Evans Town Board

At a Regular Meeting of the Town Board of the Town of Evans, held at the Evans Town Hall, 8787 Erie Road, Angola New York there were:

PRESENT:	Jeanne Macko	Councilman
	Mary Hosler	Supervisor
ALSO PRESENT:	Lynn M. Krajacic	Town Clerk
	Jennifer Farrell, Esq	Town Attorney
	Doug Czora	Police Chief
	Brittany Gloss	Director of Finance
	Roberta Rappoccio	Dir. of Planning/Community Development
	Mary Holl	Supervisor's Assistant
ABSENT:	Dennis Feldmann	Councilman

RESOLUTION 2017 #459 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the Town Board Meeting of October 18, 2017, Work Session of October 25, 2017 and, Special Town Board Meeting of October 27, 2017 be dispensed with and accepted as submitted by the Town Clerk.

VOTE RESULT: ADOPTED
AYES: Macko, Hosler
NAYS:

Communications

Supervisor Hosler accepted a communication from Roberta Rappoccio, Director of Planning and Community Development regarding: Site Plan Review- for a 145'± cellular telecommunication tower, plus a 4' lightning rod, to be located at 7929 Dennis Rd., Angola, NY (Robert & Linda McFarland property), SBL# 220.00-2-11.21. Petitioner: Bell Atlantic Mobile Systems of Allentown, Inc., d/b/a Verizon Wireless, One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920.

RESOLUTION 2017 #460 Declare Lead Agency - 7929 Dennis Road

CORRECTED	CORRECTED
2017-11-08	2017-11-08
#482	#483
pg 294	pg 295

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, in a letter dated October 26, 2017, the Evans Planning Board has requested that the Town Board set a public hearing for November 15, 2017 regarding the petition of Bell Atlantic Mobile Systems of Allentown, Inc., d/b/a Verizon Wireless, One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920, for a 145' cellular telecommunication tower, plus a 4' lightning rod, to be located at 7929 Dennis Rd., Angola, NY (Robert & Linda McFarland property), SBL# 220.00-2-11.21; and

WHEREAS, the Town Board of the Town of Evans desires to be the Lead Agency for the SEQR review process regarding said petition;

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on November 15, 2017 at 7:10pm at 8787 Erie Road, Angola, New York for the consideration of said tower special permit; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Evans hereby declares it shall be lead agency in accordance with SEQR regarding the above referenced petition for a Tower Special Use Permit located on Dennis Road; and

BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Division Office, Code Enforcement Office, and Town Clerk.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	Absent
	Councilman Macko	Aye
	Supervisor Hosler	Aye

Supervisor Hosler accepted a communication from Roberta Rappoccio, Director of Planning and Community Development regarding: Rezone - of a 1.10± acre parcel 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

RESOLUTION 2017 #461 Set a Public Hearing for Rezoning of 7661 Erie Road

CORRECTED
2017-11-8
#484
pg 295

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, John R. Keem, Jr. has requested that the Town Board of the Town of Evans rezone a 1.10± acre parcel located at 7661 Erie Road (a.k.a. NYS Route 5), Derby, NY, SBL#250.00-2-29 from Single Family Residential (R-1) to General Business (GB) for the purpose of operating a commercial decking business (Superior Decks & Gazebos, Inc.), and

WHEREAS, in a letter dated October 26, 2017, the Evans Planning Board unanimously recommended approval of the above-referenced petition for rezone, and

WHEREAS, the Evans Planning Director has requested that the Town Board set a public hearing regarding the request of John R. Keem, Jr.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans authorizes the Town Clerk to advertise for a public hearing to consider Proposed Local Law #13 of the year 2017, to be held on November 15, 2017 at 7:10pm for the consideration of said Rezoning,

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Absent
Councilman Macko	Aye
Supervisor Hosler	Aye

Supervisor Hosler accepted a communication from Roberta Rappoccio, Director of Planning and Community Development regarding: Rezone - of a 2.04± acre parcel located at 8766 Erie Road (a.k.a. NYS Route 5), Angola, NY from Neighborhood Business (NB) to General Business (GB) for the purpose of adding an additional and a drive-thru facility to the existing business (Lake Shore Federal Credit Union), SBL# 235.00-2-3.21. Petitioner: Lake Shore Federal Credit Union, 8766 Erie Road, Angola, NY 14006.

