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REGULAR MEETING OF THE TOWN OF EVANS PLANNING BOARD WEDNESDAY, AUGUST 23, 2017

MEMBERS PRESENT: T. Catalano, A. Sellers, J. Pinter, B. Bergum, M. Connors

ALSO PRESENT: Roberta Rappoccio, Director of Planning & Community Development

EXCUSED: J. McEvoy

ABSENT: C. Castiglia

Planning Board Chairman, Ted Catalano opened the meeting at 7:00 P.M. The meeting took place in the Court Room of the Evans Municipal Center, Erie Road, Angola, NY 14006.

Chairman Catalano: I would like to welcome everyone to the August 23, 2017 Planning Board meeting. If anyone wishes to speak this evening, we do have a sign-up sheet up front here. Please sign-up on the sheet and we will call you in order of sign-up. Regarding the minutes from the July 26, 2017 public meeting are there any additions, corrections or questions or may I have a motion to accept them as submitted. Motion please.

Mr. Bergum: I will make the Motion to accept the minutes.
Ms. Sellers: Second.

***Vote:** All in favor. So moved.*

Chairman Catalano: Motion is carried. The first item on the agenda this evening is a:

- **Site Plan Review** – for eight (8) apartment buildings, housing eight (8) units each on a 6± acre portion of a 14± acre parcel located near the corner of Beach and North Main Street, Angola, NY. Property owners E&K Estates, LLC, SBL# 235.07-4-5. Petitioner: Metzger Civil Engineering, PLLC, 8245 Sheridan Drive, Williamsville, NY 14221

Application was filed for this project this past July and it was brought before the Planning Board at our July 12th Work Session and scheduled for a Planning Board meeting on July 26th; at the request of the applicant that meeting was postponed. The Planning Board will not be taking any action on this project this evening, as we are awaiting copies of documentation from outside agencies from the applicant. Having said that, since the project has been duly advertised, we will be taking comment from the public here this evening. Again, may I remind you, we will not be taking any action on this project this evening; it is strictly a time for you to provide your concerns and input. Before we do so allow us to provide you with a bit of history on the property:

- In August 1996, at the request of the then property owners, the Planning Board recommended a conditioned rezone approval to the Town Board for a 9± acre portion of the 14± acre parcel located on the east side of North Main Street, north of Eden-Evans Center Road from Community Facility (CF) to Multi-Family Residential-3 (MFR-3). The 5± acre portion, the majority of which is wetlands, is zoned Recreational Facility (RF) and is to remain undeveloped to protect the creek at the rear of the property.
- In October of 1996, the Evans Town Board held a public hearing and as recommended by the Planning Board, approved the conditioned rezoning of the 9± acre portion of the property for the purpose of constructing townhouses only.
- In February of 1997 the Planning Board recommended approval of the Preliminary Plat for the major subdivision known as the Towne Houses of Old Mill Run consisting of 6 town house buildings with 6 units each.
- In April of 1997 the Evans Town Board granted Preliminary Plat approval for the Towne Houses of Old Mill Run. Several extensions were granted on that preliminary approval, as the developer continued to

submit required materials before Final Plat approval; the townhouse development was eventually abandoned.

- Subsequently, in June of 2002, a revised project was proposed on the property and in June of 2002 the Planning Board recommended Preliminary Plat approval with conditions to the Evans Town Board for a cluster development. Further, the conditions of the 1996 rezoning were to remain in effect with the exception of the condition limiting the rezoning to townhouses only; the Planning Board recommended that condition be rescinded.
- In July of 2002, following a public hearing, the Evans Town Board approved the Preliminary Plat with conditions as recommended by the Planning Board for The Patio Homes of Old Mill Run, consisting of 25 single-family dwellings situated on 6± acre portion of the 14± acre parcel.
- In July of 2005 subsequent to Planning Board, Engineering and County review, the Town Board approved the Final Plat Subdivision for The Patio Homes of Old Mill Run consisting of 25 lots, contingent upon the applicant signing the Public Improvement Permit Agreement and other contingencies as set forth. No further movement had occurred on this project.
- In summary, the property had approvals for two different projects and had changed hands several times over the past 13 years with no development having been completed. The property has once again been sold and the current owners have proposed this new project before us this evening.

Are there any questions or comments from the Board or Planning Consultant before I open the floor to the public?

Ms. Sellers: I have a couple of comments and I would like our Planning Director to correct me if any of my understandings are not correct. Nothing was ever put in the ground; no money was spent in the ground except for the two pillars out at the road, which doesn't count. So all of the previous approvals and plans that were approved are no longer valid. So the developer, no matter what they are proposing, has to start over. So, while the Planning Board can listen to all of your concerns and we can change a few things for the site and plan approval, but what we can't do is change the zoning. He bought a property that is zoned multi-family residentia. 3 so he has the legal right to put in the number of apartments in that area because he fits the zoning. What we ca. change are things that might concern you; maybe where the road comes in or comes out or where lights would shine, etc. I remember Carl being worried about poinsettias in greenhouses having lights on them years ago. So there are some things we can change but what we cannot change is the fact that this developer, E&K bought a multi-family residential zoned piece of property; just so you understand that we cannot change. They have submitted a plan and before any of that is approved your input is really important to us, however, we can't deny the project. Am I correct on that Roberta? There isn't anything I said that is incorrect?

Director Rappoccio: Yes, all the other approvals have expired and right now this is a whole new process coming in.

Chairman Catalano: Is everyone on the Board okay with that? *(PB members nodded in approval).* At this time I will open the floor to the public – please step up to the microphone, state your name and address, spelling your last name for the record.

(Planning Board Secretary retrieved the sign-in sheet and handed it to the Planning Board Chairman. Those who signed up to speak were called in the order in which they signed up and according to the agenda item they wished to speak on)

Linda Kravitz, 8557 North Main St., Angola: We are the property owners directly next to this project on the north side. I have a letter and questions from all of our neighbors *(copy of the letter was given to the Chairman).* We have many questions as you can see on here that we would like addressed; I'm not sure if that is something we do tonight.

Chairman Catalano: We are not going to be voting on this project tonight.

Ms. Sellers: But you are very welcome to speak so we are all well aware.

Ms. Kravitz: Thank you. These are concerns of all the neighbors and I just compiled them all. How will the drainage and the pre-treatment be handled? There is an open ditch with 12" pipe under the driveways.

Director Rappoccio: Where is this? What property? What drive-ways?
Ms. Kravitz: Our driveway. There is a ditch in front of that property.
Director Rappoccio: We will not be able to answer your questions tonight.
Ms. Kravitz: What adverse affects, if any, will there be on the current natural wetlands? We have several wetland sensitive areas on the south and east of our property.
Director Rappoccio: That portion of the property has already been rezoned to recreational facility, so it cannot be developed.
Ms. Kravitz: My husband used to be a surveyor and he talked to the surveyor who surveyed it and apparently there was some sensitive areas that were staked out on the site plan and they are showing buildings, garages and parking lots being erected right on top of those.
Director Rappoccio: There are some wetlands in the back corner but they are not on top, they are definitely outside of the building buffer zone. They will have to go for a DEC wetland permit for the drainage pond they are proposing.
Ms. Kravitz: Is the county going to monitor all the water, construction and maintenance?
Chairman Catalano: I don't know at this time, but again these are questions that we are definitely going to get answers for.
Ms. Kravitz: Where will the sewage lines be run? There is already quite a stench between our houses that some other of the neighbors are here to talk about because they call quite often and that needs to be alleviated and then they are going to add 64 new families in, so what's going to happen with the sewage?
Ms. Kravitz: What affect will this have on the water supply system and water pressure in our area?
Ms. Sellers: Do you have problems with water pressure right now?
Ms. Kravitz: No. Since North Main Street is a County Road, what provisions for traffic control will be done?
Chairman Catalano: That is not part of their plan.
Ms. Kravitz: The speed limit then will be addressed due to the increased traffic there?
Director Rappoccio: What is it now, is it already thirty?
Ms. Kravitz: Forty-five. And the driveway for that is going to be coming out right where that curve in the road is and it is already a very narrow road with a narrow shoulder.
Director Rappoccio: That is something we can address as a Board.
Ms. Kravitz: What kind of rentals are these apartments going to be; low income, senior, general public?
Director Rappoccio: These are market rate; general public market rate.
Ms. Kravitz: So once they put in sixty-four apartments and they can't rent them, what are they going to turn into?
Director Rappoccio: They are phasing the project. They are actually building two buildings first, so16 units, they are only building the buildings as they need them; they are not going to build out first. We have to approve the project as if it's totally built; they are actually phasing the project, so only two buildings will be built.
Ms. Kravitz: Do you know where they are starting; which buildings?
Director Rappoccio: At the road; you go in and then back.
Ms. Kravitz: Do you know what the rent cost is going to be?
Director Rappoccio: I do not.
Ms. Kravitz: Do you know what the screening process for the tenants will be?
Director Rappoccio: I know they do have a track record. I know they do have a complex in Arcade and they do manage the property themselves. I've been by their property in Arcade and they do a nice job with that one so they do manage their own property.
Ms. Sellers: Truthfully, we are never involved in the cost of the rents, the screening that the owner does for the tenants or that type of thing.
Ms. Kravitz: You need to understand and I think it needs to be asked of the developer we are having 64 new families move into our backyard so we want to make sure that these people are being screened.
Ms. Sellers: I understand totally, we can ask but we have no control over that.
Ms. Kravitz: Will there be a building manager living on the premises?
Director Rappoccio: I don't know.

