REGULAR MEETING OF THE TOWN OF EVANS PLANNING BOARD WEDNESDAY, SEPTEMBER 27, 2017

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MEMBERS PRESENT:	T. Catalano, A. Sellers, J. McEvoy, B. Bergum, M. Connors
ALSO PRESENT:	Roberta Rappoccio, Director of Planning & Community Development
EXCUSED:	J. Pinter
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 September 27, 2017 Planning Board meeting. Regarding the minutes from the August 23, 2017 public meeting are there any additions, corrections or questions or may I have a motion to accept them as submitted. Motion please.

Mr. McEvoy: Motion to accept the minutes as submitted.
Mr. Bergum: Second.

Vote: *All in favor. So moved.*

Chairman Catalano: Before we address the first item on our agenda this evening please be advised the second item on our agenda this evening must be tabled. At the Planning Board's September 13th Work Session it was determined the Board needed further documentation to move the proposed project forward. As the Planning Office has not received the required documentation it must be tabled. When the documentation is provided and reviewed the project will be re-advertised. May I please have a motion to table the Rezone of a property located at 7661 Erie Road (a.k.a. NYS Route 5), Derby, NY from Single Family Residential (R-1) to General Business (GB) for the purpose of operating a commercial decking business (Superior Decks & Gazebos, Inc.), SBL#250.00-2-29. Petitioner: John R. Keem, Jr. , 7669 Erie Road, Derby, NY 14047.

Ms. Sellers: So moved.
Mr. Bergum: Second.

Vote: *All in favor. Motion is carried.*

Chairman Catalano: 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. Further, the project was duly advertised for the August 23rd Planning Board meeting and public comment was taken, however the project was tabled awaiting outside agency documentation from the applicant. Public comments taken at that meeting were subsequently reviewed at a Planning Board Work Session on September 13, 2017. Having received the majority of the required documentation and upon review of public comment this project is once again being brought back before the Board. For those who may have not been present at the August meeting, 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.

Interdepartmental Reviews –

- **Planning Director/Engineering Review** – Roberta would you please provide both your and the Town Engineer's review at this time.
- **Director Rappoccio:** At this time I have no comment. The Town Engineer has submitted his approval for the engineering plans; dated for today, September 27, 2017.
- **Town of Evans DPW** – the Planning Board is awaiting comment.
- **Town of Evans Code Enforcement Office and Fire Review** – has no objection at this time.

Outside agency reviews –

- **Erie County Department of Environment & Planning** –the proposed action was sent to the ECDEP under the 239-M Review on June 28, 2017 and they offered the following comments in their letter dated August 14, 2017. It was also noted their comments should not be considered sufficient for any County approvals:
    - **ECDEP** has serious concerns about the project's location and site floodplains and wetlands. The Town and the developer should closely analyze the impact of the proposed project on this significant environmental feature and consider alternative site plans to minimize impacts.
    - Sidewalks connecting to the public network instead of dead-ending before reaching the network and/or nearest road shoulder were recommended.
    - **Erie County Highway** – the proposed action was sent to the Erie County Highway Department as part of the 239-M Review and we are awaiting comment. If any approvals are granted they must be conditioned upon the developer meeting their requirements.

- **Erie County Sewer District #2** – as part of the 239-M Review comment was received on September 12, 2017 via email; the office has no objections to the proposed fill, provided the area around the existing manhole, rim adjacent to the pond, is not graded in a way to accept runoff. Regarding SEQRA comments EC Department of Sewerage Management (DSM) offers the following comments in their letter of August 14, 2017:
  - The sanitary sewers near the proposed project are owned by the Erie County Sewer District No. 2. The sanitary flows are tributary to Erie county trunk and interceptor lines and the Big Sister Creek Water Resource Recovery Facility.
  - If sanitary sewers are installed, they will be privately owned.
  - Review and approval of any sanitary sewers installed is required by ECDSM.
  - A sanitary sewer downstream capacity analysis may be required.
  - Sanitary sewer (I/I) removal work in ECSD No. 2 may be required for this project.
  - Sanitary sewer system design shall be in accordance with Ten States Standards and Erie County Sewer District Rules and Regulations and Design Requirements.
  - The design engineer is encouraged to discuss preliminary sanitary sewer plans with ECDSM in advance of completing sewer design.

- **Evans-Brant School District** – the proposed action was sent to the Lake Shore Central School District on July 19, 2017 and in an email dated September 27, 2017 they advised they have no questions or comments at this time.
- **NYS Department of Transportation** – the proposed action was sent to the NYSDOT on July 19, 2017 and we are awaiting comment. If any approvals are granted they must be conditioned upon the developer meeting their requirements.
- **NYS Department of Environmental Conservation** – the proposed action was sent to the NYSDEC and in their letter dated July 17, 2017 it was determined their department is not an involved agency; they did not offer any specific comments but outlined other agencies that may be involved in the action.
- **NYS Office of Parks, Recreation and Historic Preservation** – the proposed action was sent to SHPO for review and comment. In their letter dated August 22, 2017 they concluded the project will have no impact upon cultural resources in or eligible for inclusion in the State and National Registers of Historic Places. Their recommendation pertains only to the Project Area examined and is not applicable to any other portion of the project property. Should the project design be changed further consultation is recommended.
- **Army Corp of Engineers** – the proposed action was forwarded to the Army Corp of Engineers for review and comment. In their letter dated March 28, 2016 they verified the Federal wetland boundary as shown on the wetland delineation map dated January 1, 2006 and will remain valid for a period of five (5) years from the date of their letter unless new information warrants revision of the delineation before the expiration date. Based upon their review it was determined the wetland area Wetland 'A' on the subject parcel is part of a surface water tributary system to a navigable water of the United States. Therefore, the wetland is regulated under Section 404 of the Clear Water Act (CWA). Department of Army (DA) authorization is required if a discharge of dredged or fill material in this area is proposed. In addition, it has been determined there is no clear surface water connection or ecological continuum between Wetland 'B' on the parcel and a surface tributary system to a navigable water of the United States. Therefore, Wetland 'B' is considered isolated, non-navigable, intrastate waters and not regulated by the CWA. Finally, an approved Jurisdictional Determination Form (JD) was provided for the subject parcel.

