REGULAR MEETING OF THE
TOWN OF EVANS PLANNING BOARD
WEDNESDAY, OCTOBER 23, 2024

MEMBERS PRESENT: A. Sellers, L. Szewczyk, D. Schiedel, J. Pinter, J. Messi

ALSO PRESENT: William Smith, Director of Planning & Community Development
Brittany Penberthy, Deputy Town Counsel
Jigar Sandhu, Planning & Community Development Specialist

APPLICANTS/REPRESENTATIVES: Marc Romanowski, St. Pauls Episcopal Community Housing

Chairwoman Anne Sellers opened the meeting at 6:00 PM and William Smith started the zoom call as well.

Chairwoman Anne Sellers: All public meetings and public hearings currently scheduled before the Planning Board of the Town of Evans, will be held both in person and by remote access via Zoom when possible while giving the public the ability to listen in and comment when given the opportunity. If any person wishes to comment on these actions, it is their right to do so when the floor is opened to the public. At that time, anyone who has signed the sign-in sheet is asked to step up to the microphone and clearly state their name and address, spelling their last name for the record. Those attending online may "raise their hand" using the function on your Zoom interface.

For the record, a Planning Board Public Meeting is conducted solely for the pre-determined actions items listed on the official Planning Board Agenda and/or any other business that may be presently before the Planning Board as advertised.

The first item on the agenda this evening is a:

• **SEQR Negative Declaration** – Resolution to issue a Negative Declaration for the Evans Shoreline Trail (Phase 4). The project involves construction of a 1.8-mile section of the multi-use pathway along the Lake Shore Road right-of-way connecting Evans Town Park, AJ Schmidt Elementary School, and Lake Erie Beach Park located in Angola, NY 14006.

PROJECT BACKGROUND:

- The project being funded in part by The New York State Department of Transportation primarily involves the construction of 1.8 mile walk segment of off road as bicycle pedestrian trail adjacent to and physically separated from Lake Shore Road.

- The proposed Trail is a segment of Erie County shoreline trail. The proposed trail is planned to run from Southern Erie County limit to the Northern Limit along way Erie and the Niagara River.

- The trail extension proposed under this project will run between the northern way driveway the AJ Schmidt Elementary School campus at the southern end of the project, to Evans town Park at the Northern Limit, ending at Iroquois Street.

- The construction of the trail will require vegetative clearing drainage improvements, including the installation of a closed drainage system, existing drainage structure modifications and utility work. The trail would be complete with ADA compliant curb ramps, signage and pavement markings meeting current standards.

- Landscaping amenities will be installed along the proposed trail and could include amenities such as benches, planting and weight plantings and way finding signs. These elements would be focused at the two parks located at each end.

- Also included in this project is the complete replacing of the existing water main between AJ Schmidt elementary school and Lake Street, just north of the project's trail limits.

INTERDEPARTMENTAL REVIEWS:

Planning Director, Bill Smith

- The portion currently under construction between Dawn Ave and AJ Schmidt is progressing well and scheduled for completion next spring.
- The plans have been available for public viewing and a special meeting was held at Town Hall over the summer to review the plans, to which abutting residents received a direct invitation in the mail.
- It should also be noted that the replacement of the water mains along Lake Shore Road have also been added to the project after the discovery of lead joints and aged pipes.
- We conducted a coordinated review and received comments from NYSDOS, NYSDOT, NYSDEC and Erie County Planning
- One note is that stop signs have been added at all road crossings. Additional wayfinding and branding signage will be added in coordination with the county as the project progresses.
- The project will have no negative impacts on traffic along Lake Shore Road.
- At the request of SHPO, we have conducted an archeological survey of the corridor and any potential impacts to historically eligible properties have been mitigated if not improved.
- Wetlands have been identified and avoided.
- All in all, this project is expected to have positive impacts on the Lake Shore Road corridor in terms of improving quality of life, traffic safety and economic development.
- PB member J. Pinter and A. Sellers had some clarifying questions regarding the signage and that Bill answered and provided some clarity on.
- The Town Engineer had no comments, and Deputy Attorney Brittney was asked to provide comments, with Brittney providing her input on the Negative Declaration.

OUTSIDE AGENCY REVIEWS:

- The Evans Planning Board has reviewed the proposed project and conducted a coordinated review with any involved and interested agencies. Comments received were considered and addressed as a result of the coordinated review.
- The project is within the Local Waterfront Revitalization area, therefore a Waterfront Assessment Form was prepared and is on file.

SEQR: The Planning Board has carefully considered all the period for the determination of significance, as has found that proposed action is not anticipated to result in any significant impacts on the environment, and would like to issue a negative declaration for the project. At this time, they will ask the planning board if they have any further questions or comments subsequent to our previous review, before we open the floor to the public.

