

PLANNING BOARD

Town of Lewiston 1375 Ridge Road Lewiston New York

Thursday – April 17, 2025

Agenda- Salerno 2761 Ridge Road (A), Bosso 1754 Ridge Road (B), Shaaban 1527 Swann Road (C), 5/4 Development Corp Presidents Park Washington Drive (D)

Present: Baker, Burg, Gallo, Lilly, Taczak

Abstain: Conrad and Sandonato

Presiding: William Burg, Chairman

Burg: I'd like to welcome everybody to the Town of Lewiston Town Planning, Thursday, April 17, 2025.

Roll Call

A motion to approve the minutes of March 20, 2025, was made by Taczak, seconded by Baker and carried.

Burg: We have 4 items on the agenda. First one up is Pamela Salerno. State your name for the record and tell us your project.

Pamela Salerno selling my farmland.

Burg: And do you we have a plan for the lot you are splitting off?

Salerno: The farmland? I'm selling it my husband passed away a little over a year ago.

Burg: Sorry about that.

Salerno: I need help. So, I am just selling it 30 some years. It will be used for corn and soy beans.

Burg: So, it's going to remain farmland as far as you know.

Salerno: Yes.

Burg: Any questions from the board?

Lilly: So, the purpose is basically to down size?

Salerno: Yes.

Lilly: You're going to stay in the one smaller parcel property and sell the larger vacant land. Pretty straight forward then. Anything else you'd like to mention?

Gallo: Your septic is not going to be impinged by this coming off.

Salerno: No.

Gallo: Ok.

Burg: Alright we need a motion to declare as a minor sub-division.

Taczak: I'll make that motion

Lilly: I'll second. We gotta do the SEQRA first. Motion for the SEQRA first

Masters: There is a short form SEQRA.

Burg: Alright I am sorry. So, we need to declare it a negative dec on the SEQRA.

Lilly: I'll make a motion for the SEQRA to be declared a negative declaration.

Baker: I'll second that.

Burg: All in favor

Members: AYE

Burg: Do we need to designate the Town Board as the lead agency?

Seaman: No.

Burg: Alright I need a motion to declare it a minor sub- division.

Taczak: I'll make that motion to declare it a minor sub-division.

Lilly: I'll second it.

Burg: All in favor

Members: AYE

Burg: Ok need a motion to approve or deny. Recommendation for the Town Board to approve or deny.

Lilly: I'll make a motion to recommend to the Town Board for approval.

Gallo: Second.

Burg: All in favor

Members: AYE

Burg: Ok that's it. Thank you

PB- 04-2025 (B)

Burg: Next item on the agenda is a lot split applicant Thomas Bosso 1754 Ridge Road. If you could state your name and address for the record.

Thomas Bosso 1754 Ridge Road, Lewiston.

Burg: And what do you have? What are you looking to do?

Bosso: I'm looking to break my lot basically a third out of it. I went in for the variance last month and I got it to have a 115, 118 or 119-foot frontage by 315-foot depth. I want to put a small ranch house there and then I will sell the big house its 2 story its just too much for me to handle this 6.5-acre lot. I jumped in too quick. So, I am going to move to the small house. 2000 square foot ranch.

Burg: And I see we have the approval from the Zoning Board of appeals for that.

Bosso: Yes.

Burg: For that variance. Any concerns from the building department.

Masters: No

Burg: Any questions from the board?

Baker: I have a quick question on page one four of Appendix B. The bottom of the page, item three, A, B, and C, I'm confused about the numbers. Like B, for example, total acreage to be physically disturbed. He's got four and a half acres. I don't think he's gonna disturb that. I think there's some confusion there. Just for the record. If you were disturbing four and a half acres then you gotta do a whole SWPPP plan and everything.

Bosso: I'm not touching the other four and a half acres.

Masters: Your only disturbance would be where you're gonna build the new house.

Boss: Yeah, and it wouldn't even affect the other part because it's right up the street.

Masters: So those numbers are probably off a little bit.

Baker: So, is that like a half an acre you're going to disturb, roughly?

Bosso: Roughly an acre.

Baker: Okay, so...

Lilly: B would be half an acre?

Baker: No, A would be an acre and B would be an acre. I think.

Burg: I think the 5.62 would be up on A.

Taczak: Yeah.