SEQR – The Planning Board has reviewed the full EAF and has determined that the project is not anticipated to result in any significant effects on the environment.

At this time may I ask the applicant and/or his representative to address the Planning Board with any further information about the project.

Michael Metzger, Metzger Civil Engineering, PLLC, 8245 Sheridan Drive, Williamsville NY: At the Work Session we talked about some of the public comments and what we did was we prepared a written response. This pretty much is just a regurgitation of what we discussed at the Work Session. Also I previously forwarded to the Planning Department, a copy of the wetland delineation so you do have that in an electronic version.
Director Rappoccio: Yes, I do have that.
Mr. Metzger: But I do have a hard copy.
Mr. Kravitz: Could that be read aloud please.
Director Rappoccio: It's 90 pages.
Mr. Kravitz: No, Mr. Metzger's written response.
Director Rappoccio: Okay, Anne could you please read that document into the record.

***Ms. Sellers** read aloud the 4-page document from Metzger Civil Engineering, PLLC dated 9/27/17. (see attached)*

Mr. Metzger: For the record. With me tonight is Patrick Emerling one of my clients. My other client, Don Keicher desperately wanted to be there but he is very ill. He is at home and asked me to pass along his apologize for not being here tonight; he desperately wanted to be here. Thank you for going through that. As I mentioned we discussed many of those items at the Work Session, but we wanted to make sure they were on the record; what our formal responses were to each of those points. A few other things – I know we have been through the plans several times with the Board at a prior public hearing and at Work Sessions but I want to touch on a few items, one of which is the previous response letters that were received from the other involved agencies under SEQR. The Board is aware that previously we did submit responses to each and every one of the points that were raised by the involved agencies so that you have answers to those questions as well. As Roberta mentioned earlier, the Town Engineer, since the time of the Work Session, has reviewed the recent submittal of the plans and has accepted the plans as is from an engineering standpoint; there were a couple minor points. I handed out smaller versions of revised plans. They look almost exactly the same as what you saw last time, there was just a couple minor points and actually only one of them had any impact on the plans itself and it was just a minor detail on the stormwater management outlet structure; we just provided more information on the construction of that particular item. Otherwise, from a planning standpoint you're not going to see any difference in these plans compared to the ones that you saw prior to the Work Session. Again, I just wanted to make sure that you had up-to-date plans and we had previously provided electronic versions of them, but now you have paper copies as well. A couple things that we talked about at the Work Session and I apologize for being kind of small, but there was another amendment we added a detail on the Site Plan that showed a nature trail. We have an area that goes out between the detention pond and building 'E' and it goes out towards the creek. We are developing a little over 6 acres of the entire property which is 14 ½ acres in size and only 10 acres are zoned multi-family. What we've done is we are showing how a nature trail would be constructed for the use of the people within the development. This is not saying this will be the end of it, there will probably be more to it than this but this is the one that makes the most sense. We may do more but we wanted to make sure that was reflected in the plan.

Landscape plan; we have submitted a landscape plan with some minor adjustments; the most notable is that we wanted to make sure that we showed that both of the dumpsters that are proposed on the site are on here and with landscaping around them and also we have refined the notations that talks about the infill. The natural vegetation around the perimeter of the site we are going to keep some that are adjacent to our site that we weren't going to touch anyway, but from a buffer standpoint we just wanted to make sure it was clear what we are proposing to do there. I think we were talking about trees of a certain height, but in the area around building 'A' and garage 'A' we're going to take a look at it and areas where there is a gap we're proposing to plant Northern Spruce trees. I know sometimes when putting in landscaping there is more of a concern about size because they start out small. Even though we're proposing a species that grow fairly quickly, just to elevate hopefully some of the concerns of the property owners to the north, we are actually putting in trees that are already 10 to 12-feet high as infill in that area. Also on the balance of the perimeter of the site in areas that need infill, those Northern Spruce will be 6 to 8-feet in height. It's difficult without actually being out there to know exactly where they are going to be based on

the vegetation that's coming down for construction, so we have indicated on there that there would be an infill type thing and it's hard to quantify but what we are saying is there are to be trees planted approximately one every 10-feet just to give you some idea what the magnitude is. On the landscape plan we have clarified that notation and we've also shown where the proposed sign will be, there wasn't much else to be included there, but I wanted to point that out.

Another thing that we have submitted is a lighting plan. We talked quite a bit about lighting and we wanted to make sure that we clearly depict what we are proposing for lighting. This is multi-family residential property and it's not a commercial project where we have people coming in and out all the time and there is a lot of movement issue. We are talking about low-intensity lighting for this project, we don't want to light up the sky we want just enough for security and safety. You can see on the lighting plan the fixture that we are proposing to put on all of the buildings; it is something that you would see on your own homes. One will be outside each of the patio doors and one on each side of the entrance doors with 40-watt bulbs. So those are the fixtures that will be on the buildings for a total of 10 on each of the buildings and there will be 2 of these lamps on the front of each garage buildings as well. Aside from that, the only other lighting we are proposing is one wall-pack on the north side of building 'C' to illuminate this back parking area and shown on this plan is the photometrics. So, the light spillage from this low-intensity lighting is negligible; you won't see any significant spillage at the property line. We wanted to make sure that we clearly showed what the light spillage would be for the single wall-pack and as you can see in the immediate area around the light there is 1 foot-candle of illumination; as it spreads out a little further, ½ foot- candle and at the furthest point out, at the property line, 0.1 foot-candles. So, the intensity of spillage offsite is negligible even from that one single wall-pack. The client actually talked about the possibility of not putting any lighting there, but we have to for security and safety; it would be irresponsible of us not to have any. That's why we've chose to use something that is low-intensity, just to make sure that we're not creating a problem for neighboring properties.

The last thing I wanted to do to clarify one thing; I noticed in the notes from the last meeting there was mention of 1 dumpster. We definitely are proposing 2 dumpsters at the locations I mentioned previously; one of which is between garage 'A' & 'B' and the other one in the back of the parking lot. It will be fully enclosed and have landscaping around it. With the deer population we have around there, they will not be arborvitaes. We are proposing junipers in that area as they find those a little bit bitter.

I apologize if I went through it kind of quickly but I wanted to bring the Board and the public up to speed on where we're at with the plans.

