REGULAR MEETING OF THE
TOWN OF EVANS PLANNING BOARD
February 26th, 2025

MEMBERS PRESENT: A. Sellers, D. Schiedel, J. Pinter (via ZOOM), J. Mesi, D. WIlson

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. Paul's Episcopal Community Housing

Welcome – In-Person & ZOOM Public Meeting, Court Room, February 26th, 2024 – 6:00pm

Chair: As all are aware, as a courtesy we provide the public an opportunity to review our meetings both in person and online via Zoom. Pursuant to Open Meetings Law, this town has further enacted written procedures relating to those extraordinary circumstances that would allow members of our board to appear via videoconferencing. Here tonight, Joe Pinter has encountered such a circumstance in his unanticipated travel for work, but which he can appear and participate remotely from 6825 Chapel Hill Road, Raleigh, NC 27607, United States. His appearance remotely has been accepted in this circumstance, and he will be included as a participating, voting member of this meeting.

I would like to welcome everyone to the February 26th Planning Board meeting.

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 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, we ask that anyone who wishes to speak 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. Each person is limited to one opportunity to speak, and comments shall be limited to 3 minutes.

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

1. The first item on the agenda this evening is a:

   Site Plan – Proposed 52 Unit Affordable Senior Housing project to be located at 930 Lake St., Angola, NY 14006, SBL# 235.14-2-1. Applicant: Episcopal Community Housing, Inc., 1 Gates Circle, Buffalo, NY 14209

PROJECT BACKGROUND:

- The proposed project is a 3-story, 52-unit affordable senior housing development for residents 55 and older located directly north of the existing St. Paul's Place senior apartments on Lake Street.
- The applicant filed a complete Site Plan Review Application with the Planning department on October 4th, 2024, including the required utility, stormwater, landscaping, parking and building plans.
- The Planning Board passed a resolution on October 23rd to declare lead agency for the environmental review of the project. The 30-day notice for the coordinated review process began on October 29th when letters were sent out to all potential involved and interested agencies.
- Planning Board reviewed the proposed project with the Planning Board at the November 13th, December 11th and January 15th Work Sessions.
- The applicant also hosted a community meeting at the St Paul Episcopal Church on November 4th, 2024.
- The applicant is now before us to seek Site Plan approval.

INTERDEPARTMENTAL REVIEWS:

- Planning Director, Bill Smith:

The project is in accordance with current MFR zoning district, which was approved for rezone of the parcel after public hearing by Town Board in 2001.

The project also addresses a growing community need for affordable senior housing among an aging population as highlighted in the Evans-Angola Comprehensive Plan.

The site plan review process has considered all community concerns, including impacts on character, aesthetics, traffic, drainage, public health and protection of natural resources.

I have no objections to Planning Board approval with conditions as listed in the resolution.

- Code Enforcement Officer, John Flading: John, would you care to comment?

- Town Engineer, CPL: All comments were addressed.
- Deputy Attorney, Brittany Penberthy: Brittany, would you care to comment?

Chair: OUTSIDE AGENCY REVIEWS:

- **Erie County Department of Environment and Planning:** See attached 239M response from County. Comments have been addressed.
- **Erie County Department of Health:** See attached letter from NYSDOH. Comments were addressed.
- **Erie County Water Authority –** No objections to Town as Lead Agency.
- **New York State Department of Environmental Conservation:** See attached letter from NYSDEC. Comments were addressed.
- **United Stated Army of Core Engineers-** See email from USACE. Comments were addressed.

SEQR: The Planning Board has reviewed the Site Plan application Full Environmental Assessment Form Parts 2 & 3

Chair:

- At this time, I will ask the applicant if they wish to address the Planning Board with any further information than previously submitted.

Marc R. Spoke about the project, as well as the stipend.

- There being no further comments from the petitioner are there any questions or comments from the Board before I open the floor to the public.

