Evans Town Board

At a meeting of the Town Board of the Town of Evans, held at the Evans Town Hall, 8787 Erie Road, Angola, New York on Wednesday, November 4, 2015 there were:

PRESENT:	Dennis M. Feldmann	Councilman
	Paul T. Cooper	Councilman
	Keith E. Dash	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	J. Grant Zajas	Town Attorney
	Charles LaBarbera	Building Inspector
	Lori Szewczyk	Community Development
	Sandra Brant	Planning Department
	Ernie Masullo	Chief of Police
	Rob Klavoon	Wendel

RESOLUTION 2015 #309 Approve Minutes

Councilman Feldmann moved and Councilman Cooper seconded that the reading of the minutes of the meeting of October 21, 2015 and October 28, 2015 be dispensed with and approved as submitted by the Town Clerk.

VOTE RESULT: ADOPTED
AYES - Feldmann, Cooper, Dash
NAYS - none

Communications

Supervisor Dash read a communication from Sandra L. Brant , Evans Minor Subdivision Review Committee regarding the approval of a petition for the division of lands dividing a 48.92± acre parcel to create a 32.22± acre parcel and a 16.70± acre parcel located at 1442 Cain Road, Angola NY 14006, SBL# 252.00-3-16. Petitioner Michela Palmieri, 2429 Hemlock Road, Eden NY 14057

RESOLUTION 2015 #310 Adopt Findings of the Town of Evans Minor Subdivision Review Committee - Michela Palmieri Minor Subdivision

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS, minor subdivisions are unlisted SEQR actions, and

WHEREAS, the Town has completed a short Environmental Assessment Form for this action, and

WHEREAS, in a letter dated October 30, 2015, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Michela Palmieri Minor Subdivision, and

WHEREAS, it has been determined that the subdivision of this property will not result in any significant impacts regarding the SEQR process.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans adopts the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the Michela Palmieri Minor Subdivision.
(Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 252.00-3-16, dividing a 48.92± acre parcel to create:

1. a 32.22± acre parcel with 298.62± feet of frontage on Cain Road, and
2. a 16.70± acre parcel with 200.00± feet of frontage on Cain Road.

Petitioner: Michela Palmieri, 2429 Hemlock Road, Eden, NY 14057

AND BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office.

VOTE RESULT: ADOPTED
AYES - Feldmann, Cooper, Dash
NAYS - none

RESOLUTION 2015 #311 Approval of Michela Palmieri Subdivision

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS, in a letter dated October 30, 2015, the Town of Evans Minor Subdivision Review Committee has completed a review and recommended approval, and

WHEREAS, the Evans Town Board, as Lead Agent, issued a negative declaration regarding the SEQR process.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans hereby adopts the findings of the Town of Evans Minor Subdivision Review Committee and approves the Michela Palmieri Minor Subdivision, a division of SBL# 252.00-3-16, dividing a 48.92± acre parcel to create:

1. a 32.22± acre parcel with 298.62± feet of frontage on Cain Road, and
2. a 16.70± acre parcel with 200.00± feet of frontage on Cain Road.

Petitioner: Michela Palmieri, 2429 Hemlock Road, Eden, NY 14057

AND BE IT FURTHER

RESOLVED, that a copy of this resolution be given to the Planning Office, the Assessor's Office and the Code Enforcement Office.

VOTE RESULT: ADOPTED
AYES - Feldmann, Cooper, Dash
NAYS - none

Privilege of the Floor on Meeting Agenda Items & Other Items

Rich Barber, 1441 Gowans Road, Angola New York 14006 spoke about drainage issues on Gowans Road.

7:10pm Public Hearing for Angola Protective Fire District

Supervisor Dash asked the Town Clerk to read the legal notices as follows:

Notice of Public Hearing
Town of Evans

Notice is hereby given that a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York at the Evans Town Hall, 8787 Erie Road, Angola, New York at **7:10 pm** on **Wednesday, November 4, 2015** for the purpose of considering proposed contracts with the Village of Angola and the Village of Angola Fire Company, Evans Center Fire Company, Lake Erie Beach Fire Company and Highland Hose Fire Company for fire protection and/or emergency ambulance service to be furnished by said fire departments to the Angola Fire Protection District established in the Town of Evans upon the following general term:

A.) The fire department shall answer and attend upon all calls in said Angola Protective Fire District.

B.) For such service said fire departments shall receive the following amount:

Angola Fire Company
$12,000 Emergency Ambulance Service
$104,100 Fire Protection
$ 10,500 Capital Improvement
Lake Erie Beach Fire Company
$15,000 Emergency Ambulance Service
$138,020 Fire Protection
$ 94,550 Capital Improvement
Evans Center Fire Company
$15,000 Emergency Ambulance Service
$138,020 Fire Protection
$94,550 Capital Improvement
Highland Hose Fire Company
$15,000 Emergency Ambulance Service

The contract is for the period of January 1, 2016 through December 31, 2016 and such other incidental terms as may be necessary or proper in connection with such contract.

All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the public hearing to be held aforesaid.

By Order of the Town Board
of the Town of Evans
Lynn M. Krajacic
Town Clerk

RESOLUTION 2015 #312 Open Public Hearing

Supervisor Dash moved and Councilman Cooper seconded to open the public hearing for the Angola Protective Fire District budget items.

VOTE RESULT: ADOPTED
AYES - Feldmann, Cooper, Dash
NAYS - none

There being nobody present wishing to speak, the Public Hearing was closed

RESOLUTION 2015 #313 Close Public Hearing

Councilman Feldmann moved and Councilman Cooper seconded to close the public hearing for the Angola Protective Fire District budget items.