Chairman Catalano: We appreciate it and as a Board we want to thank you answering all the questions in writing so they were all addressed; we appreciate that very much.

Mr. Metzger: My clients enjoy a great relationship with neighbors at other projects of theirs and we certainly want to make sure they have that relationship here as well. They have had many conversations with neighbors about the project already.

Chairman Catalano: Are there any questions from the Board or Planning Director before I open the floor to the public?

Ms. Sellers: I am wondering where you are having the monument sign. Does that show on the landscape plan, as I don't see it.

Mr. McEvoy: It's on SB1.

Mr. Metzger: It is on SB1 as well, but it's also on the landscape plan as well.

Ms. Sellers: Oh is this with the little green circles around it?

Mr. Metzger: It's actually not on the smaller plans that you have in front of you.

Director Rappoccio: Mr. Metzger could you just point that out again on the large display plan please.

***Mr. Metzger** went to the large plan and pointed out where the sign was located.*

Director Rappoccio: So it's not going to be where the stone walls are.

Mr. Metzger: No.

Ms. Sellers: Maybe this wasn't in the public meeting Mr. Metzger, but maybe you and I had talked about this; where the driveway comes out, we were concerned about the headlights in the neighbor's home across the street

and you had thought of talking to them to see if they would like some evergreens, some spruce trees planted on their property.
Mr. Metzger: That's something I talked to my clients about and they'd be willing to do that.
Ms. Sellers: Have they talked to those homeowners? Is that person here tonight?
Mr. Metzger: To my knowledge not yet, but they are willing to do that. To meet with the neighbor
Ms. Sellers: Okay, so can we depend on somebody here from the neighborhood to talk to that person and have them get in touch with them and let us know if that plan is a 'go'; we don't have in writing but we would like to make sure that they are going to have a few evergreens – something to screen that lighting. They are putting in these Northern Spruce trees, they may want those; something that would screen…
Mr. Metzger: We'll work with the neighbor for something that makes sense.
Director Rappoccio: It's not something as a Planning Board that is within our jurisdiction; it's up to the developer.
Ms. Sellers: So if the homeowner wishes to talk to the developer that would be about the only way we could come up with solving that issue.
Mr. Metzger: We would be fully supportive to a condition on the approval that indicates that we would work with the homeowner across the street.
Ms. Sellers: Other than that, I like the River Birch out at the street and I understand the difficulty with putting too much landscaping which would cut down that site line coming out of that driveway. I love the landscape plan and I'm happy to see those Northern Spruce trees and the size of them. What the homeowner would have to know is if a tree dies within a certain period of time and they call the building department they will ask the developer to replace them.
Mr. McEvoy: Does that same thing hold true…
Director Rappoccio: Actually our Building Code guy just walked in. Paul, we have a question for you already.
Mr. McEvoy: That's an agreement between the homeowner and the builder, it's not something that would follow under the purview of the Town.
Ms. Sellers: So Paul, when the landscaping plan shows the buffer being augmented by these Northern Spruce trees, if they die within a short period of time, to maintain the site plan the developer replaces them. What is the Town's responsibility on that?
Mr. Ryerse: There really isn't anything in code enforcement as far as trees. Once we issue a Certificate of Occupancy…
Ms. Sellers: So during the period of time to get the Certificate of Occupancy the trees have to be planted and living.
Mr. Ryerse: Correct, but depending on the weather situation if these buildings are ready to be occupied in an October/November situation, we'll issue a temporary 'C of O' pending grading and seeding in the Spring. That happens quite often because you can't plant in the winter season, but the actual Certificate of Occupancy with no restrictions the project has to be 100% complete.
Ms. Sellers: Okay.
Director Rappoccio: Thanks Paul.
Chairman Catalano: I have a question about the lighting real quick. Where the dumpsters are located, will there be lighting at the dumpsters for night time? I know how it's tucked in and it's all fenced around it, I was just curious on whether it was going to be illuminated.
Mr. Metzger: The dumpster itself will be in line with the front of the buildings, which will have lighting on them so we don't need to put any further at that one. Then the other dumpster there is enough lighting from the wall-pack.
Chairman Catalano: Okay, there's enough illumination there then.
Director Rappoccio: You've actually answered all my questions in a previous email to you so thank you.
Chairman Catalano: 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.
Gary Kravitz, 8557 North Main St.,: I own the property directly north of the proposed project and I'm here along with Tim Crowden, he lives directly on the south side of the property. Our two families are the ones most

directly affected by this project. I want to give you a little background on myself because I've looked at these prints because I can read construction prints. I worked as a surveyor for Nussbaum and Clark Engineers for about 12 years and for Don Gallo, Civil Engineer for 2 years. I've done boundary property line surveys, I've done water and sewer, storm drain stakeout. I've laid out subdivisions, I've staked out buildings and houses. I've been an inspector on water line construction and sewer line construction, so I've been around construction sites for many years. I've also done a little bit of CAD drafting back in the late 80's but I'm sure the systems are much more refined by now. Prior to the Work Session, I had gone to the Planning Board and picked up a set of prints and upon reviewing them I noticed some discrepancies and contradictions and I would like to ask the engineer to answer. First of all, once this project is approved, are you going to vote on this project tonight?
Director Rappoccio: It's on the agenda for a vote.
Mr. Kravitz: At this point, unless something happens here, I don't think it's the right time to vote for it; that's what us neighbors are talking here. Anyways, could you describe to me once this project is approved…
Director Rappoccio: You need to address the Board.
Mr. Kravitz: Okay, but I really want to talk to the engineer. Could you describe in detail the steps on the initial stages of construction.
Mr. Metzger: If you could just take the comments and then…
Chairman Catalano: Yes, make your comments and we'll have notes; he's not obligated to answer them, but we'll try and get you answers.
Mr. Kravitz: I want to get a feel for the initial stages of the construction. I'll just mention the two things that I want to bring out about the contradictions on this plan.

1. On the landscape plan it shows that you want to save the existing greenery on the north and south property lines but then on the construction plan, on the north side of the property you've got the top soil stockpiled right on top of my property which will kill any green fence that I have existing. There's no reason why that has to be stockpiled right there and it is going to destroy any existing greenery. If you look at the print, the Erosion and Sediment Control Plan, it's right on my property line.