Ms. Kravitz: Will there be security for the complex? What kind?
Director Rappoccio: We can give all these questions to the affected property owners.
Ms. Kravitz: Will there be increased police presence if it's needed? I know the Town would be responsible for that. How will the property be maintained? Will there be a maintenance manager onsite? Will pets be allowed?
Chairman Catalano: Like I said I have seen their property in Arcade, but these are great questions and we are going to ask them for answers.
Ms. Kravitz: Do you know when the builder plans to begin the project; the building of it?
Director Rappoccio: I assume phase 1 would be after they get all their approvals.
Ms. Kravitz: And how long does that normally take?
Director Rappoccio: They still need to go before the Town Board. Wait, they just have to go through us.
Ms. Sellers: We can't really tell you that. I know they need a County permit because it is a County road and everybody will have to sign-off; the head of every department, like water, the County would have to sign-off on the sewage. This developer cannot be made responsible to fix a sewage problem on another person's property that is pre-existing, but on their own property and on a new development, if there is something on that property to be taken care of they are responsible for that. The same with drainage we can make them responsible for the drainage of their own property, but if there's a drainage problem on neighboring properties all we can tell you is they will not be allowed to drain onto a neighboring property.
Ms. Kravitz: So all the sewage that's running off their property they are responsible for putting in that, but where's it going to? Is it the responsibility of the Town or the County?
Ms. Sellers: There shouldn't be any…
Director Rappoccio: The point is it doesn't leave their property.
Ms. Sellers: Well the sewage does but it goes to the County sewage system.
Ms. Kravitz: So the County's going to be responsible for making sure everything is adequate.
Ms. Sellers: They'll need the County permits. The drainage ditch, probably they will not have open drainage ditches because generally you don't see that anymore; that's what's pre-existing, but that's storm water I'm talking about.
Ms. Kravitz: Filling 64 apartments; all of us in the neighborhood are kind of wondering how…you've mentioned they are going to do it in phases but…really is there a need for 64 apartments?
Director Rappoccio: The Town in general is lacking in apartments definitely and they have done market studies to prove that they have the demand; they wouldn't even bother if they didn't.
Chairman Catalano: They wouldn't even consider the project if they didn't.
Ms. Kravitz: Who did the market study?
Director Rappoccio: They did.
Ms. Sellers: Whether or not they will fill more than the first 16 units in Angola right off the bat, we have no way of knowing. We went through all of this with the other projects in past years and they never went anywhere. We've every reason to believe from what we see in the market here, that those first two buildings will be built and it is important for you to know that whether or not you ever get the whole build-out or not is something that we can't project.
Ms. Kravitz: So if they are going to do it that way, could they start with the furthest back building?
Ms. Sellers: It probably is not economically feasible because then they would be paving and mowing, etcetera through areas that may or may not ever…
Chairman Catalano: Never knowing if they are going to develop the back, they are not going to do that.
Ms. Kravitz: Because the front buildings are the ones that are going to have the effect on the two properties on either side of it.
Ms. Sellers: Oh I understand.
Ms. Kravitz: So as far as most of these questions, it's not things like landscaping, barriers, buffers, berms, fences; things you can't answer.
Mr. Pinter: We can answer those; we'll be part of all of that.
Chairman Catalano: That's something we can do as a Board; that's something we ask them for.
Ms. Sellers: We have a lighting plan, a landscape plan and we can review those plans.

Ms. Kravitz: Do you already have those plans?
Director Rappoccio: Yes, and they are open to the public.
Ms. Kravitz: It's not on the site plan that we got a copy of from your office?
Director Rappoccio: The site plan is the one plan, there's probably like 15 pages and one of them is the landscaping plan and one of them is…
Ms. Kravitz: And we can get a copy of that?
Director Rappoccio: Yep, absolutely.
Ms. Kravitz: Will they be leaving up existing trees? There are a lot of big trees on that property. Will they be working around them?
Director Rappoccio: I would think they'd want to save as much as they can and it's only cheaper for them because they know that old growth is desirable.
Ms. Kravitz: And as for the lighting, do you know if the property is going to be lit up at night? I mean other than just the roadway with street lights or is there going to be lights on the buildings?
Chairman Catalano: I'd have to go back and look at the plan, but there is lighting on some of the plan and that is something we will definitely…
Ms. Sellers: We call for shielded lights that go down.
Chairman Catalano: They want the lights shining down, not out and with today's technology they know exactly how far that light will shine out. We want them to design the lighting that comes down so it lights the parking lot, but the light doesn't illuminate out. So, that is something as a Board that we have talked about and we are looking at and we have questions for them too on that.
Director Rappoccio: Yes, we have included that.
Ms. Sellers: We like pack lights against buildings that shine down.
Ms. Kravitz: The back of the buildings are facing my property. Are there going to be lights on the back of the buildings?
Director Rappoccio: No.
Ms. Sellers: I can't imagine there would be and we are not seeing any but it's something we definitely will ask.
Director Rappoccio: Yes, we can ask. I think the only light that might be visible is where we are going to put a parking light, but we are going to try and keep it low and facing inward. Of course we will work with them and make sure that it doesn't spill onto…
Chairman Catalano: Yeah, we don't want the light spilling onto the neighbors; absolutely not.
Director Rappoccio: That's something we will look at.
Ms. Kravitz: It's pretty close to us so I'm sure it's going to be a factor for us.
Director Rappoccio: Yep, absolutely.
Ms. Kravitz: We can see it on the site plan that there is going to be balconies on the buildings, on both sides I assume, so on the backside too that's facing my property. What about the first floor; do they have patios or yards of some kind? What is the situation with the first floor?
Chairman Catalano: I have not seen patios. They would like to put a trail in on the property with some benches so people can walk the property and sit; that's the only thing I've seen. I have not seen any patios.
Ms. Kravitz: Because normally most apartment buildings that have balconies, the first floors have something.
Chairman Catalano: For townhouses they do and condominiums they do, but for apartment complexes…
Ms. Sellers: I see a little bump-out on the building…
Director Rappoccio: But are those the balconies or are those the…
Ms. Sellers: I can't tell so that is something we will have to ask.
Ms. Kravitz: We are just wondering how far those are going to come out and how close they are going to be to our property line because even though the buildings are, I think 60-feet off our property line, still with the balconies and everything else coming off the back of the building it's going to be a lot closer than that. So we are concerned about that. This building from the front back, our question was the first building, the one closest to our property; could that somehow be pushed back to at least where our garage starts so that these balconies aren't overlooking all the windows at my house?
Ms. Sellers: In looking at the site plan, the balconies don't come as far back as the garages.

Ms. Kravitz: I know that, we've seen that plan. So they are overlooking all the windows of our house. Our house is kind of on the curve of the road so all of our windows look out the side of our house. So, whose ever sitting on their balconies will have a full view.
Chairman Catalano: Yeah, we will definitely…that's why I'm glad you are here and glad you are speaking because these are questions that we are going to hold them to. As far as moving the building further off the road, I'm not sure if they can do that or if they will do that.
Ms. Kravitz: It's just that first building.
Ms. Sellers: I think your advantage is there is a slant in the road coming down so their building 'A' is much closer to the road than your house. When I look at it…
Ms. Kravitz: It doesn't look as bad on there as if you were looking at it from our house because my husband just staked it out and put a stake out there.
Director Rappoccio: I don't want to hear you were trespassing.
Ms. Sellers: The natural green could be left as a natural buffer.
Ms. Kravitz: There is not a lot between where that is and where our property line starts.
Director Rappoccio: I know the whole property will be fenced at some point.
Ms. Kravitz: So we will have a fence for sure. There will be a fence?
Director Rappoccio: Uh huh.
Ms. Sellers: Which at sometimes not as desirable as a natural green buffer because fences are maintenance. We say fences are more attractive, but look at what happened behind Tops Market.
Ms. Kravitz: I don't think we'd want a fence up there in the front. Maybe if it was back further behind the garage maybe.
Ms. Sellers: You might request more green buffer.
Chairman Catalano: That's something we can do, we can request more of a green buffer.
Ms. Sellers: I'd consider that request really carefully about what you really want there. If you look around Town at developments where people have wanted fencing – it's different next to Tops because they have big trucks coming in and out and they have backyards coming up so close – but some of those fences are not attractive in 5, 10 or 15 years. If you can call on the plan for more green buffering you're sometimes better off. The neighbor next to the new apartments that are going in on Route 5 in Derby is not happy about what has happened to the view from her house. If she would have come in at the point that you are now, we may have been able to request – we can't order it because it's not called for – and the developer is not here tonight so it's even better for you, to move projects along developers are sometimes willing to give a lot, like putting another row of pine trees that are fast-growing, agree to leave more green space than what the law calls for; coming out in a group will help us get more concessions from them. You can see the law and what it requires, but then you end up with a project like what is in Derby; that project is much tighter space wise than yours. They are very nice apartments but you have the advantage of this developer having the ability to put more in their space. I'd be really careful, really talk with your neighbors closely if you're going to ask for fencing because it's not always…
Ms. Kravitz: Well, it would only be us and the people on the opposite side of the development.
Ms. Sellers: Your property is so deep.
Ms. Kravitz: But narrow.
Chairman Catalano: This is the time to bring it up, absolutely. Before they put a shovel in the ground and before it gets approved because as a Board we take those issues very seriously. We will definitely hold their feet to the fire on that and this is the time where they are willing to give before it gets approved so we have a lot more leeway here to get things we want. So think about what you want there, think about even the type of trees you want there and submit it to us because we will push for it.
Ms. Kravitz: Alright, so should we get back to you on that before the next meeting?
Chairman Catalano: Yes, you can submit to Roberta's office so we have it for our meeting.
Ms. Kravitz: The next concern is trash pick-up. Is there going to be dumpsters on the property?
Director Rappoccio: There will be dumpsters; we are awaiting their dumpster plan.
Ms. Sellers: All dumpsters in the Town of Evans have to be screened by law.
Mr. Pinter: That's on the project.