Supervisor Hosler reported that the Supervisor's September 2017 Monthly Report has been made to the Town Board and a copy was filed with the Town Clerk's Office.

Public Hearing

LEGAL NOTICE
TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a public hearing on November 1, 2017 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 for the consideration of the adoption of Proposed Local Law #9 of the year 2017 which will amend Town Code Chapter 200: Zoning, Section 200-4(B) - Provision for Official Zoning Map for the purpose of amending the Town's official zoning map, eliminate Section 200-22, Motor Service District (MS), and incorporate the associated permitted uses designated in Section 200-22 into Section 200-21, General Business District (GB), with all Motor Service uses requiring a special use permit except for the use "tire, battery and other automotive parts and accessories and sales".

Copies of the Proposed Local will be available for inspection by any interested person in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am - 4pm, Wednesday from 9am - 5pm and the Town's website www.townofevans.org.

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 2017 #462 Open the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to open the Public Hearing.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Absent
Councilman Macko	Aye
Supervisor Hosler	Aye

There being nobody wishing to speak the Public Hearing was closed

RESOLUTION 2017 #463 Close the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to close the Public Hearing.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Absent
Councilman Macko	Aye
Supervisor Hosler	Aye

LEGAL NOTICE
TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a public hearing on November 1, 2017 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 for the consideration of the adoption of Proposed Local Law #10 of the year 2017 which will amend Town Code Chapter 200: Zoning, Section 200-4(B) - Provision for Official Zoning Map for the purpose of rezoning the property located at 8766 Erie Road (SBL# 235.00-2-3.21) from Neighborhood Business (NB) to General Business (GB) on the Town's official zoning map.

Copies of the Proposed Local will be available for inspection by any interested person in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am - 4pm, Wednesday from 9am - 5pm and the Town's website www.townofevans.org.

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 2017 #464 Open the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to open the Public Hearing.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Absent
Councilman Macko	Aye
Supervisor Hosler	Aye

There being nobody wishing to speak the Public Hearing was closed

RESOLUTION 2017 #465 Close the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to close the Public Hearing.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	Absent
	Councilman Macko	Aye
	Supervisor Hosler	Aye

RESOLUTION 2017 #466 Declare Lead Agency - 8766 Erie Road

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, the Planning Board of the Town of Evans has recommended the rezoning of the property located at 8766 Erie Road (SBL# 235.00-2-3.21) from Neighborhood Business (NB) to General Business (GB) as set forth Proposed Local Law #10 of the year 2017; and

WHEREAS, the Town Board of the Town of Evans desires the Town Board of the Town of Evans to be the Lead Agency for the SEQR process regarding said rezone;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans shall be the Lead Agency for the SEQR process for proposed Local Law #10 of the year 2017; and

BE IT FURTHER RESOLVED that a copy of this resolution be given to the Planning Office

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	Absent
	Councilman Macko	Aye
	Supervisor Hosler	Aye

RESOLUTION 2017 #467 Negative SEQR Declaration - 8766 Erie Road

Supervisor Hosler moved and Councilman Macko seconded

WHEREAS, the Planning Board of the Town of Evans recommended the rezoning of the property located at 8766 Erie Road (SBL# 235.00-2-3.21) from Neighborhood Business (NB) to General Business (GB); and

WHEREAS, the Town Board of the Town of Evans has declared Lead Agency for the SEQR process; and

WHEREAS, the Town Board of the Town of Evans has reviewed the Environmental Assessment Form and has determined that the rezoning of the property located at 8766 Erie Road (SBL# 235.00-2-3.21) from Neighborhood Business (NB) to General Business (GB) will not result in any significant impacts to the environment;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans issues a negative declaration (Addendum A SEQR Short Environmental Assessment Form) in accordance with PART 617 of the implementing regulations pertaining to Article 8 of the Environmental Conservation Law, SEQR requirements for proposed Local Law #10 regarding the rezoning of the property located at 8766 Erie Road (SBL# 235.00-2-3.21) from Neighborhood Business (NB) to General Business (GB);
(Addendum A SEQR Short Environmental Assessment Form); and