Chairman Catalano: That was discussed on the comment letter from Metzger Engineering which was read into the record.
Ms. Sellers: The response from the letter read "The area shown for topsoil temporary storage is an area slated for development anyway so vegetation loss would not be avoided by its relocation."
Mr. Metzger: I can say that we will commit to preserve that greenspace as shown. That landscape plan overrides the Erosion Control Plan; it's a bubble and it's basically depicting the general area where the topsoil is going to be. If we are committing to preserve that greenspace obviously we're not going to…
Mr. Kravitz: That's not where the stockpile should be.
Mr. Metzger: The stockpile will be in that area but it won't go to the extent where it's going to affect the greenspace that we're preserving adjacent to Mr. Kravitz's property, I can assure you of that.
Chairman Catalano: Does that answer your question Gary?
Mr. Kravitz: Not really. These guys are going to just throw – I've been around construction sites, they are just going to dump the soil where they can. You've got 9-acres, why put it right on my property line?
Mr. Metzger: Well first of all it's not your property.
Mr. Kravitz: Well it's near my property.
Chairman Catalano: They are taking the neighbors concerns into account which you can see just by the meetings that we've held on this project and all the questions that were submitted to them that they answered in writing. So you can address your comments to the Board and we understand that concern because we looked at it. We looked at the landscaping plan and we've asked these same exact questions you're asking were asked from this Board to this developer.
Mr. Kravitz: All right, I give up. Another item is your silt screen around the perimeter of the property; it's on the Erosion and Sediment plan. It's not a problem on my property because actually I cut the grass about 10-feet over onto your property just to keep the brush going back and if you put the silt screen around there it's not a problem with me. But with Tim…
Chairman Catalano: Address us so we can hear you.

Mr. Kravitz: Okay. On Tim's property, if you put the silt screen on his property line the way it's shown; I know construction workers, that property line is all brambles – thorn apple, rose bush, thick brush – the workers will never get a silt screen in there and it will destroy Tim's green fence; I'm speaking for Tim here. They are going to have to move that silt screen up closer to the construction site. Do you understand what I'm saying?
Chairman Catalano: Yes. They are not going to touch anything on any property that is not theirs.
Mr. Kravitz: Yes, I understand that, but these guys are not going to get down on their hands and knees and stake out this silt screen through these brambles and stuff; what they'll do is send a bulldozer down to clear a path and there goes Tim's green space. You've got to move that silt screen up closer towards where the waterline comes through there somewhere.
Mr. Metzger: The waterline is on the north side.
Mr. Kravitz: Oh, the waterline doesn't come in on the south side at all? What I'm saying is maybe push that silt screen closer to the proposed garages to save Tim's green space.
Mr. Metzger: Mr. Kravitz, we always try to be sure we have the silt fence, or in this case it's probably going to be a silt sock which is much less intrusive to the land because it basically just lays on the land, but we usually try to show it on the plan around the perimeter of the site to make sure that it is abundantly clear that we do not want any silt leaving the site and going onto adjacent properties. With that area that's going to be left green, there really is no reason why the contractors can't put it further onto the interior of our property if there is a concern about it.
Chairman Catalano: It's not mandatory, but if the construction manager at the time feels he can do that we would love for that to happen, but I can't make it part of the requirement.
Mr. Metzger: Let me commit for the record, because I think we can do this, that we will place the silt fence or silt sock at the interface between the disturbed area and the area to be preserved. We will do that.
Mr. Kravitz: Okay. Like I said on my property it doesn't matter too much because as you can see I cut the grass around the outside of my property.
Mr. Metzger: These days with the silt sock, it's so non-intrusive compared to the fence. With the silt fence you have to actually dig a little strip, it's only 6-inches deep, to tuck in the silt.
Chairman Catalano: This is a lot invasive.
Mr. Metzger: But just for the discomfort level, we'll put it at that interface as opposed to near the property line.
Mr. Kravitz: In the initial stages of construction, does the contractor have his own surveyor or are you going to send in the property surveyors that did the property survey?
Mr. Metzger: I'm not sure I can answer that question.
Mr. Kravitz: Will you brush hog everything at the beginning; bring in a bulldozer and brush hog it?
Chairman Catalano: I'm not sure when they start the project exactly how they are going to do it. I know they'll have a game plan in mind, but that's beyond our control. We can't control how quickly they take down that vegetation or what they are going to brush out. We are not obligated to have to answer that because we just don't know; it's not our concern.
Mr. Kravitz: Well to get to my final question here, I'm going to ask the engineer and the owner; would you consider a change in the layout of the first two buildings – building A & H? I made a sketch of one of the copies here to flip building A & H with ½ of the garage and ½ of the parking lot. Move that up front; ½ of the garage and ½ of the parking lot up front and move building A and H back a little bit further so it isn't overlooking my property. I'm looking out my living room window now and all I see is a 2 ½ story building dominating my landscape.
Chairman Catalano: They did address that in their answers.
Mr. Kravitz: Did they consider it? They told us right along that they would be willing to work with us on this. They are still going to maintain the symmetry of the site, it's just that the first two buildings would be a little bit further back; maybe the tenants would like it a little bit further back from the road too, I don't know, but I would certainly like it because the building wouldn't be overlooking my house.
Chairman Catalano: Their answer to that, their response, was that "the project density is less than the density allowed by code."
Mr. Kravitz: That doesn't answer my question.