No comments or questions from the public

- There being no further questions or comments from the Board, I will open the floor for any public comment. Is there anyone else who wishes to speak?

No comments

- 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?

Anne talked about the site plan review process and how the vote works for a site plan.

- There being no further questions from the Planning Board may I please have two motions; one regarding SEQR and one regarding Site Plan approval.

State Environmental Quality Review (SEQR)

WHEREAS, the Planning Board of the Town of Evans has been declared Lead Agency for the SEQR process for a proposed 52-unit senior housing project to be located at 930 Lake Street, Angola, NY 14006, SBL # 235.14-2-1; and

WHEREAS, the Evans Planning Department on behalf of the Planning Board conducted a coordinated review of the project and provided written notification to any involved and interested agencies; and

WHEREAS, in compliance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law, the Evans Planning Board has reviewed the proposed project and considered all comments received from interested and involved agencies; and

WHEREAS, the Planning Board considered all of the criteria for Determination of Significance listed in the SEQR regulations and has found that the proposed action is not anticipated to result in any significant adverse impacts on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby issues a Negative Declaration, thereby concluding that the project is not anticipated to 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.

ROLL CALL VOTE

Bill Smith Roll Call Vote: Aye Anne Sellers, Aye Joe Pinter

Aye Don Schiedel, Aye Joe Mesi, Aye Debi Wilson

Site Plan Approval

WHEREAS, the Evans Planning Board has carefully reviewed the proposed 52-unit senior housing project to be located at 930 Lake Street, Angola, NY 14006, SBL # 235.14-2-1; and

WHEREAS, the Planning Board has issued a SEQR negative declaration and determined that the applicant has met all requirements for site plan approval.

NOW, THEREFORE, BE IT RESOLVED, the Planning Board conditionally approves the project based, in part, on the following reasons:

- The action is consistent with the current Multi-Family Residential zoning of the parcel.
- The action is consistent with the Evans-Angola Comprehensive Plan.
- The action is not expected to result in any undo traffic impacts, adverse impacts to natural resources or adverse changes to the surrounding community.

BE IT FURTHER RESOLVED, final site plan approval and issuance of any building permits from the Town of Evans is conditioned on the successful completion of the following:

- Issuance of a Nationwide Permit from the U.S. Army Corps of Engineers (USACE) regarding the disturbance of any federally regulated wetlands located on the site.

- If required by USACE, additional issuance of a Water Quality Certification from NYS Department of Environmental Conservation (NYSDEC) verifying compliance with NYS water quality requirements.
- Issuance of a Protection of Waters Permit from the NYSDEC regarding any physical alterations within 50 feet of the Delaware Creek tributary located on the northern edge of the site.
- Submittal of letters of approval from the Erie County Division of Sewerage Management and Erie County Department of Health stating that the downstream capacity analysis and the proposed infiltration and inflow mitigation work is in accordance with all appropriate State and County guidelines and standards.
- Submittal of a letter of approval from the Village of Angola Water Department for proposed municipal water service connections.
- Submittal of a letter of approval from National Grid for the proposed underground electric service connection from Lake Street.
- Proof of payments to each of the neighboring property owners of parcels 9022, 9026, 9028 and 9030 Joyce Lane, Angola, NY 14006 in the amounts of $1,500 to each for purposes of additional landscaping and screening.

ROLL CALL VOTE

Bill Smith - Roll Call Vote: Aye Anne Sellers, Aye Joe Pinter

Nay Don Schiedel, Aye Joe Mesi, Aye Debi Wilson

2. The second item on the agenda this evening is:

Erie County Agribusiness Park Master Plan- Approve and issue State Environmental Quality Review (SEQR) involved Agency Findings Statement and Proposed Project Evaluation Form.