VOTE RESULT: ADOPTED
AYES - Feldmann, Cooper, Dash
NAYS - none

RESOLUTION 2015 #314 Authorize Supervisor to Enter into Agreement with the Angola Fire Company, Evans Center Fire Company, Highland Hose Fire Company and the Lake Erie Beach Fire Company for Emergency Services

Supervisor Dash moved and Councilman Cooper seconded

BE IT RESOLVED, that the Town Board enter into an agreement with the Angola Fire Company, Evans Center Fire Company, Highland Hose Fire Company and the Lake Erie Beach Fire Company for emergency services for the calendar year 2016 per advertised amounts.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann - AYE
Councilman Cooper-AYE
Supervisor Dash- AYE

7:10pm Public Hearing for 2016 Budget

Supervisor Dash asked the Town Clerk to read the legal notices as follows:

Town of Evans
Notice of Public Hearing
on
Preliminary Budget
Year 2016

Notice is hereby given that the Preliminary Budget of the Town of Evans, Erie County, New York for the fiscal year beginning January 1, 2016 will be filed in the office of the Town Clerk on or after October 21, 2015 at 8787 Erie Road, Angola, New York where it will be available for inspection by any interested person during regular business hours Monday, Tuesday, Thursday, Friday 8:00am to 4:00pm and Wednesday from 9:00am to 5:00pm. Paper copies will be available at the Town Clerk's Office at a cost of $15.00 per Town Board resolution or can be viewed and printed out at no cost at www.townofevans.org.

Further notice is hereby given that the Town Board will meet and review the Preliminary Budget at the Evans Town Hall, 8787 Erie Road, Angola, New York and hold a public hearing at **7:10 pm** on **Wednesday, November 4, 2015** and that at such hearing any person may be heard in favor or against any item or items therein contained.

And further notice is given pursuant to Section 108, of the Town Law that the following are proposed salaries of the Town Officers of this Town, to wit:

Supervisor (no increase)	$40,000
Councilmen (2 each at- no increase)	$15,300
Town Clerk	$56,365
Registrar of Vital Statistics	$ 5,635
Total (no increase)	$62,000
Superintendent of Highways	$61,238
DPW Superintendent	$10,000
Drainage Officer	$13,600
Total (no increase)	$84,838
Town Justices (2 each)	$22,819

By Order of the Town Board
of the Town of Evans
Lynn M. Krajacic
Town Clerk

RESOLUTION 2015 #315 Open Public Hearing

Councilman Cooper moved and Councilman Feldmann seconded to open the public hearing for the 2016 Town of Evans budget.

VOTE RESULT: ADOPTED
AYES - Feldmann, Cooper, Dash
NAYS - none

Edward Schneider III spoke in opposition

There being nobody else present wishing to speak, the Public Hearing was closed.

RESOLUTION 2015 #316 Close Public Hearing

Councilman Cooper moved and Councilman Feldmann seconded to close the public hearing for the 2016 Town of Evans budget.

VOTE RESULT: ADOPTED
AYES - Feldmann, Cooper, Dash
NAYS - none

RESOLUTION 2015 #317 Adopt 2016 Budget

Supervisor Dash moved and Councilman Cooper seconded,

BE IT RESOLVED that the Evans Town Board adopts the Preliminary budget as amended for the fiscal year 2016.*

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann - AYE
Councilman Cooper-AYE
Supervisor Dash- AYE

*The Adopted Budget was not provided to the Town Clerk.

Committee and Department Head Reports

Supervisor Dash read a letter of recognition from Chief Ernie Masullo to Lieutenant William Sills, Patrolman Jeffrey Mayer and Patrolman Brian Kauzala.

RESOLUTION 2015 #318 Appointment of Conservation Advisory Board Member

Councilman Cooper moved and Councilman Feldmann seconded,

RESOLVED: the Paul Michalec, 1224 Church Road, Angola be appointed as a Member of the Conservation Advisory Commission term to expire December 31, 2015.

VOTE RESULT: ADOPTED
AYES - Feldmann, Cooper, Dash
NAYS - none

RESOLUTION 2015 #319 Award Bid for Town Hall Electrical Repairs

Councilman Feldmann moved, and Councilman Cooper seconded,

WHEREAS, Bids on the Town of Evans Town Hall Electrical Service Upgrade (Contract 15-3) were received and opened on October 29, 2015, in accordance with the Notice to Bidders previously authorized, and

WHEREAS, the low bid was submitted by IPL Corporation, and

WHEREAS, Wendel has reviewed the proposal from IPL Corporation and held a conference call on November 1, 2015 with the project manager and confirmed his understanding of the requirements of this project, and

WHEREAS, the bid for the work submitted by IPL Corporation was $36,900,

Now, therefore be it resolved, that the Evans Town Board authorizes the award of the Town Hall Electrical Service Upgrade (Contract 15-3) to IPL Corporation, 60 Depot Street, Buffalo, NY 14206 contingent upon the Town Attorney's review of the Contractor's Bonds and Insurances.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann - AYE
Councilman Cooper-AYE
Supervisor Dash- AYE

RESOLUTION 2015 #320 Award Bid for Historical Building Roof Repair

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS, Bids on the Town of Evans Historical Building Roof Repair (Contract 15-4) were received and opened on October 29, 2015, in accordance with the Notice to Bidders previously authorized, and

WHEREAS, the low bid was submitted by Highland Masonry and Restoration, Inc., and

WHEREAS, Wendel has reviewed the proposal from Highland Masonry and Restoration, Inc. and held a conference call on November 1, 2015 with the project manager and confirmed his understanding of the requirements of this project, and

WHEREAS, the bid for the work submitted by Highland Masonry and Restoration, Inc. was $74,500,

Now, therefore be it resolved, that the Evans Town Board authorizes the award of the Historical Building Roof Repair (Contract 15-4) to Highland Masonry and Restoration,