Director Rappoccio: *Question directed to the Planning Board*...where were they going to be; was it by the garages? I could have sworn we had a conversation about that.
Chairman Catalano: We did.
Director Rappoccio: We are awaiting that plan; they have to show it on a plan.
Ms. Kravitz: Okay, we just wanted to know if they are going to be enclosed.
Mr. Pinter: They will be enclosed.
Director Rappoccio: They are required to be enclosed.
Ms. Kravitz: Will there be sidewalks installed on North Main Street based on the number of people that will…
Chairman Catalano: Not at this point, no.
Ms. Kravitz: The owner of the property; is he from the Town of Evans? Does he care about the people of Evans? Or, is he just here to make money.
Director Rappoccio: I think they are from Boston New York.
Chairman Catalano: Yeah, I think they are from Boston. Like I said, they do have a complex down in Arcade.
Director Rappoccio: They are from the Southtowns.
Ms. Kravitz: So they are just builders.
Chairman Catalano: They are two young guys.
Director Rappoccio: They are not a faceless corporation if that's why you're asking.
Ms. Sellers: We could give them the address of the corporation.
Ms. Kravitz: We just don't want somebody who's going to come in, take off and it's going to be...
Chairman Catalano: Like I said, they at least have a track record by having a complex already.
Ms. Kravitz: And is the complex that they have now…
Chairman Catalano: Very nice, absolutely.
Ms. Kravitz: Because we went through this with the 'Friendly Senior Housing' over there and it looks like it was a project house.
Chairman Catalano: We already had discussed this.
Ms. Sellers: That was a nightmare.
Ms. Kravitz: Yet, there it is and we have to look at it and that's on the one side of our yard and this is going to be on the other side; we're kind of pinned in.
Ms. Sellers: These people have so much skin in the game where 'Friendly Senior Housing' was a grant from the government. These are people who have a lot to lose if they don't keep them…
Chairman Catalano: He's a private developer.
Ms. Kravitz: And is that still senior housing do you know? Because we see a lot of young people there and school buses are stopping there. The Town doesn't control it?
Chairman Catalano: I don't know that.
Ms. Kravitz: We were told it was going to be senior housing when it went up.
Ms. Sellers: I would expect that there would be children in these.
Director Rappoccio: On these yes, but she's talking about the ones at the senior housing complex.
Ms. Kravitz: Because what we were promised when that went up was the apartments were to be a certain size, that only one or two people could live in them, it would only be senior housing and now it looks like something other than senior housing.
Ms. Sellers: Well, it looks like low-income.
Ms. Kravitz: Well it looked like low-income from the beginning.
Ms. Sellers: Subsidized housing.
Ms. Kravitz: You have my statement on there that we are opposed obviously and all of the statements of all of the other property owners in the area and they have signed. Roberta I think you probably just have the one copy with all the signatures on it; I didn't make copies of all of that.
Director Rappoccio: Yes, thank you. This will all be put into the official record of tonight's meeting.
Ms. Sellers: Linda, I would like to just say something because when I said low-income housing, it sounded derogatory and I didn't mean to do that. Steepleview in Derby is subsidized housing for seniors and it's absolutely beautiful, so not all…

Ms. Kravitz: When you think of senior housing you think of Holly or one of those apartments, you don't think of what's next door to me on that side now.
Ms. Sellers: This is not.
Ms. Kravitz: We don't want another mistake like that.
Chairman Catalano: That's why you ask your questions now. Thank you. Caryl, at 8607 North Main Street.
Caryl Youngers, 8607 North Main Street: I'm a neighbor of this project and I border on approximately 1000-foot of this project on two sides of my property so I am quite interested in it. The project itself to me looks to be very, very dense to put 64 apartments on a six-acre parcel seems very, very dense to me; I don't know what the laws are but that is incredible. That's 4000 square-foot outside per apartment plus taking out the driveways, the greenspace, the parking lots. That's only 4000 square-foot per apartment including all of the outside space; that just don't seem right. What is our zoning requirement for individual houses we have to have 100-125 foot of road frontage and so much in depth; you have to have so many square feet. This project seems very, very tight and that worries me. I'm joining the opposed; I have very strong concerns about this site plan. I'm concerned about the density. Part of this space, part of the 4084 square feet is also taken up by driveways, wetlands and the little bit of grass area that's there, I just can't see how it can possibly fit. The remaining area, and I don't know what size these apartments are, but that remaining area is going to be used for recreation, I hope for some gardening, plantings, greenspace and permeable surface for rain. A number of years ago I built a feed warehouse on my property – 40 x 60ish – I had to come up with where the rain went before this land went before this land was developed and where it was going to go after I built this building. I made kind of a joke of it then; I asked how far back I had to go and we went back to the teepees; it was stupid.
Chairman Catalano: They are going to be held to those standards too Caryl.
Mr. Youngers: There's no way that they can build this much building, this much road, this much parking area and come up with anywhere near what I had to come up with in square footage in permeable space.
Director Rappoccio: I think you're forgetting about the 9 acres that will count as their open space.
Mr. Youngers: You're wrong, because you have 9 acres in the back and 6 of them are not permeable at all, it's wetlands. Wetlands do not support permeability for themselves or they would not be wetlands. I could not count on my property those as permeable land; it was marked off against me.
Director Rappoccio: If it's not your property it wouldn't count anyway.
Mr. Youngers: Pardon me, it was my property and it was marked as wetlands and had to be deducted from my permeable greenspace; I don't think that has changed.
Ms. Sellers: Caryl, we have a drainage plan and it gets reviewed by the paid engineers that the Town hires to review them and if they find the drainage plan is not adequate they will be forced to do it and redo it until it is acceptable.
Mr. Youngers: The size of the retention pond they have on here cannot be…
Ms. Sellers: This is their proposal. It isn't the final as an approved pond.
Mr. Youngers: I know, but I just want to put that out there.
Ms. Sellers: Have the Town engineers…
Director Rappoccio: They did review it and they have asked for revisions. We actually haven't seen the revisions yet, but they have asked for revisions. They will have to comply with those revisions based on our drainage engineer.
Chairman Catalano: And we'll see them before we approve them. We'll wait on that stuff too.
Director Rappoccio: Yeah, we can't do anything right now.
Mr. Youngers: What is the density population? Does this fall within the density?
Director Rappoccio: We have what's called lot coverage and lot coverage is the percent of the lot that's impermeable vs permeable. Typically you ask for 35% open space. I'm not sure what it is under the exact zoning for Multi-Family, it's probably a little less. But they do count the parcel as almost 15 acres, so 6 acres of 15 acres lot coverage. That's just land use, it's just lot coverage so it's calculated in the report and that's how it works.
Mr. Youngers: Wetlands are not considered greenspace as permeable lot; please look it up.
Chairman Catalano: We will and the Town Engineer will look at the code. We will definitely have those answers when we sit with them.

Ms. Sellers: You talked about the 1000-foot border. Is that of the portion of the property that is developed or 1000 square feet of their total property?
Mr. Youngers: Approximately 1000 lineal feet on two sides of my property.
Ms. Sellers: So it's on the total, not just what they are developing. It's counting their wetland.
Mr. Youngers: Correct, but if you're talking about the full 14 acres, let's talk about the full 14 acres. If we're talking about 6 acres they are developing, that's what should fall under code, not the swamp in the back that nobody can do anything with.
Director Rappoccio: Unfortunately it doesn't work that way; the site is 15 acres.
Ms. Sellers: There are some things that are law and we can't change, but we'll make sure we know before we approve anything.
Mr. Youngers: Make sure that is permeable land.
Chairman Catalano: And is addressed, absolutely!
Mr. Youngers: Does it make sense to you, maybe it's the law, but it does it make sense to you to drain more water into a swamp that can't handle the water that's there, that drains into a creek that floods downstream and put in a little retention pond that is maybe a fifth of the size of the pond that I have for one building; a 40x80-foot building.
Chairman Catalano: I'm not an engineer, but we will definitely ask those questions.
Director Rappoccio: Yeah, we're not engineers.
Mr. Youngers: They're talking about 4-acres of development more than that, probably 5-acres, of hard surface going into a detention pond that's not as big as this room. Number of bedrooms in these apartments, I didn't see that anywhere, but maybe I missed it.
Director Rappoccio: One and two bedrooms; one one-bedroom per building.
Mr. Youngers: So, mostly 2 bedrooms, so we are having 64 apartments times 2 bedrooms and a few odd ones. I'm really concerned about the traffic on North Main Street; it's a narrow street, it is on a bend, the road has never been in good condition for many many years and the County is not doing anything much to make it any better. I'm really concerned about the traffic patterns there and I would love to see more traffic on my road per-say, but I don't want to see somebody getting killed over it. I guess we're not going to put in sidewalks so I am concerned about if sidewalks become something requested down years, are we all going to lose our front yards?
Ms. Sellers: So you don't want sidewalks. Are you saying the neighborhood wants or does not want them?
Mr. Youngers: I'd think that sidewalks would be required for this number of people, but…
Ms. Sellers: Well because the apartments don't abutt the public street, they abutt each other, sidewalks are not an issue, but are you saying the neighborhood does not want sidewalks?
Mr. Youngers: I don't think our neighborhood wants to lose their front lawns.
Ms. Sellers: Okay, so this plan does not show sidewalks and you're not in favor.
Chairman Catalano: There are no sidewalks at this time.
Mr. Youngers: But if you get 64 apartments in there, aren't people going to want to walk somewhere? Isn't that going to make for a dangerous situation in itself?
Chairman Catalano: Sure, but that's a whole…sidewalks are not in front of us, they're not part of this project at this time, they are not. I don't want to say 5-years from now are they going to want a sidewalk; I don't know.
Mr. Youngers: I know, but with 64 apartments there, that's going to make a dangerous situation for people walking on this narrow road.
Ms. Sellers: Well I guess we have that all over Town with our roads Caryl. We have…
Mr. Youngers: We don't have to make it wrong just because we are doing it.
Ms. Sellers: There are County Roads all over town that people walk on. How many of these people will be walking on their own; it's pretty hard to project. They're talking about a recreational walking trail on the property.
Mr. Youngers: There's not enough room outside for a path of these apartments.
Ms. Sellers: Well, passive recreation is allowed on wetlands. I mean I don't know if they are going to sink on those wetlands or walk on them, or how much of a year they can but the walking…
Mr. Youngers: Are you talking about over the high-bank in the back?

