

## PLANNING BOARD

Town of Lewiston 1375 Ridge Road Lewiston New York  
Thursday – October 20, 2022

**Present:** Baker, Burg, Conrad, Lattanzio, Lilly, Taczak, Waechter

**Presiding:** William Burg, Chairman

**Burg:** I'd like to welcome everybody to the Town of Lewiston Town Planning, October 20, 2022.

**Roll Call**

**Burg:** We do have a forum. We have one item on the addenda for 5/4 Development we are going to continue the public hearing that we opened up at the last meeting two months ago. Is there anyone here who wants to speak for or against this project? Please step up to the mic and state your name and address

**Patty Yacus:** Patty Yacus Creek Road we have a lot of traffic on Creek Road and this is going to create a lot more. Sometimes we can't get out of our driveway on Creek Road two way and when we are ready to come out, they are coming out of the woods of Blairville and this is just only going to get worse.

**Burg:** And where are you on Creek Road in relation to this project?

**Yacus:** We are kiddy corner from the first entrance to wood of Blairville going north.

**Burg:** Ok

**Yacus:** Is there any hope in getting a traffic light down here or a study done if this does go through?

**Burg:** Bob you did a SEQRA in your SEQRA you mentioned that you didn't see the need for a traffic study.

**Bob Lannon:** We sent out a coordination letter one of which was to the DOT for this very subject and did not hear a thing they did not they did not object or did they comment what so ever. If I may; if a traffic light on Creek Road would clearly be in the subject for the DOT for them to consider.

**Burg:** Thank you! Anybody else. Alright, I don't think we need a motion to close the public hearing. I Would like to close the public hearing.

Seaman: The submission that you do have on this project today is that the coordinated review is completed GHD and Bob Lannon completed part 2 and 3 with the SEQRA with the recommendations. So that is before the board so you will be able to.

We left the public hearing open last time so you could complete SEQRA so that you do make a determination about approval of concept you could make a recommendation on the SEQRA first. So that's new before the board if you have any questions about that I Mr. Lannon would be happy to walk you through and portion of the SEQRA analysis.

Taczak: Mr. Lannon, anything pop up on SEQRA that you would like to say?

Lannon: I will give you a quick run down of what we went through and how we do it

Lilly: that would be great

Lannon: So, we sent out meeting coordination letters dated September 7, and we error on the side of being a bit conservative to do the leading chief coordination. The threshold is 10 acres this was 9, but it was close and also the consideration of traffic as mentions from the prior planning board meeting from the resident that exhibited about the traffic should be elected to go for review those letters were sent out on September 7, and we sent those to the NYS DEC, Army core of engineers, NYS department of transportation, NYS office of parks recreation and historic preservation and Niagara County Department of health. The only comment we got back was from the NYS DEC which did not object to the town being lead agent they had what I would consider a fairly standard response. They talked about the disturbance would be greater than 1 acre that's standard practice. They also talked about a detailed downstream compacity analysis, is required for the sewer connivance that is exceptionally a study that needs to be done by the applicant to confirm that there is enough connivance compacity between their site and the waste water treatment plant. That's a very standard exercise. Then the third item deals with a northern long eared bat they have made mention that there is no evidence of them on the site but however they also understand there is going to be clearing of up to 2 acres of trees and they said that if any tree cutting is proposed it should be planned during the hibernation season which is from November 1<sup>st</sup> to March 31<sup>st</sup> of any calendar year. So, they made a condition about the clearing and that was really their only comments from NYS DEC and no other comments were received from any other interested or involved agencies. So, with that we went though the part 2 identify what other comments and concerns we have made responses and summary and part 3 there is documentation which should be in your package item by item assessment of what our interpretation of those conditions and includes based on that evaluation we will recommend a negative declaration. I can go through those in detail if you like.

Berg: Has everyone read the SEQRA

Lilly: I am fine with it

Burg: Any other comment from the Board?

Waechter: The only thing that we discussed at the last meeting was a construction schedule. As far as timing I don't think that was received or is there been additional consideration on that?

Giusiana: There is a very detailed construction pattern about the engineering of the project. The concern about the construction schedule seems to be more about putting all the amenities on line and we still trying figure out how exactly that's going to stage out. But the other part of this the concept plan more about the engineering.

Berg: We will need it on the final engineering plans

Giusiana: You will defiantly have it by then. We will be more informed relative to that point having a construction manager involved and having 30 years' experience ourselves. I think we will settle for other expertise to finalize this kind of work.