Chairman Catalano: Well the density verification process shows more units can be added. The owners have decided not to add any to the project as the number proposed is perfect for the market." So, the design that they have laid out, from what I'm understanding here, the design that they laid out they are not going to move the buildings. This is a perfect design and it meets the Town, it meets the density, it's actually smaller than what they are even allowed to put there.
Mr. Kravitz: I understand that, but I'm just asking them to consider this to be a good neighbor like they claim to be and move the buildings back.
Mr. Metzger: We did look at it, but it doesn't make sense for the rentability of the property and the most efficient use of the garage space. We did look at it, I don't want you to think we just blew you off.
Mr. Kravitz: Oh yeah, I know. Where are those dumpsters going to be now? Could you point them out to me?
Director Rappoccio: The same location we talked about.
Mr. Kravitz: I couldn't see it.
Director Rappoccio: You are more than welcome to approach.
Mr. Metzger: The one is over here between the garages and the other one is…
Mr. Kravitz: Both are going to be adjacent to my property line. Why put them right there near my property?
Chairman Catalano: They did take that into consideration when the plan was drawn up.
Mr. Kravitz: What consideration?
Chairman Catalano: The consideration to the whole project.
Mr. Kravitz: Not my consideration that's for sure.
Chairman Catalano: No, but to the project.
Mr. Kravitz: Where's the help from the Planning Board here suggesting things for them for the community. We're not getting anything out of this.
Mr. Bergum: Excuse me sir, but you did get 10-12-foot trees instead of 6-8-foot; it's something. I mean they don't have to do anything technically by code. They are answering your questions and trying the best they can, but from a money standpoint they are spending a lot of money to do the project too. Every time you change something it's thousands of dollars, it's not just minimum dollars. They did give you 10-12-foot trees, I'd like to see the cost of those, they can't be cheap.
Mr. Kravitz: Speaking of the trees; you said one about every 10-feet. Can you spread them out down the whole property line?
Director Rappoccio: Infilled and then one at least every 10-feet.
Ms. Sellers: And he said it was difficult because it will depend on how that vegetation is.
Mr. Kravitz: From what I gather from what he said is they are going to spread them out the whole length of the property. Is that right?
Chairman Catalano: The piece that's being developed, not the whole property.
Mr. Kravitz: No, not the whole property, but the north property line. They are going to spread the trees the whole length?
Director Rappoccio: They are going to infill and have at least one every 10-feet.
Mr. Kravitz: Okay, instead of spreading the trees out way down along the property line, could you make them denser towards me towards the front of the property? Would that be a possibility?
Chairman Catalano: They have a landscaping plan that is above and beyond. I'm telling you above and beyond what they actually have to do. They are committing to doing this project and making the neighbors doing what they can do to appease the neighbors. I know you are on that one side; the vegetation will be there, the trees will be there.
Mr. Kravitz: Instead of spreading them out along the whole property line, could you make them more dense towards where I…
Chairman Catalano: They're going to have to see what vegetation is surviving there, as the project is going and take it from there.
Ms. Sellers: But you are getting the bigger ones and you are getting them 10-12-feet.
Tim Crowden, 8595 North Main St.: I just, real quick, I know we talked a lot about it already. I'm just wondering, the entire length of the property line, the trees and the brush that actually falls on my property line

and they're saying they are going to keep as much as they can. Is that 5-feet of space off my property line or is that 20? Because there's like maple trees, a whole line of old grape vines that grow right up to the line and I'm not sure what trees belong to who along this whole length. I'm just wondering what sort of care is actually done in the removal? Is it going to kill the trees that are growing on my land because the roots are over there? I mean if you say 10-feet I'm pretty sure most of the trees that are along the entire length on that side would be fine. If it's right up to the line then everything will be dead, maple trees, there's apple trees in there.
Chairman Catalano: There is a buffer zone there in the landscaping plan. There is a buffer, but they can't guarantee when they get in there…
Ms. Sellers: You understand they are not touching anything on your property and the buffer is all on their property.
Mr. Crowden: Right. I'm just wondering to what extent is it going to damage all the trees that are growing on my property that happens to be adjacent right on theirs as well. I think it would just be a matter of the guys who are bulldozing and digging up everything picture a fence that they don't want to knock down, even though it's not actually there; just a little extra care.
Chairman Catalano: Absolutely and there is care and you can tell by the way they answered the questions. You can tell by they want to be a good neighbor.
Mr. Crowden: Because the grapevines and the trees will all go with the trail. That's all I've got. Thank you.
Caryl Youngers, 8607 North Main St.: Your landscape plan is minimal. If I was a landscaper to do that plan I wouldn't bother to show up. There's not enough plant material in there to make it worthwhile. Your trees coming in there at 10-12-feet, wonderful, that's good; those are probably Norway Spruce not northern spruce. I don't think there is any Northern Spruce. The buffer zones on both sides and it doesn't affect me quite as much as it does my neighbors; and the Board does have control over the greenery required on a project. Why can't we come up with a distance, a 20-foot non-touchable zone around the borders of these properties? It's calling out 45-foot greenspace and if they stayed 20-foot from the property edge and stayed out of there with equipment, there's a chance that these trees would survive. In the area where the topsoil was going to go, but as close as the patios are, as close as the buildings are being constructed to the property line, those maple trees which are really quite nice are not going to survive construction; they're too close. Have you been out there walking the property? You need to do that. I know you are basically volunteers and you know how much you can do, but if you don't walk the property you're not going to see what's happening from the papers. Okay, my security situation is going to be okay and if not it will be fixed. Security – I think if a housing development is built we are creating an attractive nuisance so I am going to hold them liable for anything that happens on my property. By them creating an attractive nuisance, they are not providing security. So I ask for security, and I'm not asking for anything fancy, I'm just asking for some security. I've offered to help build a berm, I've offered to supply the land for a berm, I've offered for them to put their debris in that berm and no, they have not talked to any of the neighbors at all except for outside of this courtroom the other night. So again, I ask for security, I require fencing…
Chairman Catalano: That's totally up to the Town security aspect.
Mr. Youngers: That's up to the Planning Board.
Chairman Catalano: This is the third project, as I've read the history of this property into the record, this is the third project being brought forward. The first two were approved and never went anywhere. This is the first one that we are back at the same point.
Mr. Youngers: I know that, I've been here before.
Chairman Catalano: And we're back at the same point but you're asking the Board to guarantee security for your property.
Mr. Youngers: No, I'm asking the Board to require security fencing, not security for my property. I'm asking for security so somebody doesn't wonder off and get hurt.
Ms. Sellers: I think that is a difficult thing to ask Caryl because…
Mr. Youngers: I don't care if it's difficult or not.
Ms. Sellers: Would that mean that every housing project, every apartment complex would have to fence in their areas so that people couldn't leave their property when your…
Mr. Youngers: Don't ask me for my opinion on that.