Director Rappoccio: To the bank, not all the way to the back.
Mr. Youngers: Okay, because over the bank you can't get through that back there no matter what you're doing; I've tried it many years. This development is in the backyard and side yards of our neighbors; security fencing on all sides should be required. I don't like fence but I think we need to contain our neighborhood security. I'm not really a fan of board fencing because it's a big maintenance thing and after a few years it looks terrible.
Ms. Sellers: Chain-link is not too attractive either.
Mr. Youngers: On my side frankly, I would rather have chain-link just as high as they want to put it. And the reason for that is I have a farm pond there. The farm pond is a requirement of my drainage pattern. It does not require fencing. My neighbors and their boys and girls can and do go fishing there. But I don't want 64 more families fishing there.
Chairman Catalano: We will make a note of that; we can ask for that.
Mr. Youngers: The other thing is my greenhouse business is 8 thousandths of an inch (0.008) from being outside. It cuts very easily and you can't lock-up greenhouses; I need security.
Chairman Catalano: We will definitely address that on your side and as far as the neighbor on the other side, we can get her input on what she wants.
Mr. Youngers: As Anne pointed out, lighting is a problem. I cannot have stray lighting into the greenhouses.
Chairman Catalano: And we've discussed that numerous times, absolutely we don't want to see that happen.
Mr. Youngers: I think trash sounds pretty good. At last, I'd just like to read; "A quality, a peaceful and secure neighborhood will be lost with this overdevelopment. Neighborhood property values will drop, the quality of life for the overcrowded 64 apartment development will be low; their quality of life will be low. I think it's just too dense. I'm not really opposed to it being correctly developed, but 64 apartments on 6 acres, and I don't care how much land they own in the back, they can't use it. By law maybe it can be judged in there, but you have to go to them and say "look you can only use these 6 acres you can't claim those others, you can't get anybody to go down there and play, it's too crowded." Thank you.
Chairman Catalano: Debbie Burke, 8477 North Main Street, Angola.
Debbie & Martin Burke, 8477 North Main Street, Angola: We have the sewer drainage right through our driveway right now.
Ms. Sellers: Are we talking storm sewer not sewage?
Ms. Burke: I don't know what it is but I saw the Sewer Department all the time.
Ms. Sellers: Is there an odor from it?
Ms. Burke: Oh yes.
Ms. Sellers: So if there is sewage odor from it the County should be very interested to see who is leaching.
Ms. Burke: It is Goya; every time they put their organic stuff down the sewer or whatever, we get affected by it. All of our caps are covered, are tarred over and everything but we still get the smell; it comes from the…
Ms. Sellers: From the canning factory, all the way on the other side?
Ms. Burke: Yes, they get reports on North Main, South Main, but it comes right down and goes right through the Friendly Senior Housing, right through our backyard, right through our parking lot…
Ms. Sellers: So they are allowed to put more than storm drainage into storm sewers? They're putting organic matter from their factory which is causing the sewer smell?
Ms. Burke: The Town does not want to lose Goya, but what's going to happen when you put 64 more homes through there?
Ms. Sellers: They won't be allowed to put their sewage from their bathrooms and wastewater from their homes into a storm sewer. That has to go into the County sewer, not the storm drain.
Ms. Burke: No, I think this is a County sewer.
Ms. Sellers: There's two separate things here; there's storm sewers for water run-off and then there's sewage which is when you flush your toilet, but you know also what goes into that is your washing machine, etc. everything in your home; all of your waste water. One should not mix with the other. Now our County sewer department claims that there are people illegally putting stormwater runoff in which is causing overflows at the sewage treatment plant. So they are continually doing studies and going in neighborhoods, right now they are or the Old Lake Shore Road, they are trying to decide why there is stormwater runoff getting into the sewage

treatment plant because they claim every heavy rain they have those overflows that you read about in the paper that closes the public beaches. On your road it should be so illegal I mean I can't imagine, unless somebody has - in the old days people would have septic tanks that would have a long pipe and not go through a leach field and hey'd try to illegally put it into a storm sewer. I have not heard of that happening in a long time, so if you are eally smelling raw sewage I would think a County inspector would come out and you've called them and they don't do anything…

Ms. Burke: The County comes out every time and they get 4-hours of overtime; they come out all the time.

Ms. Sellers: But this development will be regulated very carefully so they will not have raw sewage going into a storm drain.

Mr. Burke: I don't believe it's the storm drain we're talking about.

Ms. Burke: It's right in the picture.

Ms. Sellers: So are you saying that your County sewage lines are …

Ms. Burke: They run right through our yard, right through our driveway, right across the street.

Ms. Sellers: Sure, but are you saying they do not work? I don't understand.

Director Rappoccio: There is nothing we can do it, it's Erie County that's the issue.

Ms. Burke: Right, its Erie County, but if you put 64 more apartments or 130 more people or whatever through there. I can't sit on my porch some days.

Director Rappoccio: They will have to apply for a sewer permit with the County.

Ms. Burke: I own two houses and that's ridiculous that I pay $12,000 a year in taxes and can't sit on my porch and now you're going to put more.

Ms. Sellers: That should be very illegal. There is something very wrong there.

Chairman Catalano: That's the County.

Ms. Burke: But they are going to be in the County sewers, right?

Chairman Catalano: And there will be a plan, so they'll be a study done.

Director Rappoccio: They already did the SWPPP.

Ms. Burke: Why wouldn't they be dumping in there? They're going to put in all new sewer lines everywhere?

Director Rappoccio: They might have to if the County requires it. Whatever the County says, they have to do.

Mr. Burke: They are going to be able to afford that? Back to the size of this thing they are planning on building. Why eight buildings, I mean that's like Caryl said, one six acres that's ridiculous. That's way over the top. Why can't you scale that back?

Chairman Catalano: That's why I read the history of the property from the townhouses to the patio homes. It had been rezoned so it's legally allowed. I can't tell them no, but what we can do as a board is we can try and correct the issues that are being spoken about today; the sewer issue, the light issue, the berm or the fence issue. We can control, we have some input on that stuff. As far as how many buildings they are going to build we don't have control over that.

Ms. Sellers: We can say this is the maximum allowed under the law.

Mr. Burke: I would think somebody should be able to say how many they can put there.

Chairman Catalano: Yes, and there is, but that's not our determination. The engineer had to approve the plan.

Director Rappoccio: There is lot coverage and the size of the lot.

Mr. Burke: Have you already approved it? I mean it sounds like its pretty much a done deal.

Chairman Catalano: Absolutely not. That's why we're not voting on it tonight.

Director Rappoccio: We don't even have final engineering plans.

Mr. Burke: Why can't we get that scaled back then?

Director Rappoccio: They are allowed to build to the maximum coverage.

Ms. Burke: I have a question. If there were 25 patio homes, that would be like 50 cars. So that's not as much parking.

Ms. Sellers: I would not compare one with the other, what we told you about those old plats all being in the past and not valid; it's gone.

Ms. Burke: Right, but what I'm saying is 64 more; you're looking at 132 or 138 cars or 28, whatever it is.

