that the MRC’s 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:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	VOTED	YES
PLANNING BOARD MEMBER GORSKI	WAS ABSENT	
PLANNING BOARD MEMBER KEEFE	WAS ABSENT	
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCRACKEN	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED	YES
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The Motion to Recommend was thereupon adopted.

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ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER GACZEWSKI AND SECONDED BY COUNCIL MEMBER WALTER FOR ADJOURNMENT OF THE MEETING, which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	WAS ABSENT	
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES
PLANNING BOARD MEMBER ANDERSON	VOTED	YES
PLANNING BOARD MEMBER GORSKI	WAS ABSENT	
PLANNING BOARD MEMBER KEEFE	WAS ABSENT	
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED	YES
PLANNING BOARD MEMBER MCCRACKEN	VOTED	YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED	YES
PLANNING BOARD CHAIRMAN CONNELLY	VOTED	YES

The meeting was adjourned at 6:35 P.M.

Signed _____
Diane M. Terranova, Town Clerk