Inc., 33 Ransier Drive, West Seneca, NY 14224 contingent upon the Town Attorney's review of the Contractor's Bonds and Insurances.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann - AYE
Councilman Cooper-AYE
Supervisor Dash- AYE

RESOLUTION 2015 #321 Tax Anticipation Note $1,100,000.00

Councilman Cooper moved and Supervisor Dash seconded,

BE IT RESOLVED, by the Town Board (the "Board") of the Town of Evans, Erie County, New York (the "Town") AS FOLLOWS:

Section 1. In anticipation of the collection of real estate taxes or assessments to be levied in the fiscal year ending December 31, 2016, and pursuant to Section 24.00 of the Local Finance Law of the State of New York (the "Law"), the Town is hereby authorized to issue and sell one or more tax anticipation notes in an aggregate principal amount not to exceed $1,100,000 (the "Notes").

Section 2. The maturity date of the Notes, including renewals thereof, shall not extend beyond the close of the applicable period provided by Section 24.00 of the Law.

Section 3. Subject to the provisions of this Resolution and the Law, pursuant to the provisions of Sections 30.00, 50.00 and 56.00 of the Law, the powers and duties of the Board to issue and to sell the Notes, including any renewals thereof, and the authorization of the terms, form and content thereof, are hereby delegated to the Supervisor of the Town as the chief fiscal officer of the Town (the "Supervisor"). The Supervisor is authorized and directed to execute and deliver the Notes to the purchaser thereof and the Clerk of the Town is authorized and directed to attest the Notes.

Section 4. The full faith and credit of the Town are and shall be pledged to the punctual payment of principal of and interest on the Notes authorized herein.

Section 5. The Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Notes as excludable from gross income from federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the Notes, if applicable, as qualified tax-exempt obligations in accordance with Section 265(b)(3)(B)(I) of the Code.

Section 6. This resolution shall take effect immediately.

The following vote was taken and recorded in the public or open session of said meeting:

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann - AYE
Councilman Cooper-AYE
Supervisor Dash- AYE

RESOLUTION 2015 #322 Revenue Anticipation Note $900,000.00

Councilman Feldmann moved and Councilman Cooper seconded,

BE IT RESOLVED, by the Town Board (the "Board") of the Town of Evans, Erie County, New York (the "Town") AS FOLLOWS:

Section 1. In anticipation of the collection of revenues other than real estate taxes and assessments, in the form of water rates and charges due and payable in the current fiscal year ending on December 31, 2015, and pursuant to the Local Finance Law of the State of New York (the "Law"), the Town is hereby authorized to issue and sell one or more revenue anticipation notes in an aggregate principal amount not to exceed $300,000. The amount of the such revenues collected by the Town in the Fiscal Year ended December 31, 2014 was $1,041,455, the amount of such revenues set forth in the Town's budget for the fiscal year ending December 31, 2015 is $1,090,000, and the amount of such revenues which remain uncollected as the date of this resolution (as measured against the lesser of the amount of such revenues collected in the prior fiscal year and the amount of such revenues budgeted for the current fiscal year) is $345,717.

Section 2. In anticipation of the collection or receipt of revenues other than real estate taxes and assessments in the form of distributions by Erie County (the "County") of County sales and compensating use taxes due and payable in the current fiscal year ending on December 31, 2015, and pursuant to the Law, the Town is hereby authorized to issue and sell one or more revenue anticipation notes in an aggregate principal amount not to exceed $600,000. The amount of the such revenues collected by the Town in the Fiscal Year ended December 31, 2014 was $1,851,305, the amount of such revenues set forth in the budget for the fiscal year ending December 31, 2015 is $1,969,500, and the amount of such revenues which remain uncollected as the date of this resolution (as measured against the lesser of the amount of such revenues collected in the prior fiscal year and the amount of such revenues budgeted for the current fiscal year) is $701,153.

Section 3. Subject to and in accordance with subdivision of Section 25.00 of the Law, the revenue anticipation notes authorized by Sections 1 and 2 of this Resolution may be issued as single issue of revenue anticipation notes (the "Notes"). The date of maturity of the Notes shall not extend beyond the applicable period approved by Section 25.00 of the Law for the maturity of the Notes, within one year from the date of issuance.

Section 4. Subject to the provisions of this Resolution and the Law, pursuant to the provisions of Sections 30.00, 50.00 and 56.00 of the Law, the powers and duties of the Board to issue and to sell the Notes, including any renewals thereof, and the authorization of the terms, form and content thereof, are hereby delegated to the Supervisor of the Town as the chief fiscal officer of the Town (the "Supervisor"). The

Supervisor is authorized and directed to execute and deliver the Notes to the purchaser thereof and the Clerk of the Town is authorized and directed to attest the Notes.

Section 5. The full faith and credit of the Town are and shall be pledged to the punctual payment of principal of and interest on the revenue anticipation notes authorized herein.

Section 6. The Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Notes as excludable from gross income from federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the Notes, if applicable, as qualified tax-exempt obligations in accordance with Section 265(b)(3)(B)(I) of the Code.

Section 7. This resolution shall take effect immediately.