Director Rappoccio: But you actually looking at less density because the buildings hold 8 units; two story, 8 buildings. Versus 25 single-family homes; they're patio homes but they are considered single-family homes.
Ms. Burke: One more thing. I don't know if you guys drive North Main all the time or whatever, but we live right around the 'S' curve and I cannot tell you how many times there are cars on the other side of the road. I mean I've seen so many close accidents and accidents; my mailbox has been wiped out.
Director Rappoccio: There's definitely going to be more traffic, absolutely. I actually was just there Monday to check the site out before tonight's meeting and even I felt it was pretty tight. There definitely has to be line of sight, it's a very narrow road, there's the curve; even I felt this has to be really looked at.
Ms. Burke: In the summer there are enough cars that go on the other side of the road; you should see it in the winter with the snow plows and that.
Director Rappoccio: These are absolutely issues we have to look at for sure; absolutely. Like I said, I noticed that myself.
Ms. Burke: My kids drive that road and when people aren't used to it.
Chairman Catalano: Yes, if you're not used to that curve; absolutely.
Director Rappoccio: Traffic calming is going to need to be an issue certainly. If it's going to be 45 miles per hour we would definitely have to see about traffic calming.
Mr. Burke: I feel we have too much in too small of a spot there.
Ms. Sellers: We can request the county to lower the speed limit. With 16 units it might not be enough that they would consider lowering it, but we could request that the speed limit be dropped.
Ms. Burke: If you could find out about the sewer lines because it is an issue; I call all the time.
Director Rappoccio: I can call, I don't know if I'm going to get any further than you but I will try.
Ms. Burke: I mean from South Main all the way down at the other end of the creek; I live right on the creek. They used to think it was the creek that was the issue but found it's actually the sewage that's the issue.
Ms. Sellers: Sewage should not be going into the creek. There should not be raw sewage that you can smell. Do they have a leach station there that can overflow or is it on a regular basis? Is it when there's a heavy rain?
Ms. Burke: It's all the time; you can't even sit on your porch. It's been an issue for years.
Chairman Catalano: We will definitely look into that. I can't guarantee we can correct it but we can definitely get some answers.
Ms. Sellers: The DEC should be notified too because if they are polluting that creek with raw sewage.
Chairman Catalano: It seems Caryl has some insight here. Caryl do you want to step-up to the microphone.
Mr. Youngers: To straighten out the sewage situation for you; it is sanitary sewer that we are smelling and it is from Goya. There is very few homes up-line past Goya. There is not enough water getting in the other side of Goya to flush out the sewer. I have caulked the sewer lids closed, I have 3 of them on my property, many times. I have actually watched them blow-off because of the decaying organic matter and bean wash water. The Village of Angola does go up to Goya and flush those lines with hydrants to help keep the smell down. It's not going into the stormwater, it's all separate. There's nothing illegal going on it's just there's not enough water coming down on the other side of Goya to help flush that out; it stinks, it really does. I'm lucky, the wind blows most the other way, but sometimes standing in my backyard it is bad. These poor people who are going to live in these back maybe 4; look on the drawings there and look and see where that manhole cover is. Those back 4 apartment buildings are going to be ripe.
Ms. Sellers: So when you go to the village to complain what does the village do for you?
Mr. Youngers: You go through Erie County; they cooperate with the Village of Angola and help them flush them out. Goya is very good about that too; they run copious amounts of extra water into their sewers to help flush it. If you make a call, they are running water into there like crazy. It's the way it is and there's not…
Ms. Sellers: Well, it's not good enough obviously.

Brief discussion ensued by the public.

Director Rappoccio: All we can do is with this project coming up is make sure they are aware of that and when they get their sewer permit it is something the infrastructure can handle.
Ms. Sellers: Is this project putting more water in the line going to help that problem?
Mr. Pinter: It would have to be upstream, not downstream.

Chairman Catalano: Tim at 8595 North Main Street.
Tim Crowden, 8595 North Main Street: A lot of what was already said goes for me because I'm on the other ide up until Caryl's property. I just have more of a concern with why this spot with all the problems with ewage and wetlands; why they chose to build in such a small area so many large apartments. They don't really fit in right, I don't know if we're going for a Lackawanna or East Aurora thing because I thought East Aurora was what the Town was going for but now we're heading the other way.
Ms. Sellers: I think the question is answered just by the fact that this is zoned multi-family residential. They have the zoning required and the property is available for sale.
Mr. Crowden: But what's the extent of it? I mean if they put up tents could they have 1000 people sitting over in there? It just seems like a lot. I mean, I've got 256 new neighbors honestly, if there are 4 people in every one of those apartments.
Chairman Catalano: This project is being done in phases. There are going to be 2 buildings at first and they will see how it goes. They may get to 4 buildings; they might never get to the completion of this project. We don't know.
Mr. Crowden: Can we suggest that they start with maybe one story and kind of set it in the middle there?
Chairman Catalano: That's not going to happen.
Mr. Crowden: I mean, what pull do you guys have? Anything besides landscaping?
Chairman Catalano: Well, it's legally allowed and that's why they purchased that property; because it is legal. We do have some control and we can get some things done at this point; like I said, the landscaping, the lighting we can ask the sewer issues.
Ms. Sellers: But we can't tell them they can only have 20 people.
Chairman Catalano: I can't screen the tenants, I can't manage their property. I can go off of their track record and see what they did in the other town and that gives me a good gauge, but there's only so much leeway we have as a board because it's legally allowed. I can't say no.
Mr. Crowden: Okay. So if we got all these new apartments, say they all go through, what's happening to our axes? Are they going to go up? Are they going to go down? Are they going to stay the same? If you go on the own of Evans Facebook page, everybody is for it because they think their taxes are going to drop.
Chairman Catalano: They do go on the tax roll.
Director Rappoccio: It's just we need more residents. We are under populated and we are losing population every year.
Mr. Crowden: I could pick so many other sites, I mean that are not in a small little neighborhood where there are a couple houses on this side, a house across the street on a tiny little road. There are a lot of places they could go.
Ms. Sellers: You have to realize this is an apartment complex. How big it gets, we are with the maximum build-out is, we can't tell you if you're going to have 20 or 40 people for the next 5 or 10 years. These are young guys; they can start slow and wait. They started in a rural area last time and hoped things would build out. It will depend on demand, but right now we know there is demand so we don't think they'll have problems filling 16 apartments; we don't know. It's very close to the Village of Angola. The population of our Town and the Village has been shrinking we're down from close to 20,000 to 16,000.
Mr. Crowden: You know, I honestly could care less about the population of Angola. The reason I moved here and stayed here is because I don't want a ton of people all around me. I want where I am now to stay…
Director Rappoccio: Unfortunately we are looking to grow here a little bit in Evans you just got lucky; the site was available and now someone bought it.
Chairman Catalano: The site was available, it was legally zoned and that's why they purchased it.
Ms. Sellers: I think that some of your other neighbors, like Caryl who is almost my age, have been through this before; this is the third time we've been through this with plans that didn't take off.
Crowden: This is kind of off topic, but do you think Maria's Pizzeria is going to be able to sustain those tional…
ctor Rappoccio: Let's hope more Maria's come in, that's the point, right? We want more of them.
Pinter: Tredo's is closer.

Director Rappoccio: Maybe they'll do 2 locations in Evans.
Mr. Crowden: My hope is if it does go through I can come back and say I would like to keep the tree line that I have because the whole property line is trees and grapevines. I mean they can throw up a fence on the other side but it is old growth. As for the sidewalk, if you go to take a walk to Tim Hortons it's dangerous.
Director Rappoccio: Yeah, I was going to say I wouldn't be walking that road, it's narrow.
Mr. Crowden: Some people want it, some people hate it, but if there is 250 people trucking across my front lawn they better put a sidewalk somewhere.
Ms. Sellers: Where we are now is some of your neighbors are not going to want that and some are. I live on the Old Lake Shore Road and we don't have a sidewalk; it's not a great scenario.

Brief discussion ensued by the public.

Director Rappoccio: It is dangerous, I agree. I was just there and these are narrow roads.

Further discussion ensued by the crowd.

Ms. Sellers: It hasn't changed in years. I drove down North Main Street to Community Nursery School with multiple children for 12 years and it's always been dangerous. You know Caryl probably remembers like I do; a developmentally disabled guy who used to walk that road all the time that finally ended up living at Green Gables when it was there. That man was hit by a car twice over the years. We've always worried about that road.
Mr. Crowden: Just in case; because I know this is the third time this is in development, if it doesn't go through could we switch it from multi-family to maybe just wetlands and a house or two?
Director Rappoccio: Only the owner of the property can do that.
Mr. Crowden: I thought maybe you guys had some kind of pull there.
Director Rappoccio: The owner would have to come forward and ask for a rezone.
Ms. Sellers: If somebody has a purchase contract on it, even that person can't request rezoning unless the owner who still holds the deed agrees to that. We'd need a letter from the owner agreeing to that request for the rezoning for the purpose of this sale. So, you can request if you buy it.
Chairman Catalano: Chuck Wilson, 970 Gold.
Chuck Wilson, 970 Gold Street: You alluded to the fact that the Town's losing population, also no development; why wasn't something like this done in the past and why are you trying to rectify it right now with the apartments over here and make a band-aid solution.
Ms. Sellers: I don't understand your argument.
Mr. Wilson: You alluded to the fact that the Town is losing population, development isn't here, the tax base; it should have been done in the past.
Mr. Pinter: We approved the project twice.
Mr. Wilson: Anyway, getting back to North Main Street we have the fire station right up there on Route 5 and North Main Street. Those fire engines come down and when they come down they come down awful fast. Now with this amount of people coming into the new apartments; say there's 128 just to double the fact that you have 64 units, which is going to be a lot of vehicles coming out onto Main. My worry would be the fire engines coming down, because there's a dead-end bend there and you can't see. That's a big issue.
Director Rappoccio: I agree. I think you have to have a line of site and some of those trees might have to come down.
Mr. Wilson: They are going to have to do some work on that.
Director Rappoccio: Absolutely, there's no question safety has to be addressed at that corner and certainly at the entrance.
Chairman Catalano: We had talked about that a couple times now. Like I said, we are not voting on this tonight, that's why we are getting the input and so far everybody who has addressed us has talked about the traffic and the blind curve and that is a major topic that we will definitely bring up with the developer.
Ms. Sellers: And maybe the curb cut from the County. Did they already get that permit?
Director Rappoccio: Not yet.
Ms. Sellers: Maybe the County will want to put in a blinking light, you don't know, but they need the pe[illegible] the curb cut because it's a County road.

Director Rappoccio: Yes, that's a different permit.
Mr. Crowden: I just brought up that issue…
Chairman Catalano: I'm glad you did because we are taking that into consideration.
Mr. Crowden: Also, we have a daycare center right on the corner of Gold Street and North Main with a lot of little ones running; again, traffic is a big issue. Thank you.
Chairman Catalano: Thank you Chuck. Is there anyone else who wishes to speak?

Two residents from the public wished to speak but hadn't signed in. Director Rappoccio requested they come up and sign-in before proceeding to speak.