Masters: The total right now is 5.62, correct?

Bosso: Right.

Baker: 5.62 would be right.

Masters: And he's breaking off that 118 by 350, whatever that acreage comes out to.

Bosso: I don't know I'm still confused.

Burg: I think it's just the numbers in the form.

Baker: I think we have some kind of aerial photographs or something off the computer or something.

Masters: Pat, that new lot is under an acre. It's 41,300 square feet.

Baker: Yeah, I know, but I was looking at the other figures here, the 4.5 and the 5.62.

Masters: I just think he misunderstood the question.

Baker: Like B, total acreage to be physically disturbed, he had 4 1/2 acres.

Masters: Right.

Baker: Yeah, I know.

Masters: And it'll be probably a third to a half of an acre by the time he's done.

Bosso: Yeah.

Burg: And where are you going to build the new house?

Bosso: Pardon?

Burg: You're going to build the new house closer to range front?

Bosso: Yeah. You want to see it? Can I come up and show you?

Burg: Yeah, please.

Bosso: This is the existing house right here that's already there. And I'm going to put a little house right here. I'm going to break off this and that's it. So, this won't be disturbed at all. Just this little bit.

Lilly: You live in this existing house now?

Bosso: Yeah.

Lilly: Okay, so you're going to break off this lot? Which has been granted by the Zoning Board. And you're going to put this house here, and then sell this other house?

Bosso: Yes.

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Lilly: Ok. And you're going to have a separate driveway?

Bosso: Yes.

Lilly: And the existing driveway will not be on the new lot, will it?

Bosso: No.

Taczak: It will be shared.

Bosso: No. I wouldn't want to do that.

Burg: Okay. Thank you.

Baker: I was just confused about the numbers.

Bosso: Yeah, I probably filled it out wrong.

Baker: It's understandable.

Burg: Anything else from the board?

Lilly: No. I'll make a motion to declare the SEQRA a negative declaration.

Burg: Second?

Taczak: I'll second it.

Burg: All in favor?

Members: Aye.

Burg: Need a to declare it a

Taczak: Minor sub-division I'll make that motion.

Baker: I'll second it.

Burg: All in favor?

Members: Aye.

Burg: Your all set.

Bosso: I'm all set.

Burg: Yep.

Bosso: Take care guys.

PB- 04-2025 (C)

Burg: Thank you. Good luck. Next on the agenda, Nameer Shaaban, you can state your name and address.

Nameer Shaaban: 1527 Swan Road. I already have two houses on one lot. And I'm looking to subdivide the front house of the back. So, I have two conforming lots. I got an area variance approval from the zoning board in February.

Lilly: Right now, there's two homes on this property.

Shaaban: Correct

Lilly: And you live in which one?

Shaaban: I live in the front.

Lilly: The front one.

Shaaban: My parents live in the back and another rental tenant lives next to them.

Lilly: So, the 125 by 203 is the lot that you want to subdivide and that's the right that's the house that you are going to reside in.

Shaaban: Correct.

Burg: Okay.

Taczak: I'm good.

Burg: Anything else from the board?

Gallo: The clip on that one property just in front of the driveway. The clip on the left upper left corner yeah.

Talking

Shaaban: We're not going into the into the driveway.

Burg: Okay we need a motion for a negative dec on the SEQRA.

Lilly: I'll make a motion for a negative declaration for the uh SEQRA

Burg: Second.

Taczak: I'll second it.

Burg: All in favor.

Members: Aye.

Taczak: I'll make a motion to declare it a minor subdivision.

Lilly: I'll second it.

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Burg: All in favor.

Members: Aye.

Burg: Oh, I'm sorry, we need a motion to...

Lilly: I'll make a motion to approve the applicants' split, lot split, and go on to the town board.

Burg: To recommend the town board.

Lilly: Recommend approval to the town board. Yes.

Taczak: I'll second it.

Burg: All in favor.

Members: Aye.

Burg: All right. All set. Thank you.

Shaaban: Thank you!

PB- 04-2024 (D)

Burg: Okay, next on the agenda is five-quarter development. Dave, could you step up. I don't want to go over the whole project. I don't think we need to go over the whole project. But just for the record, if you could just point out the things that you've changed since our last meeting.