The following vote was taken and recorded in the public or open session of said meeting:

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann - AYE
Councilman Cooper-AYE
Supervisor Dash- AYE

RESOLUTION 2015 #323 Audit of Bills

Councilman Cooper moved and Councilman Feldmann seconded,

BE IT RESOLVED, that all properly audited bills be paid out of their respective accounts per abstract brought forth:

DATE: 10/28/2015
ABSTRACT NO. 21
VOUCHER NO. 1812-1913

GENERAL	71,833.57
PART TOWN	9,187.97
HIGHWAY DA	
HIGHWAY	9,809.63
WATER	6,765.90
CAPITAL PROJECTS	
SPECIAL DISTRICTS	15,433.61
DEBT SERVICE	
COMM DEVELOPMENT	
TOTAL	**$ 113,030.68**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann - AYE
Councilman Cooper-AYE
Supervisor Dash- AYE

RESOLUTION 2015 #324 Adjournment

Supervisor Dash moved and Councilman Cooper seconded to adjourn to Wednesday, November 18, 2015 at 6:30pm for an Agenda Meeting and 7:00pm for the Town Board Meeting and then to Wednesday November 25, 2015 @ 6:15pm for a Work Session

VOTE RESULT: ADOPTED
AYES - Feldmann, Cooper, Dash
NAYS - none

These minutes are an unofficial copy unless the original signature of the Town Clerk is affixed below. The original official paper minutes are stored in the Town's vault.

Respectfully Submitted,

Lynn M. Krajacic
Town Clerk

Town Clerk

TOWN OF EVANS

8787 Erie Road • Angola, NY 14006-9600
(716) 549-0945 • FAX (716) 549-0979
e-mail: planning@townofevans.org

PLANNING DIVISION
SANDRA L. BRANT
Director of Planning

APPLICATION FOR MINOR SUBDIVISION

DATE: Oct 13 2015 FILE # 15-12

TO BE COMPLETED BY APPLICANT

OWNER: NAME Michela Palmieri
ADDRESS 2429 Hemlock Rd - Eden
PHONE/FAX 583-9621 (Louie San)

CONSULTANT: NAME Macaveen + Loretto PC
ADDRESS 77 Main street Hamburg ny
PHONE/FAX 649-1571 / fax 648-6187

SUBDIVISION LOCATION 1442 Cain Road (between Dunfee + Versailles Rds)
ZONING DISTRICT A-OS SBL# 252.00-3-16

	ROAD NAME	FRONTAGE	ACRES
ORIGINAL LOT:	Cain Road	498.62	48.92
PROPOSED LOTS:			
LOT # 1	Cain Road	298.62	32.22
LOT #2	Cain Road	200.00	16.70
LOT #3			
LOT #4			

APPLICATION SUBMITTAL APPOINTMENT 10-15-15 FEE (First Lot) $ 100.00
+$50 per each additional lot FEE TOTAL $ 100.00
(Non-Refundable – Payable to Town of Evans)

MATERIALS CHECKED BY SLB
PLANNING BOARD WORK SESSION NA
PLANNING BOARD MEETING DATE NA
TOWN BOARD PUBLIC HEARING DATE NA
TOWN BOARD RESOLUTION DATE 11-4-15

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information

Palmieri, Michela

Name of Action or Project:
Minor Subdivision

Project Location (describe, and attach a location map):
1442 Cain Road, Angola, NY 14006

Brief Description of Proposed Action:
Minor Subdivison of Parcel

Name of Applicant or Sponsor:	Telephone: 716-604-5957
Michela Palmieri	E-Mail: n/a

Address:
2429 Hemlock Road

City/PO:	State:	Zip Code:
Eden	New York	14057

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☐	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:	☐	☐

3.a. Total acreage of the site of the proposed action? 48.92 acres
b. Total acreage to be physically disturbed? -0- acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 48.92 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☑ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____
☐ Parkland

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☑	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☑	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☑	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☑	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☑	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO ☐	YES ☑	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: Well	NO ☑	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: Septic	NO ☑	YES ☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☑	YES ☐	
b. Is the proposed action located in an archeological sensitive area?	☑	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO ☐	YES ☑	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☑	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☑ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☑	YES ☐	
16. Is the project site located in the 100 year flood plain?	NO ☑	YES ☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	NO ☑	YES ☐	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES			

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	☑	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	☑	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	☑	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Barbara Palmieri Date: 10/15/15

Signature: Barbara Palmieri

PRINT FORM

Agency Use Only [If applicable]

Project: Palmieri Minor Sub

Date: 11-4-15

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.
Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☑	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☑	☐
3. Will the proposed action impair the character or quality of the existing community?	☑	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☑	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☑	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☑	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☑	☐
b. public / private wastewater treatment utilities?	☑	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☑	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☑	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☑	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☑	☐

PRINT FORM

Agency Use Only [If applicable]

Project: Palmieri Minor Sub

Date: 11-4-15

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

13a. There are no immediate impacts from the subdivision of the land.

There is an area of wetlands to the far rear of the property which can easily be avoided if the parcel is developed in the future.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

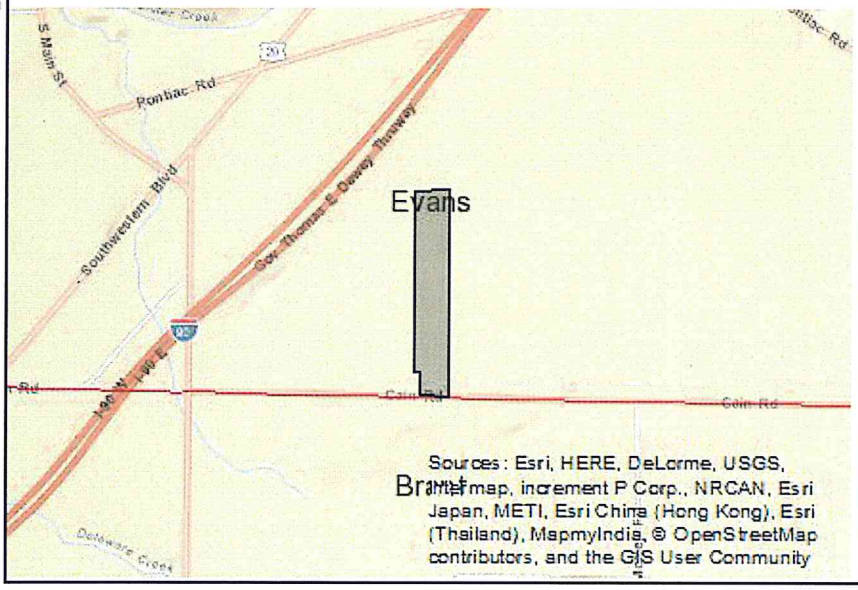
☑ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Evans Town Board	11-4-15
Name of Lead Agency	Date
Keith E. Dash	Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Keith E. Dash	Sandra L. Grant, Director of Planning
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