Laurie Bluff, 974 Gold Street: I just have a couple quick questions. Can they mandate that the builder has to have a sewer study, a traffic study and what about our water system? I understood the reason we weren't getting new things is because we owe all this money for water and we need a water tower. How are we going to put all these apartments in if we can't supply water; I'm confused about the whole thing. We didn't get all these other things because of our water but we can put in 8 buildings?
Chairman Catalano: The water comes from Erie County so they'll have to be approved through the County.
Ms. Bluff: So they'll have to do a study then? They'll do a traffic study for our area?
Director Rappoccio: Not a traffic study.
Chairman Catalano: I don't think they'll do a traffic study.
Ms. Bluff: I think they should.
Director Rappoccio: Traffic studies are typically for commercial developments, not necessarily residential.
Ms. Bluff: This is kind of a residential/commercial thing; I mean you're packing a lot of people in there.
Director Rappoccio: Unfortunately this is considered residential. I think that it's something the Board might be able to do in the future, like say for example after two buildings are built we could come back and reassess the traffic situation. But we can't mandate that they make a traffic study on the project at this time.
Ms. Bluff: So do we go to the County then about the water and the sewer?
Director Rappoccio: The County has to issue permits to the developers, they have to look at the plans just like we do and then their engineers look at the plans and they issue a permit. Not until them can our Building Department even approve a building permit.
Ms. Bluff: I mean because this is residential they are allowed to do it, but we can't do new commercial things because of our water? Is that how it goes?
Ms. Sellers: I don't know that we held up any commercial development because of water. There are areas in our Town where there is not public water because there are not public water lines, but I can't think of anything that was held up because in an area where there were water lines the County said that they did not have adequate water. Except for last week when there was a water shortage because of a break at the pumping station and we were not allowed to wash our cars, but…
Ms. Bluff: I know that our infrastructure is a little compromised but I just can't imagine…
Director Rappoccio: We actually have areas where they don't have water or sewer right now and unfortunately those are the areas where we would like to see more commercial and industrial development and we don't have it because they don't exist; the infrastructure isn't there for them and that's what's holding up development more than anything.
Ms. Sellers: So people want to buy a lot like this because the infrastructure is already there.
Ms. Bluff: I was just wondering if we can mandate a traffic study from them to make sure it's safe.
Ms. Sellers: We mandated a traffic study for Walmart. The amount of cars that were projected to come in and out per hour was huge.
Ms. Bluff: But how are all these people getting out if there's 164 cars out at the driveway?
Ms. Sellers: You may have 16 units and you may have 20 cars and we agree the road has issues, but we would never be able to make that stick, so what's the point.
Ms. Bluff: I was just curious, that's why. We just don't think it's…
Ms. Sellers: If we did have a traffic study and it would prove that it's not going to be a big impact we think.
Ms. Bluff: I believe those East Aurora apartments, I believe those are subsidized.
Chairman Catalano: Arcade.

Ms. Bluff: Arcade, I'm sorry. Arcade is subsidized.
Chairman Catalano: Yes, these are going to be market rent.
Ms. Bluff: There's nothing to stop that.
Chairman Catalano: No, there isn't but that is their goal and plan at this time. They manage their own apartments and they are looking at market rent, they are not looking at senior housing or…
Ms. Bluff: They say that to start, but then it doesn't stick.
Chairman Catalano: I know.
Ms. Bluff: Okay, thank you.
Chairman Catalano: Thank you. Gary…
Gary Kravitz, 8557 North Main St.: We're directly north of this project and Tim lives directly south of this project; our two buildings are going to be mostly affected. It's just an overwhelming project, it's so big and huge and I was just wondering; you said this is the time to approach the developer and approach the Town Planning Board on reaching some concessions from the developers. Do you feel that they are approachable where they can adjust this site plan? The front two buildings are overlooking our houses, so I'm going to have a 2.5 story building with 2 patios, directly across from my living and dining room windows; it's absurd, I just can't accept it. It looks like it's going to go through, I've given up on that already, but are these developers approachable? I know CAD Drafting, all they have to do is push a few buttons and they can change everything.
Chairman Catalano: Yes, they are approachable and those are issues…
Mr. Kravitz: Could you give me their address so perhaps I could talk to them personally? Is that a viable thing to do?
Chairman Catalano: No, but we can submit your concerns absolutely.
Mr. Kravitz: I stopped in the office Monday and talked to you (Roberta) and you said the developers were going to be here tonight and that you were going to be voting on this project tonight. From listening her, you're not prepared at all to vote on this. You did say you were going to vote on this.
Director Rappoccio: No, I did not say we were going to be voting on this tonight, no.
Mr. Kravitz: Yes you did.
Director Rappoccio: No, I knew we were not voting on this tonight. No, we were not voting tonight. They were going to be here but we were not voting, we don't' even have one of the documents that's necessary for us to even be allowed to vote for the project. So no, we are not voting.
Mr. Kravitz: So like I was saying about the developers being approachable and possibly changing the plans. Would it occur at the next meeting? Will there be Work Shops? I know there were Work Shops done before that we knew nothing about.
Director Rappoccio: Well, they were advertised as they are advertised on our own website.
Ms. Sellers: Anybody can come to a Work Shop, although technically we don't accept comments, but if somebody were there who asks a question, we don't turn a fellow resident down from asking a question.
Director Rappoccio: We have to have a public meeting and that public meeting will be held on September 27th. There is a Work Shop prior to that. This would not normally be on the agenda for our Work Shop as of now and they will be at that meeting; the owners and the engineer will be there on the 27th.
Mr. Kravitz: That'll be an open Work Shop?
Director Rappoccio: No, we don't have them on our Work Shop agenda for September at this time. Everything that is here and on record will be given to them and we will discuss as a Board for sure prior to this.
Mr. Kravitz: Yeah, like I said, I know CAD Drafting and all they have to do is press a couple buttons to change things.
Mr. Pinter: If it's going to be put on the meeting agenda we should really have them at a Work Shop.
Director Rappoccio: Sure, we can put it on the agenda for the Work Shop. That would be the 11th I think. No, September 13th, maybe I should look it up. I think it's the 13th but I'm not sure. We can put that on our Work Shop agenda.
Mr. Kravitz: Do you have the address of their place in Arcade?
Director Rappoccio: I don't even know the name of the place in Arcade, do you know? Is it Grand Park, Great Park?

Chairman Catalano: I drove by it. He gave it to me and I drove by it and then I just threw the address away.
Director Rappoccio: It's in Arcade and there's like 3 different ones in Arcade; I don't know which one it is. I can definitely let you know though Gary. Let me get that.
Ms. Sellers: Gary, we agree your property is the most affected. Caryl's might have a lot of borders, but your home is most definitely affected.
Mr. Kravitz: It's going to change the whole…
Ms. Sellers: That's why I would definitely give a lot of thought to what kind of buffering you might request.
Mr. Kravitz: If they could push the buildings back, swap them with the garages or something. I just don't want that big two-story building looming over my property.
Ms. Sellers: Yeah, you're only looking at 63-feet to the property line.
Mr. Kravitz: And that's nothing.
Director Rappoccio: They only need 50-feet.
Ms. Sellers: They have surpassed the minimal.
Mr. Kravitz: You can put up a 12-foot fence and it's still not going to change anything. You can put all the green area you want, we have a few trees there, but it's not going to block anything; that is my concern.
Director Rappoccio: I'd just like to say when the developers came to us they did a study, to make it economically viable, how many units and how big it needed to be and this is what they come up with; 8 buildings, 64 units to make it economically viable for them. So for us to go to them, it's going to be tricky to ask them to downsize it, but at least we can say okay, so if this is where you want to be and this is within the zoning and therefore we have to approve that, but can we…
Chairman Catalano: And this could be for a 10-year period, we don't know.
Director Rappoccio: We can influence buffers, we can influence lighting, we can influence the entrances, we can influence the interior roads; those kind of things we can help and it's better than nothing unfortunately. I hate to say that but they've already done the studies, they've already done what's going to make it economically viable for them. But, we will definitely talk to them and they are approachable; they are two young guys, they own other property already, they own this property now, they want to develop it so we'll do what we can and we'll put it on the agenda for the 13th *(date confirmed by Planning Board Secretary).*

Someone from the public asked "let me ask this, why are the developers not here today?)

Director Rappoccio: Because we weren't voting on anything today.
Ms. Sellers: And they don't need to be here.
Director Rappoccio: Normally I would have canceled tonight, but I didn't because we've had so many people asking about commenting so I held the meeting; I would have normally canceled tonight.
Mr. Kravitz: Another thing, is there a criteria for the density of how many people and buildings you can put on a site?
Director Rappoccio: Like I've said, lot coverage is what we are talking about in regards to the technical term of it and it's in the zoning. You can go online or you can also come in and have a conversation with me and I can show you; I can talk about zoning all day long. But it is online.
Mr. Kravitz: If you're throwing swamp land in there as part of the equation that's…
Director Rappoccio: But it's their property, they bought 15 acres.

Someone from the public stated "but they are not allowed to use some of that property."

Director Rappoccio: I'm still a little interested about that because I've never heard of that before and I've been in this business for over 15 years. I've never heard that before but like I said I will talk to the engineer and see what he says and what he's heard of, but typically this project is a 15-acre site and that's how we have to look at it; as a 15-acre site. So that's how we look at it as a Planning Board and it is zoned properly; actually its split zoned.
Ms. Bluff: Would the amount of buffering affect where they could put their building?
Director Rappoccio: Yeah, absolutely.
Ms. Bluff: So these guys claim their greenspace is above grade and it's not on the plan so you'll have to re-review their plan any way.