Giusiana: Well, the last meeting that I attended, if you remember, I had actually... made changes between the submission and the actual meeting so some of the stuff was showing the crosswalks. Clarifying, some of the jigs and jogs with the water lines. I'm trying to think getting the parking count, right. Tim pointed out some fire separations with the one detached garage building, so that was. So that I mean that was that was really from the yeah, I mean that was really kind of it. Everything else was just kind of clean up. And, again, the one big thing was addressing moving the building, so now we are 250 plus back from our easterly property line from the 3F Club really as far as we can we can move it away from, from there.

Burg: Okay.

Giusiana: Yeah. That's really it.

Lilly: That's 200 feet?

Burg: 250.

Lilly: 250

Burg: That changed.

Lilly: Before you get to the property line, before the 3F property line.

Burg: Right. Any questions?

Lilly: On the SEQRA you have that you're going to start in April 2025, which is just about 10days away. Pretty much maybe when you leave, you're going to start breaking ground, I guess.

Giusiana: Well, I think we all know that SEQRA's been edited about 600 times.

Lilly: And it would be done in a year, so. I just think that maybe on the record here tonight, maybe something could be changed to be more realistic in four phases. I don't know what your thought and my thought that they could just take... We still have got to get through the final plan.

Giusiana: No, at this point, realistically, we're probably looking at spring of next year. One of the couple of things that's gonna I just learned, the water study that we have to do, that's three months minimum, right? So that alone, just to get all the information we need to even finish up the engineering, we're looking at, the summer's gone, and then the rest of the approvals through Town Board. So yeah, we're probably looking at October, November, and then the construction documents for the buildings, we don't really need to do those as part of the engineering, so that'll probably happen in November. Bidding December, January, December and January for spring of 26, construction start.

Lilly: Okay, I think that would sound more realistic, and perhaps, who knows, maybe even longer. And then how about construction? How long?

Giusiana: All the different people that we've talked to, again, that's one of the problems that every time you guys ask us about phasing, some of it's being tied into how it finances, but also some of the people we're talking about with the actual physical construction of buildings, we're talking about coming in and being able to get it all done in

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150 days. Right. If the money's all there, but yet, if the money's going to come more incrementally, then we're going to have to build the buildings a little more incrementally, so I can't really give you a better handle on that. And a lot of that, again, depending on us getting all the sort of final approvals, at that point, then we don't have \$25 million in our bank account, just a few dollars short of that, so we have to go out and find the rest of the money to fund this.

Lilly: No, because I looked through the SERQA, and to me, it seemed accurate, except for that kind of, to me, it stood out quite...

Giusiana: Right. And that's our fault.

Lilly: I think it would be better to be as realistic and accurate as we can and maybe even come in and be done before that, be realistic in construction.

Giusiana: I don't see any scenario that doesn't put us until the spring of next year for a start.

Lilly: I agree with you.

Giusiana: We just can't physically get the information we need to do the engineering and then the engineering itself and then the rest of the approvals.

Lilly: Correct.

Giusiana: about getting the drawings, everything back with us really quickly, but you never know how long it's going to take for the final engineering review.

Burg: All right. Anybody else from the board?

Baker: I've got a quick question on page 713 of the SERQA, the item J on the numeral 8, just for the record.

Burg: That's part 2?

Gallo: Its either Part 2 or 3.

Talking

Taczak: It's gotta be part 1.

Baker: Part 1.

Burg: Yeah, part 1.

Lilly: Page 7 you said?

Baker: It's an omission I think, a simple one. Will a proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? You didn't check anything, yes or no?

Giusiana: Well, there really is no bike routes in that neighborhood.

Baker: So, the answers is no. I understand. I don't know. Bob, how do you answer that?

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Lannon: Well, item J, will a proposed action result in a substantial increase in traffic above present levels. or generate substantial new demand for transportation facilities or services? Check no. If yes, you do the rest. So, with an answer of no on line J, he could have skipped everything and went to K.

Giusiana: To that point, though, we are putting sidewalks on both sides and then...Within the interior, there's full pedestrian and bicycle.

Baker: That's what I had in mind, so I didn't know how this would apply.

Giusiana: On our site, but again, once you get to Washington, there's no bike path there.

Baker: So, it's not going to connect to part of the other development that's already there?

Masters: There's no pedestrian walkways in the rest of the sub-division.