Ms. Sellers: ...other neighbors are forced to fence in? I understand that you have a real fear with an attractive nuisance issue, but I don't think they have created it. We have discussed this actually about your pond and your pond is not...
Mr. Youngers: They have created an attractive nuisance by building there.
Ms. Sellers: No they are not. They are allowed that and you are allowed your pond unfenced because of the area that you're in; I think that it is going to be an attractive nuisance if there are a lot of kids in that area. I would be concerned about a pond or a swimming pool, you know we don't make people fence them in when there are out in the country, becoming an attractive nuisance if there are a great number of kids around. If that is the case and I owned that pond, I would think about fencing it in myself to protect myself from that liability. But we don't have anything written on the books saying that we can require them to fence in this whole property. There is nothing out there in our law.
Mr. Youngers: I'm not asking them to fence in their whole property, I'm asking you to consider that they are creating an attractive nuisance.
Ms. Sellers: That's your opinion, and it very well may be, but there is nothing in our law that requires that.
Mr. Youngers: In your opinion you said when there was a certain number of children involved this was an attractive nuisance.
Ms. Sellers: I think that your pond is the attractive nuisance.
Mr. Youngers: Because of the certain number of children involved; until that time there's not a problem.
Chairman Catalano: But at this point we don't have that at this point so I'm not going to guarantee you security.
Ms. Sellers: We have nothing in our law. If you can find anything in the law to point us to, we will consider it. I have never, ever seen anything in this law that says we can require an apartment complex to fence everybody inside it so that they don't go onto their neighbor's property.
Mr. Youngers: I'm not asking that Anne, you know that. I'm not asking that. Tops in Derby was required to put a fence up at the back of their property.
Ms. Sellers: That's because it's commercial abutting that residential.
Mr. Youngers: And for what reason?
Ms. Sellers: Because we don't want children running into a parking lot that has trucks going in and out.
Mr. Youngers: Because it would be dangerous.
Ms. Sellers: It would be dangerous, but you do not have that...
Mr. Youngers: Hmmm okay, does that make sense?
Mr. McEvoy: It's because the fence was there before they built the new Tops. Both of those fences that were there were put up by the property owners that live there. Tops agreed to put a new fence in, in conjunction with the fences that were already there.
Mr. Youngers: Okay, go down the north edge of my property and you will find fence.
Mr. McEvoy: But what exactly do you want them to put security around; your pond?
Mr. Youngers: No, down the border of their property, keeping their residents contained.
Ms. Sellers: You know, it's not like we have a prison situation here where we can fence people in. That's like your saying these are dangerous people who can get out of this area.
Mr. Youngers: You don't know that.
Ms. Sellers: We can't fence people in.
Mr. Youngers: Only on one side.
Mr. McEvoy: If you want people to stay off your property it's your responsibility to put the fence up, not the builders.
Chairman Catalano: We're not going to require that.
Mr. McEvoy: We couldn't require that.
Ms. Sellers: We can't require it. We have no legal means to require it.
Mr. Youngers: I'll ask the Planning Board again to ask the new owners and the engineers for a berm and I'll ask for a fence. And after that...
Chairman Catalano: It's duly noted. Caryl it's duly noted, it is on the record.
Mr. Youngers: ...after that, we'll do what we gotta' do.

Ms. Sellers: Actually Caryl one more thing…we aren't virtual volunteers, we are total volunteers.
Mr. Youngers: I know you are and there's not enough construction out here as there should be.
Ms. Sellers: We truly do try very hard to listen to the neighbors and we feel for the Kravitz's, we would like to be able to say…
Mr. Youngers: You've got to get out there and see it.
Ms. Sellers: …that they could have. Well we can't, it's a hard property to walk.
Mr. Youngers: It is.
Ms. Sellers: I mean I can Kravitz's and I can see where they are, I can see Crowden's, but back at the edge of yours, that's a hard property to walk.
Mr. Youngers: Drive right down my driveway, I'll take you in the Model 'A' right to the edge of the property.
Ms. Sellers: There is no way I see any legal way to force these developers to fence their property.
Mr. Youngers: How about ask?
Chairman Catalano: It was asked and it was answered. Thank you. Is there anyone else who wishes to speak? There being no further comments from the public, I will close floor and bring it back to the Planning Board for further questions/comments. Are there any further questions or comments from the Planning Board?
Mr. Bergum: I do have one question. Instead of the trees, would you consider a fence on that side?
Ms. Sellers: A fence isn't cheap. The trees are 10-12-feet and the natural vegetation is more than that.
Mr. Bergum: I understand.
Chairman Catalano: He's just asking the question.
Mr. Bergum: Just asking a question.
Mr. Metzger: That is something I can talk to my clients about. It's something they may consider possibly.
Mr. Bergum: That's fine. When you decide just let Caryl know.
Mr. Metzger: I did talk to Mr. Youngers about his one suggestion , but quite frankly a berm is not going to provide security. We did talk about the possibility of the cleared material, the vegetation, being provided to him to put in a buffer if he wanted to have that on his property. We talked a little bit about that at the Work Session and I can continue to do that.
Chairman Catalano: Okay, thank you.
Ms. Sellers: Mr. Youngers is very knowledgeable because his whole life he has been growing things.
Mr. McEvoy: One comment. At the last meeting you had told us this was going to be built in phases. Would it be possible to take the temporary soil stockpile and put it back in the property so you build the front phase and have your stockpile in the back? Then as you move back you could move the stockpile farther back. Just a suggestion.
Mr. Metzger: It's a possibility.
Chairman Catalano: If you could just consider it. We are just asking if you could consider it as the development starts, that's all.
Ms. Sellers: And it would be to your advantage if it saved more of that natural buffer.
Chairman Catalano: The Planning Board is awaiting further review and required documentation from Erie County Highway and the New York State Department of Transportation. 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 those agencies and the applicant. There being no further comments from the Planning Board, may I please have two motions – one regarding SEQR and one regarding approval of the project with condition(s).
Mr. McEvoy: I'll do the SEQR. Based on the Town's review of the information submitted and the guidelines of the New York State Environmental Quality Review Act, the Planning Board has determined that the project is not anticipated to result in any significant effects on the environment and that a negative declaration is hereby issued.
Ms. Sellers: I'll second.