Chair:

- At this time, I will ask the Planning Board if they have any further questions or comments subsequent to our previous review before we open the floor to the public.
  (*No comments)*
- There being no further questions or comments from the Board I will open the floor to the public. You are reminded to please clearly state your name and address, spelling your last name for the record. Those attending online may "raise their hand" using the function on your Zoom interface. Is there anyone who wishes to speak?
  (*No comments)*
- Are there any further questions or comments from the public?
  (*No comments)*
- There being no further questions or comments from the public, I will close the floor and bring it back to the Planning Board for further questions/comments.
  (*No comments)*
- Are there any further questions or comments from the Planning Board?
  (*No comments)*
- There being no further questions/comments from the Planning Board may I please have a motion declaring the Evans Planning Board as Lead Agency and also approval of the project.

WHEREAS, the Planning Board of the Town of Evans declared their intent to serve as Lead Agency for the SEQR process for the Evans Shoreline Trail Phase 4 project at the public meeting held on August 14, 2024; and

WHEREAS, the project, being funded in part by the NYS Department of Transportation, consists of a 1.8-mile multiuse asphalt path as well as new closed drainage infrastructure and water main replacements along the Lake Shore Road right-of-way from Lake Erie Beach Park to Evans Town

Park; and

WHEREAS, in compliance with Part 617 of the implementing regulations pertaining to Article 8 of the Environmental Conservation Law, the Evans Planning Board has reviewed the proposed project and conducted a coordinated review with any involved and interested agencies; and

WHEREAS, the Town received no objections to the Evans Planning Board serving as Lead Agency on the project; and

WHEREAS, all comments received from various involved and interested agencies were considered and addressed as a result of the coordinated review; and

WHEREAS, in making this determination, the Planning Board carefully considered all of the criteria for Determination of Significance, and has found that the proposed action is not anticipated to result in any significant impacts on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board is hereby declared Lead Agency and issues a Negative Declaration for the project, thereby concluding that the project will not adversely affect the natural resources of the State and/or health, safety, and welfare of the public and is consistent with social and economic considerations; and

BE IT FURTHER RESOLVED, the Planning Board hereby approves the Shoreline Trail Phase 4 project for the following reasons:
• It is consistent with the Comprehensive Plan and Local Waterfront Revitalization Program
• It will provide greater access and mobility for multiple modes of transportation.
• It will provide much needed upgrades to aging infrastructure along the Lake Shore Rd corridor.
• It supports the continued economic and community development of the Evans waterfront.

BE IT FURTHER RESOLVED, that the attached Negative Declaration be filed with the Town Clerk, and that the Planning Director be authorized to sign the Environmental Assessment Form and have the Evans Planning Department prepare the appropriate notices and filings in accordance with the SEQR regulations.

J. Pinter: *Second*

Roll Call Vote: *All in favor, motion carried.*

<u>The second item on the agenda this evening is a:</u>

1. **Intent to Declare Lead Agency** – Resolution for the Evans Planning Board to serve as Lead Agency for the Environmental Review of a proposed 52-unit senior housing project to be located at 930 Lake Street, Angola, NY 14006 (SBL # 235.14-2-1). Petitioner: Episcopal Community Housing Inc., 1 Gates Circle, Buffalo, NY 14209.

<u>Project Background:</u>

- As stated, the proposed project is for a 52-unit, senior housing project to be located at 930 Lake Street, Angola, NY, in the rear of the St. Paul's Episcopal Church.

- This project is Phase II of the previously constructed senior housing project built in 2002.
- The applicant, Episcopal Community Housing, Inc., submitted a Site Plan Development Application for Planning Board review on October 4th, 2024.
- The Evans Planning Board seeks to act as Lead Agency and commence the coordinated review process in accordance with the requirements of the State Environmental Quality Review Act (SEQR), NYS Environmental Conservation Law, Article 8 and NYCRR Part 617.

- At this time, the Evans Planning and Development Office is seeking authorization from the Planning Board to commence the minimum 30-day coordinated review process and provide written notification to all interested and involved agencies for the purpose of making a determination of significance under SEQR regulations.

Planning Director, Bill Smith:

- The project will be on the agenda for the November 13th Planning Board Work Session at which time the applicant will present the details of the project and receive feedback from the Board.

- As of last week we have initiated an interdepartmental review of the application with Engineering and Code Enforcement to ensure regulatory compliance and identify any issues or missing information.

- We will provide comments to the applicant from both the interdepartmental review as well as the coordinated review as they are received and copy the Planning Board on those as well.