Lannon: Or bike paths.

Baker: Alright sorry. Thank you.

Giusiana: No, you're right. Bob will tell you better than anybody else, the problem with the SERQA form is there's just so many weird conflicts and ambiguities.

Lannon: It can be a little tricky.

Giusiana: And then what makes it worse is when you use the automated EFA mapper that the state provides. It's great because, on one hand, it fills out a lot of stuff, but then it doesn't. I mean, on one hand, if you fill it out automatically for our project, it still says we have wetlands, even though we don't. So that's one of the other problems with the SEQRA process.

Baker: Thank you.

Taczak: On that same part one, I'm looking at page 12 of 13. Let's see it would be E2Q. Is the project or joining area currently used for hunting, trapping, fishing, or shell fishing? Yes. And then if yes, give a brief description of how the proposed action might affect that use. And I'll read what it says. The adjacent property is owned by the 3F Club, a hunting and fishing group, construction of the project will require, you said it will be required, I think there's a typo there, the 3F Club to comply with DDC regulations regarding discharging of firearms no closer to 500 feet to adjacent residences. Closest building will be approximately 200 feet. share properly line that's...part 1 it's still part 1.

Burg: Ok.

Taczak: I got it highlighted if you want

Giusiana: I didn't attorneys here and then my brother joey took care of this so I didn't. So yes.

Taczak: In other words, and I guess what I'm asking is you're coming in you have every right to do what you want on your property but you're also looking at doing, something for the adjoining property owner who's been there a whole lot longer than you have and saying you have to change your facilities because I'm, I'm coming in

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Giusiana: Yeah, that's correct.

Taczak: I just wanted to be clear okay.

Giusiana: Just to be clear too tomorrow, also told the board I could go in for a building permit...

Taczak: I realized that.

Giusiana: 20 feet from that property line.

Taczak: I totally agree with I'm not I'm not disagreeing with anything you're saying. But I just wanted my own satisfaction to be clear.

Giusiana: It's a regulation the 3F Club has to abide by not one that we have to abide by.

Taczak: I understand. I understand.

Burg: You got anything to add Bob?

Lannon: On the part SEQRA or this specific.

Burg: On the SEQRA.

Lannon: uh I had identified and I guess what I might preface is a concept plan I'll say the bars is pretty low okay um the challenges could the project could run into maybe, maybe not. I would call a proof of concept to go from a concept plan to a detail design, water, sewer we talked a little bit past analysis, um, there is a jurisdictional determination on wetlands. You've got June 11th of 2021. I believe that developed for five years. If the project goes beyond that, which it sounds like it will, simply we'll have to just to get another jurisdictional determination at that time. So, of 26, that current jurisdictional determination will expire. Just renew and revisit it. Stormwater, you've got to comply with the stormwater prevention plan DEC permit regulations and the life. Stormwater, water, sewer. And then my comment was construction of the project will result in impacts to the adjoining 3F Club with regard to the discharge of firearms within 500 feet of residential structure. Which is kind of what we just said.

Lilly: And you've tried to accommodate this as best you could by moving the project closer to the it would be West closer to Washington.

Giusiana: As much as we could.

Lilly: Right.

Giusiana: Again, just go back through the whole history our original plan the buildings were even farther back, but the, Board suggested that the straight streets were too what the phrasing was at the time but too linear and so the advent of the curve forced the buildings to go farther to the to the east so, yeah, we tightened everything up as best we could.

Lilly: Okay.

Burg: Tim, do you have anything to add? What were you going to say?

Lilly: I think what town engineer alluded to the concept plan is a lower bar, and I'm okay with it at this point. But I think the biggest concern for me, and perhaps more for you would be the sewer of an 8-inch sewer line.

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Giusiana: We absolutely know that's a problem.

Burg: Right.

Lilly: And that would be whatever is involved with correcting that or making that so there's 110% no issues on any day, not only a dry day, a sunny day, a rainy day, any day.

Giusiana: Which everything that we come up with is all going to be filtered through your engineers.

Burg: And when it comes to the detail plan, the onus is going to be on the applicant to make sure that the infrastructure is...

Lannon: Higher bar.

Burg: Yeah. Exactly. Yeah, but what is before us is the concept plan. Right, right.