Waechter: Then are you going to take into consideration the DEC's recommendation to clear cut during that time period?

Giusiana: oh yeah absolutely that will not be a problem

Berg: It seems like there is pretty good window to be able to do that portion of it That's only for the rule of the trees.

Anything Else??

I will make a motion to approve the SEQRA

Waechter: If I may, I think you have two members of the public that arrived late I don't know if they are interested in speaking

Berg: The public hearing is closed

Waechter: Closed that's right Sorry

Berg: If somebody wants to make a motion to reopen the public hearing  
Did you want an opportunity to speak

Public: I do sir about the traffic, the traffic on Creek Road

Berg: I will make a motion to open that public hearing

Lilly: Second

PB 2022-10C

Berg: Public hearing open again. Can you please state your name and address

Frank Sandianto: Creek Road.

I am on the corner of Washington and Creek. The traffic now I can't get out of my driveway sometimes. I have no problem with growth. Have they studied this?

Berg: No not at this point. The SEQRA at this point wasn't recommending a traffic study but that's something that can be done down the road.

Lannon: The DOT made no comment what so ever

Berg: So, it would be up to the DOT to do the traffic study. We can request a traffic study if the DOT see it

Sandianto: Maybe if they fixed the parkway more people would use it

Berg: Yeah

Sandianto: And it would take some of the heat off of Creek Road

Berg: Yeah, I understand and again DOT is the custodian of that so if they decided we need a passing lane, light or what not. They would make those recommendations.

Sandianto: I have one more question. Wasn't this project started years ago? When did it stop?

Giusiana: The original version of this project stated 20 plus years ago. Stopped because of weather transition during construction. It was postponed for a long time our priorities for developing other projects changed and now we are moving on to develop the property. We have owned the property for 30 plus years.

Berg: We need to make the comments towards the board and not to the audience

Sandianto: Sorry can I ask David a question

Burg: Sure

Sandianto: How are you going to exit all these apartments?

Giusiana: I think that one of the investments we have is that there is Maddison Jefferson Washington there are 3 exits onto Creek Road its not like there is one way in and out its going to be divided at some point talk to the DOT about a traffic light

Sandianto: As I said am all for it. It's just hard to get out of the driveway sometimes, and they run the stop sign on Washington and I am right there on the corner. So, I think the are going to stop and I go to pull out no they cut me off.

Berg: There should maybe be one other stop sign on Washington to slow traffic and then enforcement too

Sandianto: That's my biggest problem is the traffic

Berg: Thank you! Close the public hearing

Conrad: Motion to close the public hearing

Taczak: Second

Berg: Any other comments from the board?

Waechter: The only other thing I would say is that the traffic is a concern and again that is regulated by the DOT. That's where I would direct your questions/ concerns as far as that. I do know that Lewiston Porter is looking and has been actively campaign the DOT for a light down by the school campus. I appreciate you coming out and voicing your concern I would just recommend that you take your concerns in that direction.

Berg: Again, what's in before us today is a concept plan there will be another public hearing once we get the final engineers plans there will be public hearings with the town board as well. Everybody's concerns will be addresses.

Sandianto: Can I speak again

Berg: The public hearings closed, if its brief

Sandianto: As I said I have no problem with this nice apartments I understand very nice it's just the damn traffic. I have a hard enough time as it is

Berg: We understand we totally appreciate that Thank you! We under stand I drive down Creek Road all the time as well

Any other comments from the Board?

Lilly: I will make a motion to approve SEQAR

Waechter: Second

PB 2022-10E

Lilly: A negative declaration for SEQAR

Waechter: Second

Berg: All in Favor

Members: AYE

Berg: Motion to approve the concept plan

Waechter: I would like to make a motion to approve the concept plan and as it moves forward towards to town board for final approval that it includes any plan and construction for the public component of the PUD.

Baker: Second

Masters: for the detail or the concept?

Waechter: detailed

Berg: we have second all in favor

Members: AYE

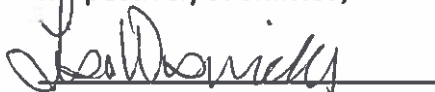
Taczak: Motion to close the meeting

Waechter: Second

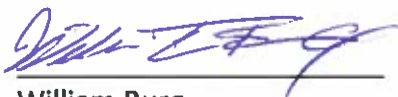
Berg: all in favor

Members: AYE

Respectively submitted,



Lisa Wisnieski  
Building Dept Clerk



William Burg  
Planning Chairman