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

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	Absent
	Councilman Macko	Aye
	Supervisor Hosler	Aye

RESOLUTION 2017 #468 Adopt Proposed Local Law #10 Rezoning of 8766 Erie Road

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, the Evans Town Board held a public hearing on November 1, 2017 for consideration of Proposed Local Law #10 of the year 2017, regarding the rezoning of the property located at 8766 Erie Road (SBL# 235.00-2-3.21) from Neighborhood Business (NB) to General Business (GB); and

WHEREAS, the Town of Evans Planning Board has recommended the rezoning of said property based on the following reasons:

- the action is consistent with the Town of Evans Comprehensive Plan. The Plan describes Route 5'Erie Road as a major transportation corridor with a mix of commercial and light industrial uses, with potential for continued commercial growth;
- the action will allow a cohesive commercial strip along a major transportation corridor;
- the action will not result in any significant adverse impacts; and

WHEREAS, the Town Board of the Town of Evans has issued a SEQR negative declaration for this action; and

WHEREAS, the Town of Evans has submitted a full statement of proposed action to the Erie County Division of Planning pursuant to GMU Section 239-m and has received a response to same dated August 14, 2017 making no recommendation as the matter is of local concern;

NOW, THEREFORE, BE IT RESOLVED, that Proposed Local Law #10 of the year 2017 be and hereby is adopted as Local Law #8 of the year 2017; and

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Absent
Councilman Macko	Aye
Supervisor Hosler	Aye

Town of Evans
Notice of Public Hearing
on
Preliminary Budget
Year 2018

Notice is hereby given that the Preliminary Budget of the Town of Evans, Erie County, New York for the fiscal year beginning January 1, 2017 has been completed and filed in the office of the Town Clerk at 8787 Erie Road, Angola, New York where it is available for inspection by any interested person during regular business hours Monday, Tuesday, Thursday, Friday 8:00 a.m. to 4:00 p.m. and Wednesday from 9:00 a.m. to 5:00 p.m. 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 of the Town of Evans, pursuant to all applicable statutes, 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 1, 2017, and that at such hearing any person may be heard in favor or against the preliminary budget as compiled and for or against any item or items therein contained.

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

Supervisor	$40,000
Budget Officer	$15,000
Councilmen (2) each	$15,300
Town Clerk	$56,365
Registrar of Vital Statistics	$ 8,935
Superintendent of Highways	$69,838
DPW Superintendent	$10,000
Drainage Officer	$ 5,000
Town Justices (2) each	$22,819

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

RESOLUTION 2017 #469 Open the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to open the Public Hearing.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Absent
Councilman Macko	Aye
Supervisor Hosler	Aye

The following spoke in opposition of the Preliminary Budget:

Cheri Hahn	Barb McGowan	Cheryl St. George	Ed Schneider
William Henry	Stan Radwan	Bob Catalano	

RESOLUTION 2017 #470 Close the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to close the Public Hearing.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Absent
Councilman Macko	Aye
Supervisor Hosler	Aye

TOWN OF EVANS
NOTICE OF PUBLIC HEARING

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a public hearing on November 1, 2017 at 7:10 PM, at the Town Hall, 8787 Erie Road, Angola, New York 14075, to hear all interested parties and citizens for or against the adoption of proposed Local Law Number 11 for the year 2017. The proposed Local Law seeks to override the tax levy limit established in General Municipal Law Sec 3-c. A copy of the proposed local law will be available at the Town Clerk's Office to review or pick up during normal business hours, Monday, Tuesday, Thursday, and Friday from 8am-4pm and Wednesday from 9am-5pm or it can be viewed or printed out at www.townofevans.org.

