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REGULAR MEETING OF THE TOWN OF EVANS PLANNING BOARD WEDNESDAY, MAY 27, 2020

MEMBERS PRESENT: A. Sellers, J. Pinter, M. Connors, B. Bergum, A. Lloyd, L. Szewczyk, D. Schiedel

ALSO PRESENT: William Smith, Director of Planning & Community Development

Chair, A. Sellers opened the meeting at 6:00 P.M. The meeting was an online conference meeting through the GoTo Meeting platform.

Chairwoman Sellers: I would like to welcome everyone to the May 27, 2020 Planning Board meeting. Due to the NYS Governor's Emergency Changes to the Open Meetings Law and per the Evans Town Supervisor's Executive Order 2020.2 we are holding this meeting via conference call while giving the public the ability to listen in and comment when given the opportunity. For the record, a Planning Board public meeting is conducted solely for the predetermined action items listed on the official Planning Board agenda as advertised. The action before us this evening is the intent to Declare Lead Agency regarding the SEQR process for the Grandview Bay, LLC parcel located at 8934 Lake Shore Road, no other unrelated items may be discussed or brought before the Planning Board at this public meeting. That being said, if any resident wishes to comment on this action it is their right to do so when the floor is opened to the public. We also ask that all please be considerate of any background noise so that the Board members can communicate effectively. Due to the unique circumstances of this meeting Board members are reminded to state their name before speaking as well. Please also note that large scale paper copies will be available for public viewing by appointment at the Town Hall in the Planning Department starting next Monday, June 1st. You are welcome to schedule an appointment to view the most recent plans and to provide written comment via email at planning@townofevans.org or by mail to the Town of Evans Planning Department, 8787 Erie Road, Angola. Comments will be submitted into the record and provided to the Planning Board for review and consideration. At this time the Town Hall is currently open, by appointment only due to the Covid-19 pandemic. All guests are required to wear masks when entering the building and at all times while in the building. Town Hall remains locked for the safety of our employees. Therefore we ask that when you arrive for your appointment you telephone the Planning Clerk, Debi Wilson at 716-549-0945 to let her know of your arrival so that she may greet you at the door and direct you to the office. Please use the Town Clerk entrance to the building, not the main entrance for safety reasons.

Before we begin tonight's meeting, we have some housekeeping we need to take care of regarding minutes from the February 26th and March 25th Public Meetings. Are there any additions, corrections of questions, or may I please have a motion to accept as submitted.

B. Bergum: Motion to accept as submitted.
A. Lloyd: Second.

VOTE RESULT: **Approved by unanimous roll call vote.**

Chair: 1. The First item on the agenda tonight is:

- **SEQR Resolution Declaring Intent to be Lead Agency** – Proposed Waterfront Mixed Use Development. Petitioner: Grandview Bay, LLC, Ellicott Development, 8934 Lake Shore Road, Angola, SBL# 234.16-2-25.1.

HISTORY:

- Grandview Bay, LLC with representatives from Ellicott Development met via Planning Board GoTo Work Session on April 2, 2020 and again on May 13, 2020, at which time the preliminary Draft Concept Plans were presented and discussed.
- On Tuesday, May 26, 2020 a complete Site Plan application including SEQR Full Environmental Assessment Form, Part 1 was officially submitted by Ellicott Development/Grandview Bay, LLC.

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

No questions or comments from the Planning Board

There being no further questions or comments from the Board, at this time I will open the floor for any public comment. As always, we ask that anyone who wishes to speak please clearly state your name and address, spelling your last name for the record. Each person is limited to one opportunity to speak and comments shall be limited to 3 minutes. Again, comments must be related solely to the action before the Planning Board tonight, which is the intent to Declare Lead Agency. Are there any comments from the public?

Marie O'Connor, 8812 Lake Shore Road, Angola, NY 14006: Thank you for your return email Mr. Smith, in regards to my question, but I still have a concern over where the run-off area went; not where it will go in the future, but where has it gone or disappeared from just recently. There was an active runoff, there is not an active runoff there now. I know that that this action is about the SEQR process, but how can we move forward without knowing where we've been?