PROJECT BACKGROUND:

- Project site is located at 1526 Eden Evans Center Rd, Angola NY 14006 (SBL 221.00-4-200.111) which is currently owned by the Erie County Industrial Development Agency and Land Development Corporation (ILDC).
- The ILDC acting as Lead Agency, has prepared a Generic Environmental Impact Statement (GEIS) pursuant to the NYS Environmental Quality Review Act.

- The purpose of the GEIS is to evaluate and mitigate any potential impacts resulting from the implementation and construction of the proposed Erie County Agribusiness Park.
- As an Involved Agency, the Evans Planning Board is now tasked with issuing the Findings Statement which will be used to evaluate any future projects for consistency with the GEIS and Master Plan.

INTERDEPARTMENTAL REVIEWS:

- Planning Director, Bill Smith:

The proposed Findings Statement is consistent that issued by the ECIDA/ILDC Board as Lead Agency.

ILDC help multiple public hearing and public comment periods throughout 2023-2024

The proposed mitigation measures are consistent with the Town's existing codes, standards and requirements already in place for site plan approval.

If approved by the Planning Board, an additional action will be to recommend that the Town Board issue the same Findings Statement, which will be used when reviewing and approving the proposed access road for dedication to the Town.

- Code Enforcement Officer, John Flading: John, would you care to comment?
- Deputy Attorney, Brittany Penberthy: Brittany, would you care to comment?

Chair:

- Are there any questions or comments from the Board before I open the floor to the public.
- There being no further questions or comments from the Board, I will open the floor for any public comment. Is there anyone else who wishes to speak?

A resident who lives adjacent to the project site had comments about the project.

- 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?

No comments

- There being no further questions from the Planning Board may I please have a motion regarding issuance of the Findings Statement.

SEQR Involved Agency Findings Statement

WHEREAS, the Buffalo and Erie County Industrial Land Development Corporation (ILDC), acting as Lead Agency, required the preparation of a Generic Environmental Impact Statement (GEIS) to evaluate the potential impacts which may result from the implementation and construction

of the proposed Erie County Agribusiness Park located at 1526 Eden Evans Center Road (S.B.L 221.00-4-200.111); and

WHEREAS, the ILDC completed the scoping process for the GEIS holding a scoping public meeting on May 18, 2021, and issuing the final scope based on comments received from Involved and Interested Agencies on June 23, 2021; and

WHEREAS, a public hearing was held on February 22, 2024, to obtain further comments from the public with additional public comment period extending through March 4, 2024; and

WHEREAS, the Final GEIS was accepted by the ILDC on May 29, 2024 and copies sent to the Involved and Interested Agencies; and

WHEREAS, a GEIS Findings Statement was also issued to identify and evaluate the potential significant adverse environmental impacts of developing the site and, where applicable, to identify reasonable mitigation measures and thresholds to reduce the effects of such potential significant adverse environmental impacts; and

WHEREAS, the Evans Planning Board, as an Involved Agency, received a copy of the Findings Statement and is now tasked with issuing a Findings Statement which will be used by the Planning Board to evaluate any future projects within the Erie County Agribusiness Park.

NOW, BE IT RESOLVED, that the Planning Board of the Town of Evans hereby issues the attached Findings Statement for the implementation and construction of the proposed Erie County Agribusiness Park located at 1526 Eden Evans Center Road; and

BE IT FURTHER RESOLVED, that the Planning Board hereby authorizes the Planning Director to send a letter to the Town Board recommending their issuance of the same Findings Statement to evaluate any future projects within the Agribusiness Park

ROLL CALL VOTE

SECRETARY - Roll Call Vote: Aye Anne Sellers, Aye Joe Pinter,

Aye Don Schiedel, Aye Joe Mesi Aye Debi Wilson

Thank you everyone for joining in on our meeting this evening, whether in-person or remotely. May I please have a motion to adjourn.

Motion: Debi Second: Don

ROLL CALL VOTE: Chairwoman Sellers:
J. Pinter
D. Schiedel:
J. Mesi:
D. Wilson:

Chair: Carried. Good night, everyone.