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 2017 #471 Open the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to open the Public Hearing.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Absent
Councilman Macko	Aye
Supervisor Hosler	Aye

The following spoke in opposition of Proposed Local Law #11:

Lynn Wyland	John Calleri	Cheryl St. George	Cheri Hahn	Barb McGowan
Ed Schneider	Bill Henry	Sue Clark	Chris Tucker	Stan Radwan
Bob Catalano	Rick Manguso			

The following spoke in favor of Proposed Local Law #11:

Mike Masullo Guy Canonico

RESOLUTION 2017 #472 Close the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to close the Public Hearing.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Absent
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #473 Adopt Proposed Local Law #11 Override Tax Cap

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, a public hearing was held on November 1, 2017 at 7:10pm at Evans Town Hall, 8787 Erie Road, Angola, New York regarding Proposed Local Law #11 of calendar year 2017

NOW, THEREFORE, BE IT RESOLVED, that Proposed Local Law #11 of the calendar year 2017 is hereby adopted as Local Law #9 to override the tax levy limit established in General Municipal Law § 3-c.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Absent
Councilman Macko	Aye
Supervisor Hosler	Aye

Privilege of the Floor

Stan Radwan spoke about decorum at the Board meetings, house sales and taxes. He asked about the Revenue Anticipation Notes and Tax Anticipation Notes.

Bob Catalano spoke about the tax increase and the tax cap, facebook comments and the Sheriff's Department.

Cheryl St. George spoke about putting the budget up for public vote, cutting costs and cutting the Police Department.

Ed Schneider spoke about a FOIL Request denial, combining the Agenda Meeting and Town Board Meeting, the vote on upsizing and the Budget Officer salary.

John Calleri spoke about Freedom of Speech and clarified some of his comments at the last Town Board meeting.

Peter Bogulski spoke about decreasing taxes, closing the South Creek Pool, self imposed austerity budget, selling the Town Park for condos, moving the Town Park to Wendt Park, the water project, development in Hamburg and the size of the Police force, full time Sheriff enforcement in the County parks and getting sewers.

Mike Masullo spoke about the cost of the Erie County Sheriffs vs the Town of Evans and State Police salaries.

Norma Bogulski spoke about the Town of Evans Police and the Erie County Sheriffs and the savings of consolidation.

Chris Tucker clarified comments made at the last Town Board meeting.

Bill Henry spoke about cost savings with the solar panels, the energy audit, solar farms, windmills and the solar moratorium.

RESOLUTION 2017 #474 Remove Item #4 John K. Thompson Pool Heater from Old Business

Supervisor Hosler moved and Councilman Macko seconded to remove Item #4 John K. Thompson Pool Heater from Old Business on tonight's Agenda.

VOTE RESULT:	Councilman Feldmann	Absent
	Councilman Macko	Aye
	Supervisor Hosler	Aye

RESOLUTION 2017 #475 Waive Signage fee for Boys & Girls Club of Lake Shore

Supervisor Hosler moved and Councilman Macko seconded,

BE IT RESOLVED, that per Town of Evans Code 200.29 Sign Regulations, Fee Schedule, that the Town Board does hereby grant a waiver of the signage fee to the Boys & Girls Club of Lake Shore to have a double-sided interchangeable letter message board sign (4ft L x 2ft W x 3.5ft H) in front of TOPS Friendly Markets (6914 Erie Road, Derby, New York) for the Club's Meat Raffle fundraiser. The sign will be displayed from Wednesday, November 1, 2017 through Sunday, November 11, 2017.

VOTE RESULT:	Councilman Feldmann	Absent
	Councilman Macko	Aye
	Supervisor Hosler	Aye

RESOLUTION 2017 #476 Authorize Supervisor to Execute Documents for a Tax Anticipation Note

Councilman Macko moved and Supervisor Hosler 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, 2018, 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 $950,000 (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 Town Clerk of the Town is authorized and directed to attest the Notes.

Section 4. The Supervisor is hereby further delegated all powers of the Board with respect to agreements for credit enhancement derived from and pursuant to Section 168.00 of the Local Finance Law, for the Notes, including, but not limited to, the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

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 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.