Chair: Marie, that will be part of it. The Lead Agency status means that the Planning Board will be gathering all those comments and seeking comments on all those issues. So, all the environmental concerns, traffic, drainage, runoff all of that is part of the information that we will be gathering. Tonight, the comment is just on the Planning Board being the Lead Agency. We will canvas different agencies for comment and open to the public for comment. So that is really what we need to address tonight, Lead Agency status. I am not trying to dismiss your question.

Director: Anne if I could just make one comment because I do not want to totally neglect the question. Marie, as I said, I know of the channel, the sort of makeshift culvert that went through the area previously and I am looking into that with our Town Engineer, as well as our coordinator of public works and drainage to have a better understanding and that will be addressed in both their drainage plan, their Stormwater Pollution Plan and SPDES, which we only received yesterday. So I will be reviewing that, our Town Engineer will be reviewing that and our drainage coordinator. There will be many knowledgeable eyes on that and I will be happy to answer your question in that email as soon as I have a more solid answer for you.

Chair: Is there anyone else who would like to speak on Lead Agency status?

No further questions or comments from the public.

There being no further questions or comments from the public, I will close the floor to the public and bring it back to the Planning Board for further questions or comments. Anyone? If there no further questions or comments from the Planning Board, will someone please read the resolution.

A. Lloyd: SEQR Resolution Declaring Intent to be Lead Agency
Whereas, the Town of Evans Planning Board has reviewed the Full Environmental Assessment form Part 1, prepared by Ellicott Development, the applicant, for the 8934 Lake Shore Road Waterfront Mixed Use Development project, the project, and
Whereas, the Planning Board has determines the project is classified as an unlisted action under the State Environmental Quality Review SEQR regulations, and

Whereas, the Planning Board also determines the project is subject to review and approval by other involved and interested agencies under SEQR, and
Whereas, the Planning Board determines it is the most appropriate agency to oversee the coordinated review of the project and will provide written notification to involved and interested agencies for the purpose of making a determination of significance under SEQR regulations.
Now therefore be it resolved, that the Town of Evans Planning Board does hereby declare it's intent to be designated as Lead Agency for this project.
Be it further resolved, that the Town of Evans Planning Department is directed to provide notice hereof to involved and interested agencies seeking their agreement or objection in writing on or before noon on Monday, June 29, 2020.
D. Schiedel: Second.

VOTE RESULT: **Approved by unanimous roll call vote.**

Chair: **NEXT STEPS**
Motion carried. Thank you everyone for joining in on our conference meeting this evening. We ask that you continue to watch the Town's website during this time of inconvenience. Please remember to submit your comments or questions to the Planning Department by email at planning@townofevans.org you may mail them to the attention of the Planning Office at the Town of Evans Municipal Center, 8787 Erie Road, Angola. Thank you for your patience and understanding during this difficult time. It is our hope to keep government moving as efficiently as possible while keeping the public and our staff safe. May I please have a motion to adjourn.

Director: Before we make that motion, I would like to let everybody know. The next steps will be that we will be initiating the coordinated review and get those letters sent out to involved agencies, notifying them of our intent to be Lead Agency. The agencies have up to 30 days to provide either their objections or approvals, or if we hear nothing, it is an assumed approval. I will be reaching out to those folks as well too. In terms of when we dig in and start to review that Site Plan, we have the June 10th Work Session. So Board members, you just received a link and some large scale copies, so if anyone has any problems with printing or anything like that, let me know. Members of the public, again, just make an appointment with Debi to view them at the Planning Office. Thank you all again for your time tonight so we can get the ball rolling on environmental review on this project.

A. Lloyd: Motion to adjourn.
B. Bergum: Second.

VOTE RESULT: **Approved by unanimous roll call vote.**

Chair: Thank you again everyone.

Respectfully submitted by:

Debra L. Wilson

Debra L. Wilson
Secretary

Approved: 1/27/21