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

Mr. Bergum: I'll do the Approval Motion. Having made this determination, I would also like to move to approve the project based on the following reason(s):

- The action is consistent with the Town of Evans Comprehensive Plan.
- This project will constitute the use of an underutilized property.
- This development will provide additional housing for the Town

and with the following condition(s):

1. The applicant/developer must meet all the requirements of the New York State Department of Transportation and copies of all correspondence and/or permits between the applicant and/or his representative must be provided to the Planning and Code Enforcement Offices.
2. The applicant/developer must meet all the requirements of the Erie County Highway Department and copies of all correspondence and/or permits between the applicant and/or his representative must be provided to the Planning and Code Enforcement Offices.
3. The applicant/developer must meet all the requirements of the Erie County Water Authority and copies of all correspondence and/or permits between the applicant and/or his representative must be provided to the Planning and Code Enforcement Offices.
4. The silt sock will be between the area to be preserved and the garages as far and from the property line as possible.
5. Receipt by the Planning Office of three (3) copies of any and all revised plans acceptable to the Planning Director and Town Engineer.

Ms. Sellers: I'll second.

Vote: *All in favor. So moved.*

Chairman Catalano: Next steps – the Planning Office will send a letter to the Code Enforcement Office advising of our action this evening. You may continue the building process under that jurisdiction. The Planning Office will be happy to continue to assist you as needed. Thank you for bringing your project into our community and for investing in the Town of Evans. Good luck and best wishes as you continue on with construction. And thank you everyone for attending. May I please have a motion to adjourn.

Mr. Bergum: Motion to adjourn.
Ms. Sellers: Second.

Vote: *All in favor. So moved.*

Chairman Catalano: Have a good night everyone.

Respectfully submitted by:

Debra L. Wilson

Debra L. Wilson
Secretary

Approved: 10/25/17

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: North Main Street Apartments		
Project Location (describe, and attach a general location map): North Main Street and Beach Road		
Brief Description of Proposed Action (include purpose or need): Construction of eight - 8 unit apartments		
Name of Applicant/Sponsor: Metzger Civil Engineering, PLLC	Telephone: 716.633.2601 E-Mail: meteng@roadrunner.com	
Address: 8245 Sheridan Drive		
City/PO: Williamsville	State: NY	Zip Code: 14221
Project Contact (if not same as sponsor; give name and title/role): Michael J Metzger, PE	Telephone: E-Mail:	
Address: 8245 Sheridan Drive		
City/PO: Williamsville	State: NY	Zip Code: 14221
Property Owner (if not same as sponsor): E& K Estates	Telephone: E-Mail:	
Address: PO Box 125		
City/PO: Boston	State: NY	Zip Code: 14025

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Council, Town Board, or Village Board of Trustees ☐Yes☐No		
b. City, Town or Village Planning Board or Commission ☑Yes☐No	Site plan review and approval	June, 2017
c. City Council, Town or Village Zoning Board of Appeals ☐Yes☐No		
d. Other local agencies ☐Yes☐No		
e. County agencies ☑Yes☐No	ECDPW - Sanitary ECWA - water	
f. Regional agencies ☐Yes☐No		
g. State agencies ☑Yes☐No	NYSDEC SPDES permit	
h. Federal agencies ☑Yes☐No	Wetland JD	

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No

If Yes, identify the plan(s):
NYS Heritage Areas:West Erie Canal Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes☑No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
MFR-3 Multi Family

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Evans-Brant (Lakeshore)

b. What police or other public protection forces serve the project site?
Town of Evans, Erie County Sheriffs, NYS Troopers

c. Which fire protection and emergency medical services serve the project site?
Town of Evans Fire Department

d. What parks serve the project site?
Evans Town Park, Bennett Beach Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential

b. a. Total acreage of the site of the proposed action? 6.0 acres
b. Total acreage to be physically disturbed? 6.0 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 14.4 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☑ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Joining existing parcels together
ii. Is a cluster/conservation layout proposed? ☑ Yes ☐ No
iii. Number of lots proposed? 1
iv. Minimum and maximum proposed lot sizes? Minimum 14.4 Maximum 14.4

e. Will proposed action be constructed in multiple phases? ☐ Yes ☐ No
i. If No, anticipated period of construction: 60 months
ii. If Yes:
- Total number of phases anticipated 4
- Anticipated commencement date of phase 1 (including demolition) 8 month 2017 year
- Anticipated completion date of final phase 12 month 2022 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:
Schedule will be determined by market sales

f. Does the project include new residential uses? ☑Yes ☐No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				16
At completion of all phases				64

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes ☑No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify:

_____

iii. If other than water, identify the type of impounded/contained liquids and their source.

_____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☑No

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

_____

_____

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No

If yes, describe. _____

_____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐Yes ☐No

ix. Summarize site reclamation goals and plan: _____

_____

_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☑No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

_____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No
If Yes, describe:

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No
If Yes:

- acres of aquatic vegetation proposed to be removed:
- expected acreage of aquatic vegetation remaining after project completion:
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):
- proposed method of plant removal:
- if chemical/herbicide treatment will be used, specify product(s):

v. Describe any proposed reclamation/mitigation following disturbance:

c. Will the proposed action use, or create a new demand for water? ☑Yes ☐No
If Yes:

i. Total anticipated water usage/demand per day: 16000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☑Yes ☐No
If Yes:

- Name of district or service area: ECWA
- Does the existing public water supply have capacity to serve the proposal? ☑Yes ☐No
- Is the project site in the existing district? ☑Yes ☐No
- Is expansion of the district needed? ☐Yes ☑No
- Do existing lines serve the project site? ☑Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☑No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project:
- Source(s) of supply for the district:

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☑No
If, Yes:

- Applicant/sponsor for new district:
- Date application submitted or anticipated:
- Proposed source(s) of supply for new district:

v. If a public water supply will not be used, describe plans to provide water supply for the project:

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☑Yes ☐No
If Yes:

i. Total anticipated liquid waste generation per day: 16000 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):
Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☑Yes ☐No
If Yes:

- Name of wastewater treatment plant to be used: Big Sister Creek WWTP
- Name of district: ECSD #2
- Does the existing wastewater treatment plant have capacity to serve the project? ☑Yes ☐No
- Is the project site in the existing district? ☑Yes ☐No
- Is expansion of the district needed? ☐Yes ☑No

