

June 17, 2009

Planning Board Members: Stanley J. Keysa, Chairman
Rebecca Anderson
Neil Connelly
Lawrence Korzeniewski
Steven Socha
Melvin Szymanski

Town Board Members: Robert H. Giza
John M. Abraham, Jr.
Daniel Amatura
Ronald Ruffino, Sr.
Donna G. Stempniak

Engineering Consultant: Robert Harris, Wm. Schutt & Associates

Town Attorney: John M. Dudziak

Highway Superintendent: Richard L. Reese, Jr.

Building & Zoning Inspector: Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held on June 17, 2009. 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,

Stanley J. Keysa
Planning Board Chairman

SJK:mn
Encl.

A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the seventeenth day of June

2009, at 7:30P.M, and there were present:

PRESENT: Stanley J. Keysa, Chairman
Rebecca Anderson, Member
Neil Connelly, Member
Lawrence Korzeniewski, Member
Steven Socha, Member
Melvin Szymanski, Member

EXCUSED: None

ABSENT: None

ALSO PRESENT:

Town Board Members: Donna G. Stempniak

Other Elected Officials: None

Town Staff: Robert Harris, Engineering Consultant - Wm. Schutt & Associates
Jeffrey H. Simme, Building & Zoning Inspector
Nicholas LoCicero, Town Prosecutor for Town Attorney's Office
Mary Nowak, Recording Secretary

Meeting called to order by Chair Keysa at 7:34 PM.

Pledge of Allegiance led by Attorney Nicholas LoCicero.

Minutes - Motion was made by Rebecca Anderson to approve the minutes from the June 3, 2009 Planning

Board Meeting. Motion seconded by Neil Connelly and unanimously carried.

Communications

ACTION ITEMS -

SITE PLAN - MONTI CONCRETE CONSTRUCTION CO., INC., 505 ERIE STREET; 21,6000 SQ.FT. COMMERCIAL BUILDING. PROJECT NO.5223. CONTACT PERSON: SUSAN M. KING OF KING CONSULTING ENGINEERS.

Susan King of King Consulting Engineers and Robert Monti, owner presented to the Planning Board the site plan for the proposed 21,600 sq.ft. commercial building located at 505 Erie Street. Ms. King told the Planning Board that the plan shows the full building envelope, but at this time a 100' X 60' (6,000 sq.ft.) building is being proposed, with a potential for future expansion. The proposed building will match the existing building and will be used for storage of equipment for the concrete construction business. The project will have an on-site septic facility and public water. There will be additional paving to the proposed building. The following issues were addressed:

Landscaping - Chair Keysa referred to com.6-17-12 from General Crew Chief Terrence McCracken suggesting additional screening to the east of this project consisting of fencing and/or trees. Mr. Monti stated that he is agreeable and will go over landscaping details with General Crew Chief McCracken.

Drainage - Chair Keysa referred to com.6-17-03 from Dep. Highway Superintendent indicating a concern with increased storm water running from this project to the west. Town Engineer Robert Harris stated that according to the drainage plan, the increased storm water will run to the south through the existing swale. There will be no increased storm water running to the west along the south side of Erie Street. Mr. Harris stated that he is satisfied with the drainage plan, but he will check the project site to make certain that increased storm water is running according to the drainage plan.

Outdoor storage - Mr. Monti stated that the new building will be used for equipment storage and that there will be no outside storage.

DETERMINATION

Based on the information presented to the Planning Board, a motion was made by Steven Socha to recommend approval of the site plan to the Town Board with the following conditions: 1.) Applicant to work out landscaping along the east side of the property to the satisfaction of Gen. Crew Chief Terrence McCracken. 2.) Stormwater drainage to be confirmed by Town Engineer Robert Harris. Motion seconded by Rebecca Anderson and unanimously carried.