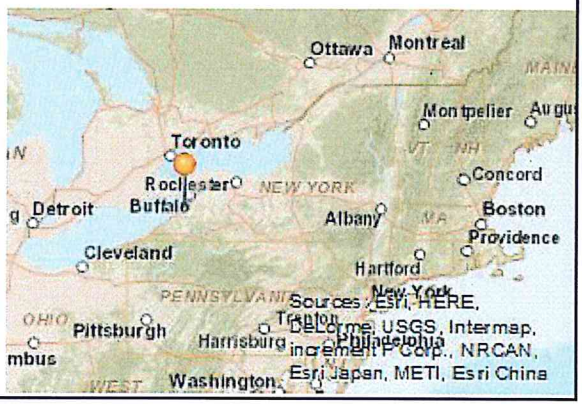
PRINT FORM

EAF Mapper Summary Report

Friday, October 16, 2015 11:06 AM



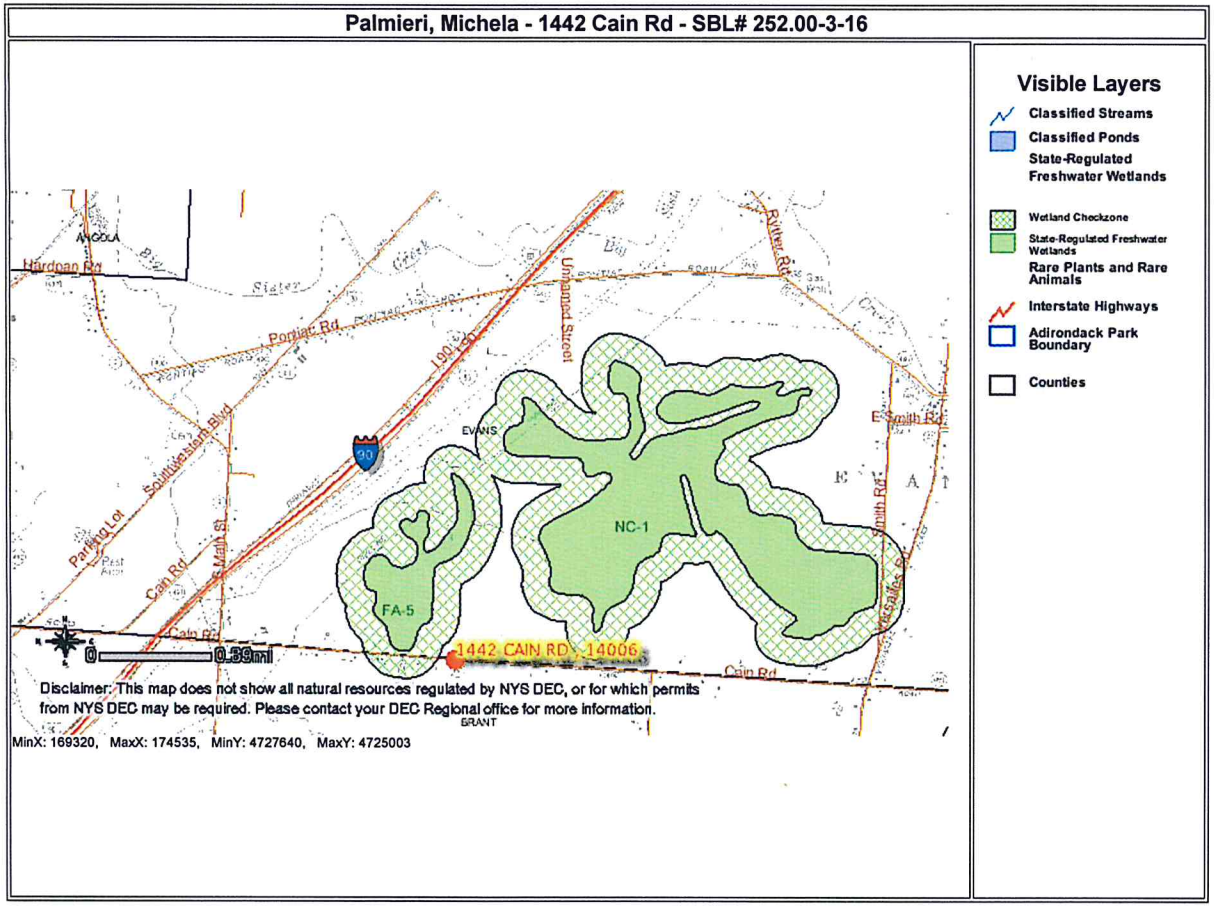
Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the 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.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