Giusiana: No, we've been working closely with Bob to make sure it works before we get... Yeah, that's our first problem to solve. It's like stormwater is not a problem we have the acres all over there to hold our own water. So, stormwater is not a problem. And then potable water, that's not a problem at all either. It is. It's just sewage and it's a problem we realize we have. And we'll solve it. But we'll, again, we'll solve it after we get a little more information.

Burg: Anything else from the board?

Lilly: No, I'll make a motion if you like.

Burg: I'd like to make a statement. We've got a couple of housekeeping issues I have an email from one of our planning board members that was sent out to the group Henry Sandonato, he's not here today. It's not a vote, but I just want to make sure that it's in the record you can pass that. And I do want to make a statement as chairman and my thoughts. We've heard from the applicant. We've heard from 3F. We've heard from a lot of town residents. And the town code control in this development. I highly recommend that. Is anybody here from the 3F? I'm the only one. I would highly recommend that there be some dialogue between the developer and 3F. Maybese maybe there's an option that we haven't thought about. But some kind of formal dialogue outside of the outside of the public arena where maybe we can come up with a compromise that that is mutually beneficial for everybody

3F member: The problem is the loss of the usage of 150

Seaman: Sir with all due respect its not a public hearing. I'm sorry that's been closed I apologize.

3F member: They asked me if anybody was here.

Talking

Seaman: He didn't ask you what your comments were. I am sorry.

Burg: My point is the point is we've heard threats of lawsuits and attorneys and instead of wasting the money on those things I just think it would be beneficial for everybody if, the developer has made a lot of concessions trying to make this project work and the 3F Club has some legitimate concerns and I just think that for the benefit of everybody if those if those two groups could get together and maybe there's an idea that we just haven't, thought of to make it more palatable for everybody I mean and with that said it is important to remember that this is

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almost a mirrored image of a project that was approved a couple of years ago. The applicant is in his right if, if we so choose to deny this he's in his right to move forward with his original application without any of the input from the 3F and the citizens that brought up on this when we presented a new application and again we're a recommending board so the Town Board has the final deciding their the final decision for this project so it would be another open hearing but given the history of the project I feel it's right that we move this project along back to the Town Board. So, currently, I'm looking for a motion on SERQA, and then we'll need a motion for approval of the concept plan, or a motion to deny the concept plan.

Lilly: I'll make a motion to approve the SEQRA as a negative declaration.

Taczak: I'll second it.

Burg: All in favor.

Members: Aye.

Lilly: I will also make a motion to approve the concept plan for the applicant and to move forward to the Town Board.

Burg: It's a motion to recommend approval to the Town Board.

Lilly: Recommend approval to the town board.

Burg: Oh, I need a second?

Baker: Second

Burg: All in favor.

Members: Aye.

Taczak: I also will vote, but I'd also like to add one comment, if I may. I still have concerns, but conceptually, it fits the bill, and this is a conceptual approval. But I still have some concerns, and I'll leave it at that. Thank you.

Burg: Thank you. Thank you very much.

Gallo: I guess to follow up on a comment like that, there's always, whenever anybody has any property, is to anticipate what changes to your neighbors would. And that's something that, again, I'm not going to get into who's done what, but if you've built something that may impose on what the neighbors do in the future, that's something that you should consider whenever you own a property. Because it is something that can't come back and bite you at a later time.

Taczak: Exactly. I couldn't agree with you more.

Seaman: Chairman, could I recommend that you pull the board on the last question, the question of the approval, the recommendation of the approval of the concept plan to the town board

Burg: Sure.

Seaman: Just to be perfectly clear, because then there was some conversation, so I recommend you pull the board on that last question. Okay.

Baker: Not SEQRA.

Seaman: Not the SEQRA. The SEQRA was a 5-0.

Burg: Yep. Pat, do you approve or?

Baker: I approve.

Burg: Ken Lilly?

Lilly: I made the motion, so of course I approve of the concept plan.

Bill Berg, I approve.

Bill Taczak: I approve.

Gallo: I also approve

Burg: Thanks very much, appreciate it.

Lilly: All right, I'll make a motion to adjourn the meeting.

Baker: I'll second.

Burg: All in favor

Members: Aye.

Burg: Thanks, folks.

Respectively submitted,



Lisa Wisniewski
Building Dept Clerk



William Burg
Planning Chairman