SKETCH PLAN REVIEW - "VINE SUBDIVISION", 9 SINGLE-FAMILY DWELLING LOTS, LOCATED ON THE NORTH SIDE OF SUMMERFIELD DRIVE. PROJECT NO. 6769. CONTACT PERSON: DR. CHRISTOPHER BALDWIN

This project was tabled at the June 3, 2009 Planning Board meeting for further revision.

Attorney John Garas, Anthony Marino of Tredo Engineering, and Dr. Christopher Baldwin presented to the Planning Board the sketch plan for a 9-lot single-family subdivision located on the north side of Summerfield Drive. The subdivision is located on a 2.5-acre parcel that was part of a 58-acre parcel purchased by Vine Wesleyan Church. The lots will be sold off and not church owned. Lot sizes have been increased to 75' X 140'. The retention pond shown on the corner lot at Bowen Road and Summerfield Drive has been made smaller, but will be sufficient. The following issues were addressed:

SEQRA Segmentation - Mr. Tredo stated that Steven Doleski, NYSDEC has concluded that the Town of Lancaster should continue with SEQR without concern for segmentation. (Com. 6-17-14)

Town exception - Mr. Garas told the Planning Board that he will meet with the Town Board during the work session at the Town Board meeting on July 6, 2009, to discuss the Town-owned strip of land along the north side of Summerfield Drive. The Planning Board stated that Town Board approval of this project will be subject to resolution of the Town-owned strip of land along the north side of Summerfield Drive.

Landscaping - A landscaping plan will not be required for this project, since the existing trees will remain.

Driveway turnarounds - The Planning Board encourages turnarounds in all the driveways of these lots, especially lot #8 and lot #9.

At 8:00PM Chairman Keysa had to leave the meeting and asked to be excused. Vice-Chair Rebecca Anderson continued the meeting as Chairperson.

Council Member Donna Stempniak asked what type of homes would be built in this subdivision. She stated that she would like some type of assurance that these homes will blend in with the existing development. Mr. Garas told the Planning Board that the lots will be sold off, and that the Vine Church will not be making any decision as to the type of homes to be built. Mr. Garas stated that the Town could adopt a deed restriction on the 9 lots in this subdivision requesting architectural restrictions.

DETERMINATION

Based on the information provided to the Planning Board, a motion was made by Lawrence Korzeniewski to recommend approval of the sketch plan to the Town Board with the following condition: 1.) Subject to resolution of Town-owned strip of land along north side of Summerfield Drive. Motion seconded by Neil Connelly and unanimously carried.

At 8:10PM Chairman Keysa returned to the meeting and resumed as Chairman.

REZONE PETITION - TRANSIT FRENCH ASSOCIATES, 4779 & 4783 TRANSIT ROAD. PRESENT ZONING IS GB, GENERAL BUSINESS & R-1, RESIDENTIAL DISTRICT ONE. PROPOSED ZONING IS MRF-4, MULTI-FAMILY RESIDENTIAL DISTRICT FOUR. PROPOSED USE OF PREMISES IS 68 SENIOR CITIZEN APARTMENT UNITS. CONTACT PERSON: JOSEPH CIPOLLA.

This project was adjourned at the May 20, 2009 Planning Board meeting. Applicant to address issues raised at that meeting.

Joseph Cipolla of Bella Vista explained to the Planning Board that originally Transit French Associates had contracted to sell this property to Redtek Development and authorized them to represent Transit French Associates in the application for this rezone. Recently, Transit French Associates and Redtek Development have decided to pursue an alternate developing relationship. Bella Vista Group has authorized Transit French Associates as owner and developer for this project.