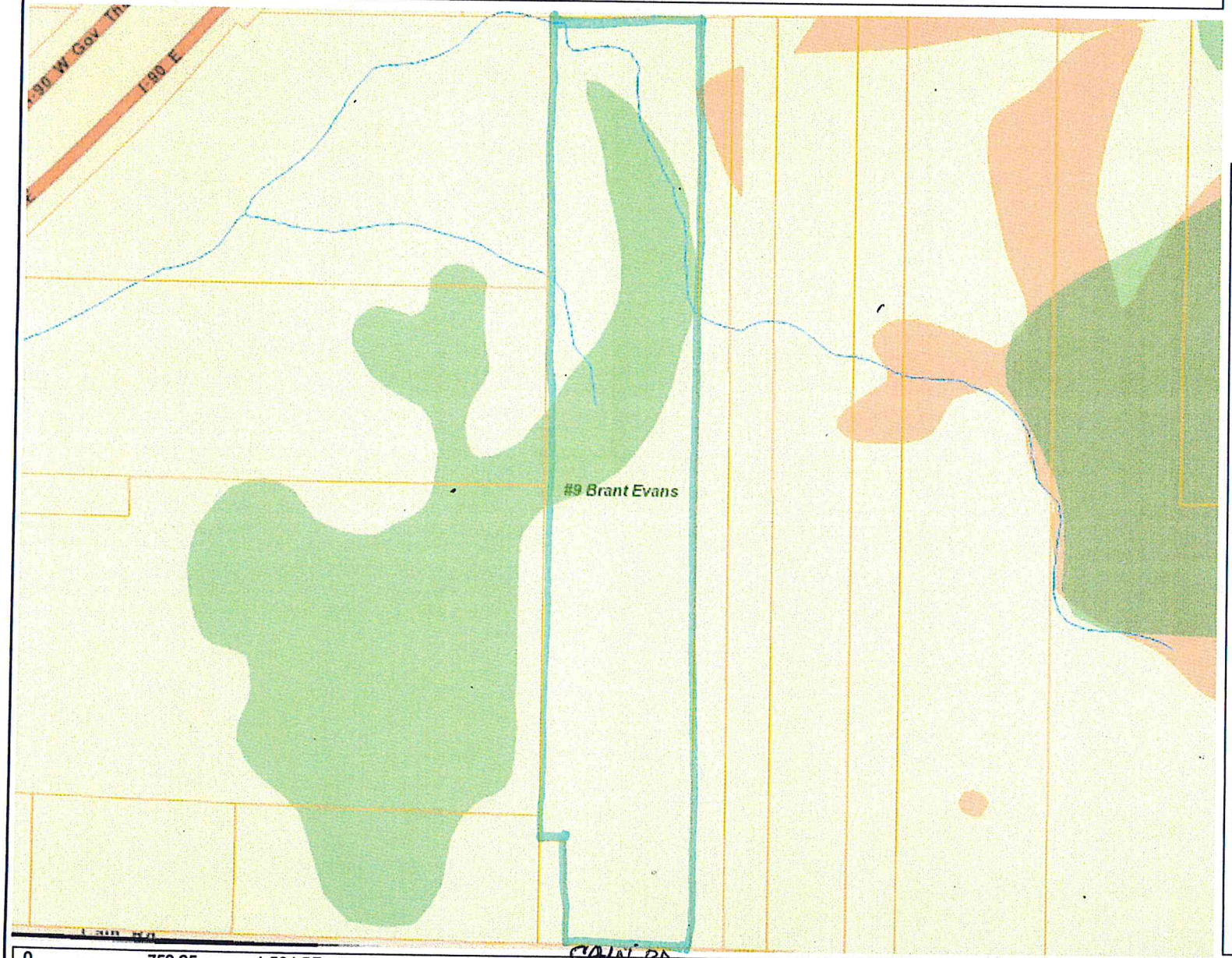
[print page] [close window]

Please set your printer orientation to "Landscape".



Disclaimer:This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.

Palmieri, Michela - 1442 Cain Road
SBL#252.00-3-16



Legend

- Parcels
- Streams
- Lakes / Ponds
- DEC Wetlands
- National Wetlands Inventory
  - Wetlands
  - No Digital Data
- FEMA Floodplains
- Agricultural Districts
  - Alden
  - Alden Newstead
  - Amherst
  - Brant Evans
  - Clarence Newstead
  - Collins
  - Concord
  - Eden
  - Elma
  - Holland
  - Lancaster Alden
  - Marilla
  - North Collins
  - Sardinia
  - Wales
- Municipal Boundaries