Director Rappoccio: Yeah it is. It's on the plan.
Chairman Catalano: If you are going to speak can you please come up to the microphone so the secretary can record you.
Ms. Bluff: How much buffering is on the plan?
Director Rappoccio: They only need 50-feet. I'll have to check the zoning or 40-feet even; I think it's only 40.
Ms. Bluff: That's the natural greenspace they are going to leave?
Director Rappoccio: That's the setback. I have to check the zoning; I don't want to say it on record because I don't know it off the top of my head and I don't have my zoning book with me, which is really bad I always have my zoning book, but they usually typically – lot coverage there's a percentage – a certain percentage of the total site has to be considered open-space/greenspace.
Ms. Bluff: But what I am talking about is between their homes.
Director Rappoccio: Yeah, there's a buffer, absolutely; it's already on the site.
Ms. Bluff: And they already have 50-feet of green trees and such.
Director Rappoccio: It just has to be 50-feet of non-development.
Ms. Sellers: What you can request is either the natural green be left, now this is a request this isn't by law, the setback is set by law, we always have a landscape plan but the setback is different if it's residential to residential. If it were a single-family residential it would be much less of a lot line, if it's multi-family residential it's more, commercial it's more than that.
Ms. Bluff: Because there's so many people could they request that it goes to the commercial standard?
Director Rappoccio: No, it goes by zoning with what the property is zoned so it is going to be by the multi-family residential code and that is available online and like I already said, you can always come in; I love talking about zoning so I'll talk to you all day. So you can look at it and I can show you different scenarios and whatnot.
Ms. Sellers: And you can see sanitary, the water plan, you can see…
Director Rappoccio: Yeah, I have copies of every page of the plan. It's just a lot of it is technical and a lot of people don't want that, they just want the site plan, but I can certainly give you whatever you need. They also have an engineering report, a SWPPP which is the Stormwater Pollution Prevention Plan which is required by the property; it's a stack. They have done their due diligence.
Ms. Sellers: I do have a little concern about the temporary top soils stockpiled because I don't want them to bring down more of that natural vegetation that's there; these are things we can request to give the Kravitz's a little bit more protection.
Mr. Youngers: Are they required to do all the security if they only build two buildings?
Director Rappoccio: Yes.
Ms. Sellers: We're not talking about the whole perimeter having to be enclosed.
Director Rappoccio: No, just the sides.
Mr. Youngers: I think they would have to do all of that to build even the first two buildings.
Director Rappoccio: I think that's what we'd do, right?
Chairman Catalano: I don't think they do.
Ms. Sellers: I don't know.
Director Rappoccio: I guess we'd have to dictate that, right? That's something we'd have to discuss.
Mr. Youngers: Normally would they have to build their detention pond before they build the first building?
Director Rappoccio: Yes.
Ms. Sellers: A certain amount of the infrastructure is crucial.
Mr. Youngers: You cannot build on a wetland. Look at the…
Director Rappoccio: They are not building on wetlands.
Mr. Youngers: Excuse me, look at the drawing…
Director Rappoccio: No, they are not building on wetlands; it's right here.
Chairman Catalano: That was taken into account.
Mr. Youngers: Look at the surveys from the previous owner where the wetlands were shown by the DEC.
Ms. Sellers: Are they Federal wetlands? There are different types of wetlands.
Director Rappoccio: There's only one wetland that is even close.

Mr. Youngers: They were designated wetlands on the previous owner's survey.
Director Rappoccio: And we have all that information the DEC even when they sent the response…
Mr. Youngers: If you want to stand on my property and look at the orange post directly across from this project there are wetlands drawn on the last surveys, not on this survey but on the last surveys and they are not shown on this survey.
Director Rappoccio: They were probably re-delineated.
Ms. Sellers: I see the wetlands that comes up to Timmy Crowden's property line, noted as wetland 'A' on the site.
Director Rappoccio: The only wetland they show on the site is right there. The only wetland on the 15-acres is right there.
Ms. Sellers: I mean they have to be so many feet from the wetland.
Director Rappoccio: If it's not delineated…
Mr. Youngers: It was on the last survey, but it is not on this survey.
Director Rappoccio: Let's see, where's the survey, hold on I think I have the survey.
Mr. Pinter: When was the last survey?
Director Rappoccio: I have the survey somewhere.
Mr. Pinter: Early 2000's?
Director Rappoccio: Yeah, it could be re-delineated by then maybe.
Mr. Youngers: No, more recently than that.
Ms. Sellers: I see the sanitary sewer easement that goes through the back of their property that must go through Timothy Crowden's and through yours and of course they are away from that. And there's nothing beyond that.
Director Rappoccio: You can come in and look at the current survey if you'd like.
Mr. Youngers: Emerling Chevrolet, owners, had that property surveyed and designed and the deal fell through. On their survey shows, DEC was in because they were all over my property, designating wetlands.
Director Rappoccio: DEC has already been approached and they have sent their response.
Mr. Youngers: I want to see the last one.
Director Rappoccio: Okay, you can come in the office and you can see it.
Mr. Youngers: It even shows wetlands on my property on that side.
Chairman Catalano: I would set something up with Roberta and take a look at it.
Katie Crowden, 8595 North Main St.: I am directly next to the new apartment complexes. I am just wondering as the neighbors, what we have control over making requests for; if you could just give me a list. You said lighting, buffers, entrances, interior; anything else? I just want to have specifics as to what we have control over.
Chairman Catalano: What's legally allowed by law.
Ms. Crowden: Right, but you said we could put in a request.
Chairman Catalano: As a Board we put in requests. We always ask about the lighting, we always ask about the landscaping, the drainage – drainage is a big thing.
Ms. Crowden: But you said that the neighbors can request a certain buffer and make requests about the lighting and…
Director Rappoccio: You can, they don't have to do it, but you can request.
Chairman Catalano: And this is the time to do that.
Ms. Sellers: The lighting has to be dark-sky compliant; that's by law.
Ms. Crowden: I just want to know what we are able to make requests about.
Director Rappoccio: That's it.
Ms. Crowden: Okay, and then how do we do that?
Director Rappoccio: You should do it in writing to the Board and then you can come to the Work Session as well; the developer will be there and the engineer.
Ms. Crowden: So do we need to work together as neighbors and figure out what we want or…
Ms. Sellers: You don't have to, but I think it helps to. I think if one neighbor is saying I definitely don't want a fence or sidewalks…

Mr. Pinter: You should all be on the same page.
Director Rappoccio: I think you all want to be on the same page.
Ms. Crowden: I'm just wondering if we want a fence and they don't, I just want to know something like that.
Director Rappoccio: Yeah I mean you can certainly do both.
Ms. Crowden: It's just it's my first time doing this so…
Director Rappoccio: No worries.
Chairman Catalano: There being no further comments from the public, I will close floor and bring it back to the Planning Board for further questions/comments.
Ms. Sellers: There are a few things I don't understand. I am looking at that property line of Timothy and Katie Crowden and Caryl's comes in the back on the other side of the sewer easement. Is there actually any development near Bella Terra, Caryl's property? I see Kravitz and Friendly Senior Housing.
Mr. Crowden: That's an old drawing. My property is actually less than what is on it. Caryl's actually starts about 100-yards back from my garage. When we bought this house 3 years ago, he bought the back 3 acres.
Ms. Sellers: Now I understand.
Chairman Catalano: Anyone else? With no further questions; the Planning Board is awaiting further review and required documentation from the NYS Office of Historic Preservation. No work can be started on this project until the applicant has addressed all comments offered by that agency to their satisfaction. Further, the Planning Office shall be copied on all communications between that agency and the applicant. Additionally, the Planning Department must be copied on all correspondence between the applicant and all outside agencies before work commences. There being no further comments from the Planning Board, may I please a motion to table the project approval pending receipt of said required documentation.
Ms. Sellers: So moved.
Mr. Bergum: Second.

Vote: All in favor. Said motion is carried.

Mr. Connors: I'd just like to add so everybody is aware; the public meetings that we have must be advertised in the local Penny Saver but as far as the Work Sessions, those do not have to be but we do put them on the website. So, if you are looking for Work Sessions, those won't be in the Penny Saver but will be on the website but public meetings have to be publically advertised. Just so everyone understands how that works. We have one of those a month, so we meet twice a month.
Director Rappoccio: There is a Planning Board newsletter, so if you subscribe to that you will get all of them.

Someone from the public commented the agenda for tonight's meeting wasn't on the website until last night.

Director Rappoccio: On the website? Yeah, we have until today to do the agendas and like I said I was going to cancel tonight because we didn't have the approval, so we waited until we knew we were having the meeting. Not with just the Planning Board but also the Town Board does that as well, sometimes it's not there until the day of just because we don't know if we are getting a document or if the developer can't show up, that kind of thing. So unfortunately that is kind of at the end. We do advertise the time and date but we might not have the agenda available until that day.
Ms. Crowden: But you always have a Planning Board meeting every month?
Director Rappoccio: It's the 3rd Wednesday I think. We don't always if we don't have anything for an agenda.
Ms. Sellers: No, the Planning Board meets the second and the fourth Wednesdays; Work Session is the 2nd and our voting meeting is the 4th and the Town Board is the 1st and the 3rd Wednesday.
Mr. Pinter: Planning Board Work Sessions are the 2nd and the Public Meeting is on the 4th Wednesdays.
Ms. Sellers: Because we both use the Court Room.
Director Rappoccio: And those should be on the website. The Work Sessions are only on the website.