Joseph Cipolla presented to the Planning Board the rezone petition for a 5-acre project located at 4779 & 4783 Transit Road. This parcel is located behind the existing TOPS plaza on Transit Road and French Road. The proposed use is for 68 lower middle income senior apartments. These would be independent living apartments. Mr. Cipolla stated that this would be a state-of-the-art facility located near facilities that seniors will need. The following items were discussed:

Greenspace - Mr. Cipolla presented a map of the open space on this parcel and the two existing projects using the Transit French Associates parking lot. The existing calculations are as follows: Forestview Restaurant project has 18% greenspace, Transit-French Plaza has 25% greenspace, and the proposed senior citizen apartment project will have 57% greenspace. The Planning Board requested that copies of this map be provided to each member.

Access to project - At the Planning Board meeting on May 20, 2009, the Planning Board stated that the primary route in and out of parcel needs to be improved. The proposed plan presented at tonight's meeting does not show any design change to the primary route in and out of this project. The proposed plan shows the following three ingress/egress points for this project:

- The first ingress/egress is the current entrance at the Forestview Restaurant on Transit Road which will use the road behind the existing plaza along the north side of the parking lot. The road would be 4 feet off the building and striped. There would be no parking or dumpsters allowed along this road.
- The second ingress/egress will be the existing unsignalized entrance to the Transit/French Plaza on Transit Road. Mr. Cipolla stated that the lines of sight at this entrance/exit extend deep into the parking lot. Chair Keysa stated that the existing island along the north lane of this entrance would need to be modified.
- The third ingress/egress shown on the plan is the signalized entrance to the plaza at Transit Road & French Road. Residents of the senior apartments would travel around and along the back of the Tops store. Mr. Cipolla told the Planning Board that delivery trucks would not cause a traffic problem.

The Planning Board had concerns with the senior apartment residents traveling through a busy parking lot to get in and out of their complex, and that this project will add to the confusion in a very busy parking lot. There was a discussion concerning traffic devices within parking lots. Chair Keysa stated that the request for a traffic device in a parking lot must be made by the property owner to the Town to install the device and the Town can adopt a local law. Mr. Cipolla will contact Attorney Nick LocCicero to discuss this issue. Mr. Cipolla stated that he had contacted the Lancaster Police Dept. requesting the number of accident reports filed for this entire parking lot in the past three years. According to the response from the Lancaster Police Dept., there have been a total of 6 accidents (all property damage only) in the past three years. There were no injuries reported. Mr. Cipolla stated that this is a very safe parking lot. He went on to explain that the parking lot located at Union Road & French Road, The Gardenvillage Plaza, is an example of an apartment complex located within a parking lot with businesses. He suggested that the Planning Board members visit that parking lot and observe the traffic situation.

Survey - At the May 20, 2009 Planning Board meeting, the Planning Board had requested that a professional survey be prepared for this project. Since no professional survey has been provided, the

Planning Board stated that a professional survey of this project must be provided to the Town Engineer, Town Attorney, and Town Clerk.

DETERMINATION

At the request of the applicant, this project is tabled to the next Planning Board meeting on July 1, 2009, to give the Planning Board members a chance to observe The Gardenvillage Plaza parking lot. Applicant to address the following issues: 1.) Applicant to provide 5 additional copies of map showing open space. 2.) Applicant to provide professionally prepared survey to Town Engineer, Town Attorney, and Town Clerk. Motion to table this project was made by Melvin Szymanski, seconded by Rebecca Anderson and unanimously carried.

OTHER MATTERS -

Town Prosecutor Nicholas LoCicero told the Planning Board that while researching a project, he came upon information concerning whether a project should go before the Planning Board prior to the Zoning Board of Appeals, or the reverse. He went on to explain that a town in New York State passed a town ordinance stating that variance approval must precede Planning Board approval. Chair Keysa stated that in many cases the Town of Lancaster ZBA prefers input from the Planning Board prior to hearing a case. Chair Keysa also stated that over the years, the Planning Board has recommended many projects for Town Board approval with the condition that a variance must be obtained from the Zoning Board of Approval.

At 9:00 PM Steven Socha made a motion to adjourn the meeting. Motion seconded by Neil Connelly and unanimously carried.