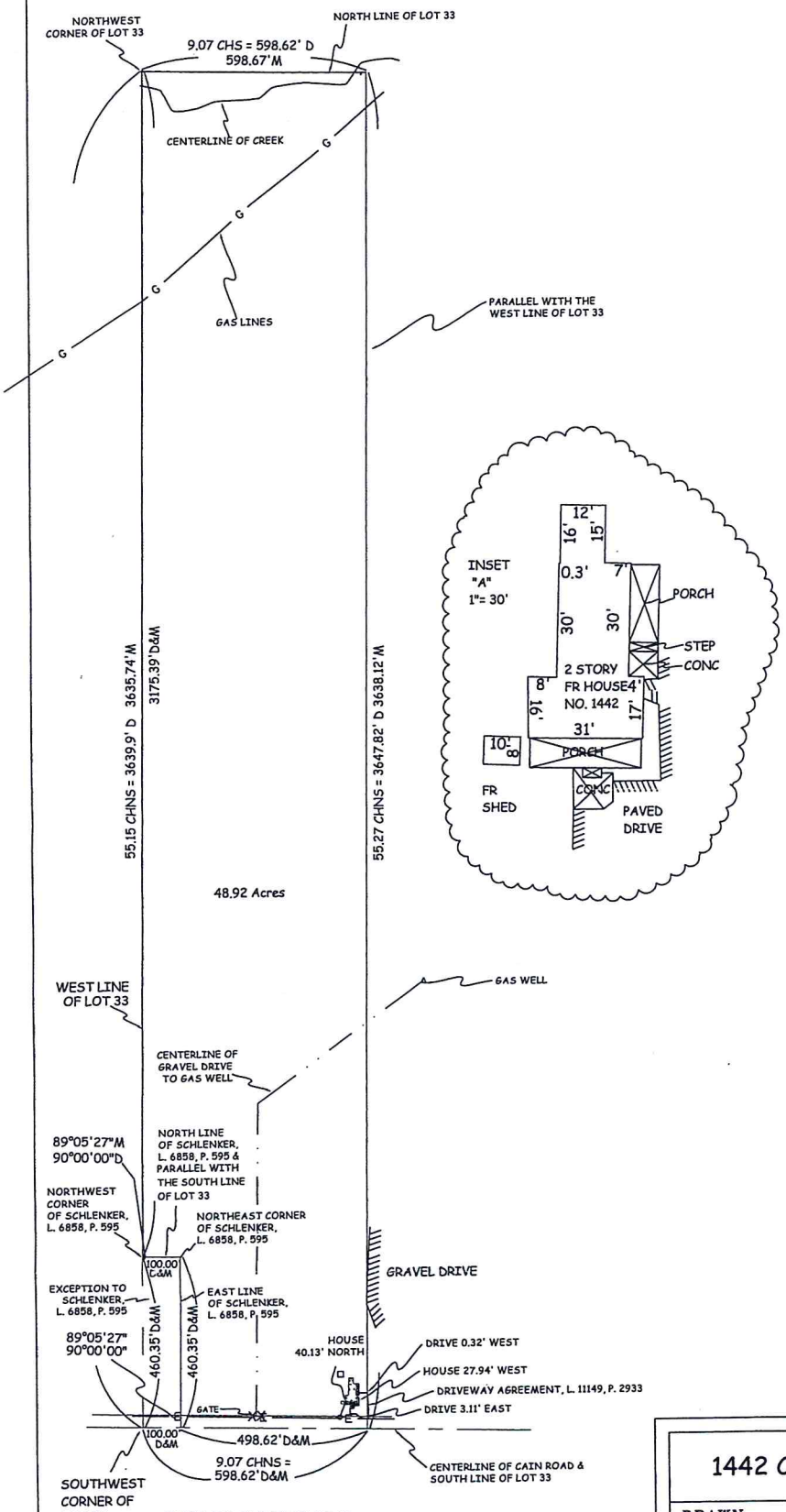
0 752.25 1,504.5 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ERIE COUNTY
DEPARTMENT OF ENVIRONMENT & PLANNING
OFFICE OF GIS

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

1: 9,027



SURVEY NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
2. REPRODUCTION OR COPYING OF THIS DOCUMENT MAY BE A VIOLATION OF COPYRIGHT LAW UNLESS PERMISSION OF THE AUTHOR AND/OR COPYRIGHT HOLDER IS OBTAINED.
3. ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S EMBOSSED SEAL ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION.
4. A COPY OF THIS DOCUMENT WITHOUT A PROPER APPLICATION OF THE SURVEYOR'S EMBOSSED SEAL SHOULD BE ASSUMED TO BE AN UNAUTHORIZED COPY.
5. ONLY TITLE SURVEYS BEARING THE MAKERS EMBOSSED SEAL SHOULD BE RELIED UPON SINCE OTHER THAN EMBOSSED SEAL COPIES MAY CONTAIN UNAUTHORIZED AND UNDETECTABLE MODIFICATIONS, DELETIONS, ADDITIONS AND CHANGES.
6. THE LOCATION OF THE UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE.
7. SURVEY PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY FACTS THAT MAY ARISE THEREFROM.
8. NO STAKES SET AS PER CONTRACT
9. THIS SURVEY NOT VALID WITH AFFIDAVIT OF NO CHANGE.
10. THIS SURVEY DOES NOT EXTEND TO SUBSEQUENT OWNERS, MORTGAGES OR TITLE INSURERS UNLESS THIS SURVEY HAS BEEN RESURVEYED BY THIS SURVEYOR.

LEGEND

These standard symbols will be found in the drawing.

- EXISTING IRON PIPE
- SET IRON PIPE
- UTILITY POLE
- BOUNDARY
- CENTERLINE OF ROAD
- FENCE
- DRIVE
- OVERHEAD UTILITY LINE

MANGUSO LAND SURVEYING, P.C.
572 TUSCARORA RD.
ANGOLA, NY 14006
PHONE 716-549-4717 FAX 716-549-4717
LIC NO 049775-1
EMAIL OFFICE@MANGUSOLANDSURVEYING.COM
SUCCESSOR TO THE RECORDS OF
WILLIAM C. BUCKLAND L.S.
NORMAN B. JOHNSON L.S.
WILSON M. HUNTER L.S.