Chairman Catalano: The second item on the agenda this evening is a:
Zoning Amendment Recommendation – Recommendation to the Town Board of a "corrective action" for six (6) properties located along Gowans Road, Angola, NY from Light Industrial (LI) zoning district to Rural Agricultural (RA) zoning district; SBL# 236.00-1-21.2, SBL# 236.00-1-21.1, SBL# 236.00-1-22),(SBL# 236.00-

1-24, SBL# 236.00-1-25 & SBL# 236.00-1-27). Petitioner: Town of Evans Planning Board, 8787 Erie Road, Angola, NY 14006.

We have a brief history of the properties:

- Single-family homes currently exist on five (5) of the six (6) parcels proposed to be rezoned; most of these properties have small garages or works shops in the rear of the residential dwellings.
- The 1999 Comprehensive Plan designated the properties along Eden Evans Center Road from NYS Thruway entrance to approximately Delamater Road to be utilized for growth of industrial park or distribution type facilities and provide other economic development opportunities near the Village. In addition, the "Recommendations" for this Area state: "No more residential growth should be permitted." And "Agricultural uses should co-exist with industrial development" along this corridor.
- The Town of Evans "Vision Blueprint" map clearly indicates the commercial/industrial sector includes the six properties in question.

At this time, we ask for the Planning Director review.

Director Rappoccio: After reviewing the Comprehensive Plan and the history of the properties, it is clear that these properties were singled out in the 1999 Comprehensive Plan for Light-Industrial use, and therefore it is my recommendation as the Town Planner to NOT recommend these properties for a rezone to residential use.

Chairman Catalano: Are there any questions or comments from the Board or Planning Director before I open the floor to the public? There being no questions, at this time I will open the floor to the public – please step up to the microphone, state your name and address, spelling your last name for the record.

John Tkaczyk, 1456 Gowans Road: I wasn't here for the last meeting, but I'd like to know why this all came about. I actually bought my property and I knew it was light industrial in case I ever wanted to put a business up.

Director Rappoccio: Yes, this was at the request of a property owner and we as a town looked at the property looked at the properties to see…we cannot spot zone it, so the recommendation was to a corrective again, but after review of the history and of the Comprehensive Plan it is not recommended.

Ms. Sellers: Plus the owner's requesting, not the Town requesting rezoning.

Director Rappoccio: Plus the other owners were not requesting this. Once it was publicized we got comments in that the other property owners.

Mr. Tkaczyk: We were strongly opposed.

Director Rappoccio: Yes, you were opposed.

Mr. Tkaczyk: Is that the property next to me that wants to build?

Director Rappoccio: It's the vacant property; I don't know which one you are next to.

Mr. Tkaczyk: It's the vacant property?

Director Rappoccio: It's the vacant property, yes.

Mr. Tkaczyk: Why doesn't he just do what I did?

Ms. Sellers: That's what they need to do.

Director Rappoccio: Exactly and as we reviewed it and went through it we realized, and I did my due diligence it's not…

Mr. Tkaczyk: It cost me $80 to have me build a house. I went before the Zoning Board, got a variance.

Mr. Connors: Sir, what year was that?

Director Rappoccio: Yeah, what year was that? When did you do that, do you know?

Ms. Tkaczyk: It would have either been the very late 80's or early 90's.

Director Rappoccio: Ok, so well before the designation of the Light Industrial, or was it already Light Industrial at the time?

Ms. Tkaczyk: It already was Light Industrial.

Director Rappoccio: Oh, it already was? Okay and you asked for a Use Variance? What did you use the property for at the time? Was it vacant?

Mr. Tkaczyk: It was vacant.

Director Rappoccio: And you asked for a variance and got it for residential use? Really?

Ms. Tkaczyk: A house and light agriculture because we wanted to have farm animals for our kids when they were small, which is how it started. But we knew our older son, as our sons grew, could one day want to put a business on the property so we never wanted to change the zoning and we still don't.
Ms. Sellers: It makes perfect sense.
Director Rappoccio: So you have an agricultural use as well. So that's why you're talking about…
Chairman Catalano: And the zoning reads agricultural zoning shall co-exist.
Ms. Tkaczyk: We are covered for everything.
Director Rappoccio: Exactly and they can do the same but the thing is they have to go for a variance; it's not going to be a rezone. At least, I'm recommending that it not be through a rezone.
Mr. Tkaczyk: Okay, so say it was rezoned and I wanted to put a business up, would I be able to?
Mr. Connors: Depending on what the rezoning was changed to.
Director Rappoccio: If you changed it to Rural Agriculture, no.
Mr. Tkaczyk: Okay, so let it be known that I am strongly against the change and I have a letter from…
Director Rappoccio: Do you want to read the document into the record

Planning Board Member Joseph Pinter read a document written and submitted by Peter and Ann Kruger, dated August 27, 2017 into the record in opposition of a zoning change (see attached).

Mr. Connors: Sir, just to clarify, you purchased in the late 80's and it was Light Industrial and you went for a zoning variance and was granted one?
Mr. Tkaczyk: Correct.
Mr. Connors: Okay, thank you.
Director Rappoccio: You got the variance for the residential and the Ag at the same time?
Ms. Tkaczyk: Yes.
Ms. Sellers: And Ag is very compatible with Light Industrial so the Town has always promoted those two.
Director Rappoccio: It does say in our comments earlier that it does co-exist with Ag.
Chairman Catalano: Is there anyone else who wishes to speak? Please state your name, spell your last name and read your address into the record please.
William Rogers, 1372 Gowans Road: I am also opposed to it. I bought the property for the sole purpose of use and I don't wish to change it.
Ms. Sellers: We're sorry about the tree at your house.
Mr. Rogers: Sorry, I look a little scruffy, but I'm here.
Mr. Connors: Just to let it be known, Mr. Rogers did make it to the last Work Session and did provide some history of the zoning of the property and enlightened us as to how the property has been.
Mr. Rogers: Thank you. I appreciate you letting us talk.
Chairman Catalano: Is there anyone else who wishes to speak? There being no further comments from the public, I will close the floor and bring it back to the Planning Board for further questions/comments. I know you were not at our Work Session Anne; do you have any questions or comments?
Ms. Sellers: I can't think of any reason why we should rezone it. I think that the property owner who wants to sell or someone who wants to build a house might have to put their own little business up and then getting permission to put the house with it. I can't imagine why we'd want to impose a burden on our Town residents who already live there and who bought in that area for that reason to yank that zoning away from them. I also think it makes their land more valuable as we don't have a lot of Light Industrial in Town. Hopefully in the future there will be more people looking at it and if you ever get as old as I, and you want to sell, your land is more valuable with the shortage of Light Industrial we have in this Town.
Chairman Catalano: Are there any further questions or comments from the Planning Board? There being no further comments from the Planning Board, may I please have a motion to not-recommend to the Town Board the rezoning of six (6) properties located along Gowans Road, Angola, NY from Light Industrial (LI) zoning district to Rural Agricultural (RA) zoning district; SBL# 236.00-1-21.2, SBL# 236.00-1-21.1, SBL# 236.00-1-22,SBL# 236.00-1-24, SBL# 236.00-1-25 & SBL# 236.00-1-27.
Mr. Connors: Can I ask just one thing. What do you not have for utilities?

Ms. Tkaczyk: Sewer and you know what? We don't mind. We pay enough for the water, it stinks and there's no pressure and we don't need sewer problems.
Mr. Connors: You have gas and you have city water?
Ms. Tkaczyk: We have propane and we have septic and we're happy campers, that's why we moved out here, we didn't want to live in the city with utilities.
Mr. Connors: No natural gas?
Ms. Tkaczyk: No.
Ms. Sellers: And nobody else's sewage runs through your lawn.
Ms. Tkaczyk: And the only reason we put water in, and I'm sorry I did, I only did it because someday when I got old and my husband's health wasn't stable. We're leaving the house to my son and it might make the house marketable. For me my well water is far healthier than the crap that's being fed to me through the line.
Mr. Connors: I'm all set.
Ms. Sellers: It's probably very true.
Mr. Kruger: I'll tell you one thing; we've only had water for three years and I was told there was a water break by the tracks and instead of continuing the line like it used to be, when they repaired it they just capped it so it's not in a loop anymore.
Ms. Tkaczyk: We're on city water and there's no pressure. I mean when I was on well water, oh my God, you could have three people taking a shower at the same time and not even know it.
Mr. Kruger: And the city water, forget it! I have contractors who won't even work on our house because there is no water.
Ms. Tkaczyk: I have one of those old-fashioned pull chain toilets and when I'm on city water you have to stand there and pull that chain and hold it, but with well water you just pulled it and walked away and everything was fine. I've had the water department there and they've checked it and said that we may need a new meter…
Mr. Bergum: I'd like to make a motion. Having reviewed and discussed the proposal, I would like to make a motion to not recommend approval to the Town Board for the "corrective action" rezone of the six (6) properties located along Gowans Road, Angola, NY from Light Industrial (LI) zoning district to Rural Agricultural (RA) zoning district; SBL# 236.00-1-21.2, SBL# 236.00-1-21.1, SBL# 236.00-1-22),(SBL# 236.00-1-24, SBL# 236.00-1-25 & SBL# 236.00-1-27), for the following reasons:

- The action is not consistent with the Town of Evans Comprehensive Plan
- The action interferes with the intent of an Industrial/Commercial zoning district.

Ms. Sellers: I'll second.

***Vote:** All in favor. So moved.*

Chairman Catalano: Next steps:

- The Planning Office will send a letter to the Town Board notifying them of our decision to not recommend the rezoning of these properties this evening.

Thank you everyone for attending our meeting this evening. May I please have a motion to adjourn.
Mr. Bergum: Motion to adjourn.
Ms. Sellers: Second.
Chairman Catalano: Have a good night everybody.

Respectfully submitted by:

Debra L. Wilson
Debra L. Wilson
Secretary

Approved: 09/27/17