- Do existing sewer lines serve the project? ☑Yes ☐No
- Will line extension within an existing district be necessary to serve the project? ☐Yes ☑No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☑No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 2.5 acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. Stormwater runoff

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

On site detention pond

- If to surface waters, identify receiving water bodies or wetlands: Ultimately to Big Sister Creek
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☑Yes ☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes ☑No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7-7 pm
- Saturday: 7-7 pm
- Sunday: 9-5pm
- Holidays: 7-7pm

ii. During Operations:

- Monday - Friday: 24 hours
- Saturday: 24 hours
- Sunday: 24 hours
- Holidays: 24 hours

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Typical construction noise during construction only

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: _____

n.. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Low intensity, wall pack lighting

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	2.5	+2.5
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	6.0	0	-6.0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0.2	+0.2
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: Lawn	0	3.3	+3.3

c. Is the project site presently used by members of the community for public recreation? ☐Yes ☑No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☑Yes ☐No

If Yes,

i. Identify Facilities:

Lakeshore High School

e. Does the project site contain an existing dam? ☐Yes ☑No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes ☑No

If Yes:

i. Has the facility been formally closed? ☐Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes ☑No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐Yes ☑ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐Yes ☐No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐Yes ☑No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☑No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 2 feet

b. Are there bedrock outcroppings on the project site? ☐Yes ☑No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: Manilus Shaly loam 100 %
_____ %
_____ %

d. What is the average depth to the water table on the project site? Average: >6 feet

e. Drainage status of project site soils: ☑ Well Drained: 100 % of site
☐ Moderately Well Drained: _____% of site
☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes: ☑ 0-10%: 100 % of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☐Yes ☑No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑Yes ☐No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑Yes ☐No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑Yes ☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 835-2 Classification C(CT)
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☑No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☑Yes ☐No

j. Is the project site in the 100 year Floodplain? ☑Yes ☐No

k. Is the project site in the 500 year Floodplain? ☑Yes ☐No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes ☑No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:
Typical WNY widlife

n. Does the project site contain a designated significant natural community? ☐Yes ☑No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation):
ii. Source(s) of description or evaluation:
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐Yes ☑No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☑No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No
If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☑No
If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☑No
i. If Yes: acreage(s) on project site?
ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No
If Yes:
i. CEA name:
ii. Basis for designation:
iii. Designating agency and date:

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☑ Historic Building or District

ii. Name: Pioneer Cemetery

iii. Brief description of attributes on which listing is based:

Historic cemetery added in 2012

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

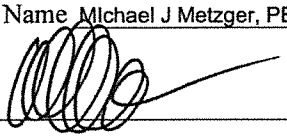
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Michael J Metzger, PE Date ~~Agent~~ 6/1/17

Signature  Title Agent

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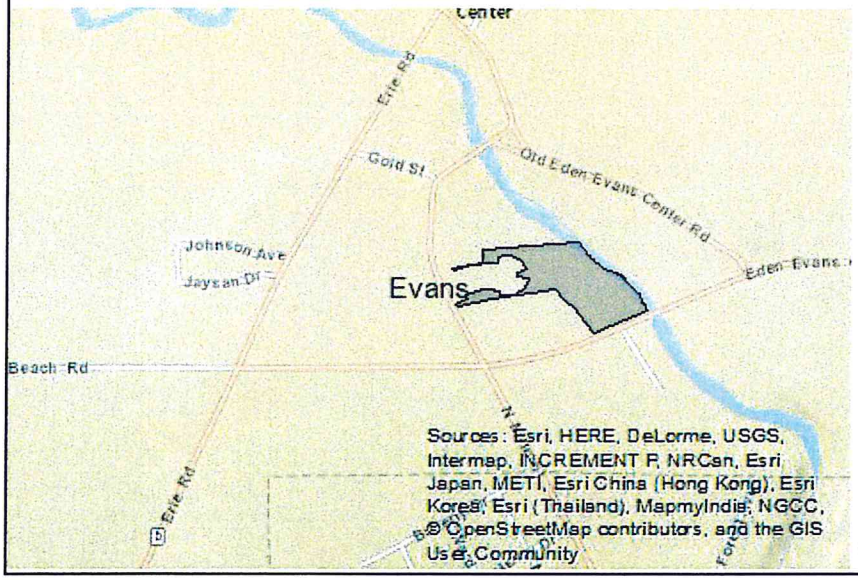
EAF Mapper Summary Report

Friday, June 02, 2017 3:40 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:West Erie Canal Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	835-2
E.2.h.iv [Surface Water Features - Stream Classification]	C(CT)
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes

E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	Pioneer Cemetery
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Agency Use Only [If applicable]

Project: N. Main Street Apts

Date: 9/27/17

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes**" to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No**" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)
If "Yes", answer questions a - j. If "No", move on to Section 2.

☐ NO ☑ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☑	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☑	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☑	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☑	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☑
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☑	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☑	☐
h. Other impacts: _____		☑	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____ _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☑ NO ☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____ _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D,2,h, D.2.g) ☑NO ☐YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☑NO ☐YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____ _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) ☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____ _____		☐	☐
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____ _____		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____ _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. ☑ NO ☐ YES
(See Part 1. D.2.j)
If "Yes", answer questions a - g. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: NOTE: Public comment indicates a concern for traffic volumes and road safety-in particular for pedestrians		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy. ☑ NO ☐ YES
(See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts:			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting. ☑ NO ☐ YES
(See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☑ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

PRINT FULL FORM

Agency Use Only [IfApplicable]

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Part 2 1e.

The construction of the proposed project will be in multiple phases consisting of two buildings per phase (total of four phases) and based on the market forces. Anticipate construction to begin in 2017, with a total build-out by 2022.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☑ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the _____ as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Site Plan Review and Approval

Name of Lead Agency: Town of Evans, NY Planning Board

Name of Responsible Officer in Lead Agency: Roberta Rappoccio

Title of Responsible Officer: Director, Department of Planning and Community Development

Signature of Responsible Officer in Lead Agency: _____ Date: 9/27/17

Signature of Preparer (if different from Responsible Officer) Date:

For Further Information:

Contact Person: Roberta Rappoccio

Address: 8787 Erie Road, Angola, NY 14006

Telephone Number: 716-217*3560

E-mail: rrappoccio@townofevans.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

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