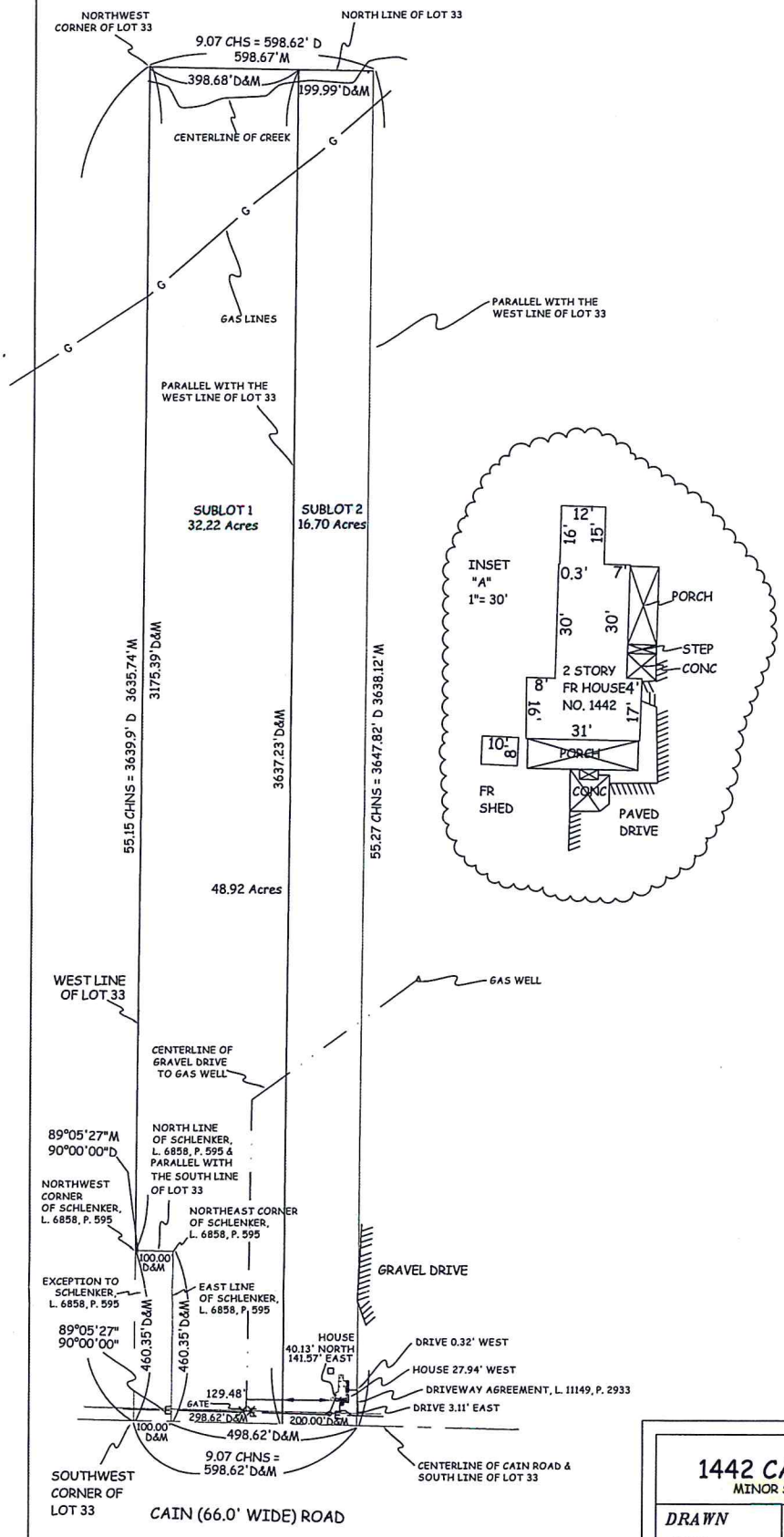
M. Palmieri

1442 CAIN ROAD		
DRAWN FMM	DATE 10/08/15	PART OF LOT 33 T-8 R-9 TOWN OF EVANS COUNTY OF ERIE STATE OF NEW YORK
APPROVED FMM	DATE 10/08/15	
SCALE 1" = 300	SHEET	PROJECT NO. 20150319

COPYRIGHT © 2015, MANGUSO LAND SURVEYING, PC

Addendum A
November 4, 2015
page 10 of 11

Original Lot



SURVEY NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
2. REPRODUCTION OR COPYING OF THIS DOCUMENT MAY BE A VIOLATION OF COPYRIGHT LAW UNLESS PERMISSION OF THE AUTHOR AND/OR COPYRIGHT HOLDER IS OBTAINED.
3. ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S EMBOSSED SEAL ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION.
4. A COPY OF THIS DOCUMENT WITHOUT A PROPER APPLICATION OF THE SURVEYOR'S EMBOSSED SEAL SHOULD BE ASSUMED TO BE AN UNAUTHORIZED COPY.
5. ONLY TITLE SURVEYS BEARING THE MAKERS EMBOSSED SEAL SHOULD BE RELIED UPON SINCE OTHER THAN EMBOSSED SEAL COPIES MAY CONTAIN UNAUTHORIZED AND UNDETECTABLE MODIFICATIONS, DELETIONS, ADDITIONS AND CHANGES.
6. THE LOCATION OF THE UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE.
7. SURVEY PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY FACTS THAT MAY ARISE THEREFROM.
8. NO STAKES SET AS PER CONTRACT
9. THIS SURVEY NOT VALID WITH AFFIDAVIT OF NO CHANGE.
10. THIS SURVEY DOES NOT EXTEND TO SUBSEQUENT OWNERS, MORTGAGES OR TITLE INSURERS UNLESS THIS SURVEY HAS BEEN RESURVEYED BY THIS SURVEYOR.

LEGEND

These standard symbols will be found in the drawing.

- EXISTING IRON PIPE
- SET IRON PIPE
- UTILITY POLE
- BOUNDARY
- CENTERLINE OF ROAD
- X—X— FENCE
- DRIVE
- OVERHEAD UTILITY LINE

MANGUSO LAND SURVEYING, P.C.
572 TUSCARORA RD.
ANGOLA, NY 14006
PHONE 716-549-4717 FAX 716-549-4717
LIC NO 049775-1
EMAIL OFFICE@MANGUSOLANDSURVEYING.COM
SUCCESSOR TO THE RECORDS OF
WILLIAM C. BUCKLAND L.S.
NORMAN B. JOHNSON L.S.
WILSON M. HUNTER L.S.

M. Palmieri

1442 CAIN ROAD MINOR SUBDIVISION		
DRAWN FMM	DATE 10/08/15	PART OF LOT 33 T-8 R-9 TOWN OF EVANS COUNTY OF ERIE STATE OF NEW YORK
APPROVED FMM	DATE 10/08/15	
SCALE 1" = 300	SHEET	PROJECT NO. 20150319 MINOR SUBDIVISION

COPYRIGHT © 2015, MANGUSO LAND SURVEYING, PC

Proposed Lots