Town Board Minutes

October 18, 2004

Meeting No. 35

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 18th day of October 2004, at 6:30 PM and there were

PRESENT:
DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPNIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
MICHAEL MYSZKA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

ABSENT:
REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN GOBER, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER

ALSO PRESENT:
JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
ROBERT LABENSKI, TOWN ENGINEER

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 SEQR REVIEW OF THE
JOE BASIL CHEVROLET SITE PLAN

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Joe Basil Chevrolet site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCIL MEMBER STEMPNIAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

NOTICE OF DETERMINATION:
JOE BASIL CHEVROLET SITE PLAN
NEGATIVE DECLARATION

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues 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

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 11.09 acres.

The location of the premises being reviewed is situate at 5111 Transit Road, County of Erie, Town of Lancaster, New York.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.

B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.

C. The proposed action will not result in any adverse effects associated with the following:

C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

No significant adverse effects noted

C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

No significant adverse effects noted

C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

No significant adverse effects noted

C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

No significant adverse effects noted

C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

No significant adverse effects noted

C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

No significant adverse effects noted

C.7 Other impacts (including changes in use of either quantity or type of energy).

No significant adverse effects noted

D. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).

E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s_____
Robert H. Giza, Supervisor
Town of Lancaster

SEAL

October 18, 2004

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	WAS ABSENT
PLANNING BOARD MEMBER KORZENIEWSKI	WAS ABSENT
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

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ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY COUNCIL MEMBER AMATURA FOR ADJOURNMENT OF THE MEETING, on roll, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	WAS ABSENT
PLANNING BOARD MEMBER KORZENIEWSKI	WAS ABSENT
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The meeting was adjourned at 7:08 P.M.

Signed _____
Johanna M. Coleman, Town Clerk