- Upon cursory review it does appear that the project meets the general requirements of the Multi-Family Residential-4 Zoning District and is in accordance with the goals and objectives of the Town's Comprehensive Plan regarding the provision of quality senior housing. However, we will need to examine all aspects of the project before making any official statements on the matter, including but not limited to landscaping and buffering from neighboring properties, proposed drainage systems and all potential stormwater impacts, as well as any potential disturbances to environmentally sensitive areas such as wetlands. Again, these considerations will be addressed by the Planning Board through a coordinated review process with all involved and interested agencies over the course of the next few weeks.

- In addition, the applicant is seeking a variance from the minimum parking requirements of one space per unit. In this case providing 38 of the required 52 spaces. Per Town Code, parking variances are to be issued by the Planning Board as part of the overall site plan review process, so this is another aspect the board will need to carefully consider as well.

- I understand that there are members of the surrounding community, particularly on Joyce Lane, who are very concerned with this project. It is my hope that the applicant will perform some additional outreach with these concerned community members and work with all involved to help address those concerns to the best of their ability.

- As part of the coordinated review, we typically post the site plan application to the Town's online document center for involved agencies to download.

- There is a community meeting being held regarding this project by the applicant for which notices will be sent to nearby residents of the project site.

- Bill emphasized that the upcoming November 13 work session is simply to review the project, not to approve anything.

Chair:

- At this time, I will ask the applicant if they wish to address the Planning Board with any further information than previously submitted.
    - *M. Romanowski was asked about the community meeting notification letters and where in that process the applicant is. Marc said that the notices were sent out that day, on October 23rd.*

- There being no further comments from the applicant are there any questions or comments from the Board before I open the floor to the public?
  (*No comments)*

- There being no further questions or comments from the Board, I will open the floor for any public comment. You are reminded to please clearly state your name and address, spelling your last name for the record. Those attending online may "raise their hand" using the function on your Zoom interface. Is there anyone who wishes to speak?
    - *K. Sojda asked more about the community meeting, such as time and date for which Marc answered the questions. She also voiced concerns about flooding.*

    - *Chairwoman A. Sellers clarified the reasons for the SEQR review process and what it helps with. Her and Bill also asked the public to keep their comments regarding the action as the focus.*

    - *C. Weber asked about the area and questions about the process behind how the property was zoned under its current zoning, followed by seeing if past agendas from that time can be accessed. Bill and Anne answered the question and said they can look into the matter to confirm when the zoning was changed, as well as providing documentation.*

    - *W. Gartley made similar comments regarding wetlands, drainage, and the zoning. Anne and Bill answered and addressed her comments as well regarding different types of wetlands, and the type of jurisdictions they fall under. Anne provided further comments on Wendy's questions and comments about drainage once they were brought up again.*

- Is there anyone else who wishes to speak? There being no further comments, I will close the floor and bring it back to the Planning Board for further questions/comments. Are there any further questions or comments from the Planning Board?

    - *The applicant was asked to speak or make comments regarding the project. M. Romanowski stated that there will be site and wetland engineers, along with other professionals that will be present at the November 4th Community meeting that they are hosting. Similar personnel will be present at the November 13th Planning Board Work session to provide answer questions and comments from the board during the work session.*

WHEREAS, the Evans Planning Board has before it a complete Site Plan Development Application prepared by Episcopal Community Housing Inc. ("the Applicant") for a proposed 52-unit senior housing project to be located at 930 Lake Street, Angola, NY 14006, SBL # 235.14-2-1 ("the Project"); and

WHEREAS, the Planning Board seeks to commence coordinated review of this action and seeks to act as Lead Agency pursuant to the requirements of the State Environmental Quality Review Act ("SEQR"), New York State Environmental Conservation Law, Article 8 and 6 NYCRR Part 617; and

WHEREAS, the Planning Board determines that 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 Planning Board of the Town of Evans does hereby declare its intent to be designated as Lead Agency for this Project; and
BE IT FURTHER RESOLVED, that the Town of Evans Planning Department is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before noon on Friday, November 29, 2024.

L. Szewczyk: Second.

Roll Call Vote: All in favor, motion carried.

Chair - NEXT STEPS:

- The Planning Office will begin the Coordinated Review process by providing written notice to all involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before noon on Friday, November 29, 2024.
- Thank you everyone for joining in on our meeting this evening, whether in-person or remotely. May I please have a motion to adjourn.
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Motion*:* L. Szewczyk ***Second:*** J. Pinter

Roll Call Vote: All in favor. Motion carried.

Respectfully submitted by:

Jigar Sandhu,
Planning and Development Specialist