VOTE RESULT:	Councilman Feldmann	Absent

Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #477 Suspend the Rules of Order

Supervisor Hosler moved and Councilman Macko seconded to suspend the rules of order for tonight's Board meeting to consider the adoption of a resolution to refund the rezoning application fee paid by the Lake Shore Federal Credit Union.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	Absent
	Councilman Macko	Aye
	Supervisor Hosler	Aye

RESOLUTION 2017 #478 Refund the Rezoning Application Fee Paid to Lake Shore Federal Credit Union

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS; properties surrounding 8766 Erie Road, Angola, New York were recently rezoned; and

WHEREAS; the property located at 8766 Erie Road, Angola, New York should have been included in the aforementioned rezoning;

NOW THEREFORE BE IT

RESOLVED: that the rezoning application fee paid by Lake Shore Federal Credit Union, the owner of 8766 Erie Road, Angola, New York, in the amount of $500.00, should be refunded to Petitioner: Lake Shore Federal Credit Union.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	Absent
	Councilman Macko	Aye
	Supervisor Hosler	Aye

RESOLUTION 2017 #479 Audit of Bills

Councilman Macko moved and Supervisor Hosler seconded,

RESOLVED: that all property audited bills be paid out of their respective account as set forth

AUDIT OF BILLS

	11/2/2017
DATE	20
ABSTRACT NO.	1561 - 1612

VOUCHER NO.	77051 - 77092
CHECK NUMBERS	Board Meeting
APPROVED AT	11/1/2017
DATE	
	$34,158.96
GENERAL	$482.37
PART TOWN	$69,631.99
HIGHWAY DB	$382.66
WATER	
CAPITAL PROJECTS	$21,008.84
SPECIAL DISTRICTS	
DEBT SERVICE	
TA FUND	$125,664.82
TOTAL	

VOTE RESULT:	Councilman Feldmann	Absent
	Councilman Macko	Aye
	Supervisor Hosler	Aye

RESOLUTION 2017 #480 Adjournment

Supervisor Hosler moved Councilman Macko seconded to adjourn tonight's meeting till Wednesday, November 8, 2017 for a Work Session at 6pm then to Wednesday, November 15, 2017 for an Agenda Meeting at 6pm and Regular Meeting at 7pm.

VOTE RESULT:	Councilman Feldmann	Absent
	Councilman Macko	Aye
	Supervisor Hosler	Aye

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.
Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

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

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: REZONE from Neighborhood Business (NB) to General Business (GB)		
Project Location (describe, and attach a general location map): 8766 Erie Road, Angola, NY 14006		
Brief Description of Proposed Action (include purpose or need): Rezone from Neighborhood Business to General Business to allow for additional uses on the site. The rezone is consistent with the Town of Evans 1999 Comprehensive Plan.		
Name of Applicant/Sponsor: Lake Shore Federal Credit Union	Telephone: (716) 549-4150 E-Mail:	
Address: 8766 Erie Road (P. O. Box 227)		
City/PO: Angola	State: NY	Zip Code: 14006
Project Contact (if not same as sponsor; give name and title/role): Lynn Penfold, President BOD	Telephone: (716) 997-1501 E-Mail: lpenfold@roadrunner.com	
Address: 910 Sturgeon Point Road (P. O. Box 244)		
City/PO: Derby	State: NY	Zip Code: 14047
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

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	Town of Evans Planning Board Recommendation	October 25, 2017
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Town of Evans Town Board Approval	November 1, 2017
c. City Council, Town or Village Zoning Board of Appeals ☐Yes ☐No		
d. Other local agencies ☐Yes ☐No		
e. County agencies ☐Yes ☐No		
f. Regional agencies ☐Yes ☐No		
g. State agencies ☐Yes ☐No		
h. Federal agencies ☐Yes ☐No		

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 Area: 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?

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? Neighborhood Business (NB) to General Business (GB)

C.4. Existing community services.

a. In what school district is the project site located? Lake Shore Central Schools

b. What police or other public protection forces serve the project site?
Evans Police

c. Which fire protection and emergency medical services serve the project site?
Evans Center

d. What parks serve the project site?
N/A

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)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 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)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

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

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				
At completion of all phases				

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? ☐Yes ☐No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
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: _____ 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: _____
- 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: _____ 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): _____

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

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- 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 site? ☐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 _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

_____

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)?

_____

_____

- If to surface waters, identify receiving water bodies or wetlands: _____

_____

_____

- 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: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

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:

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:

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			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

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:

_____
_____

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? _____ 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: _____ _____%
_____ _____%
_____ _____%

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

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

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____% 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 _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ 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: _____ _____ _____ _____ _____ _____

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: _____

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

_____

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.

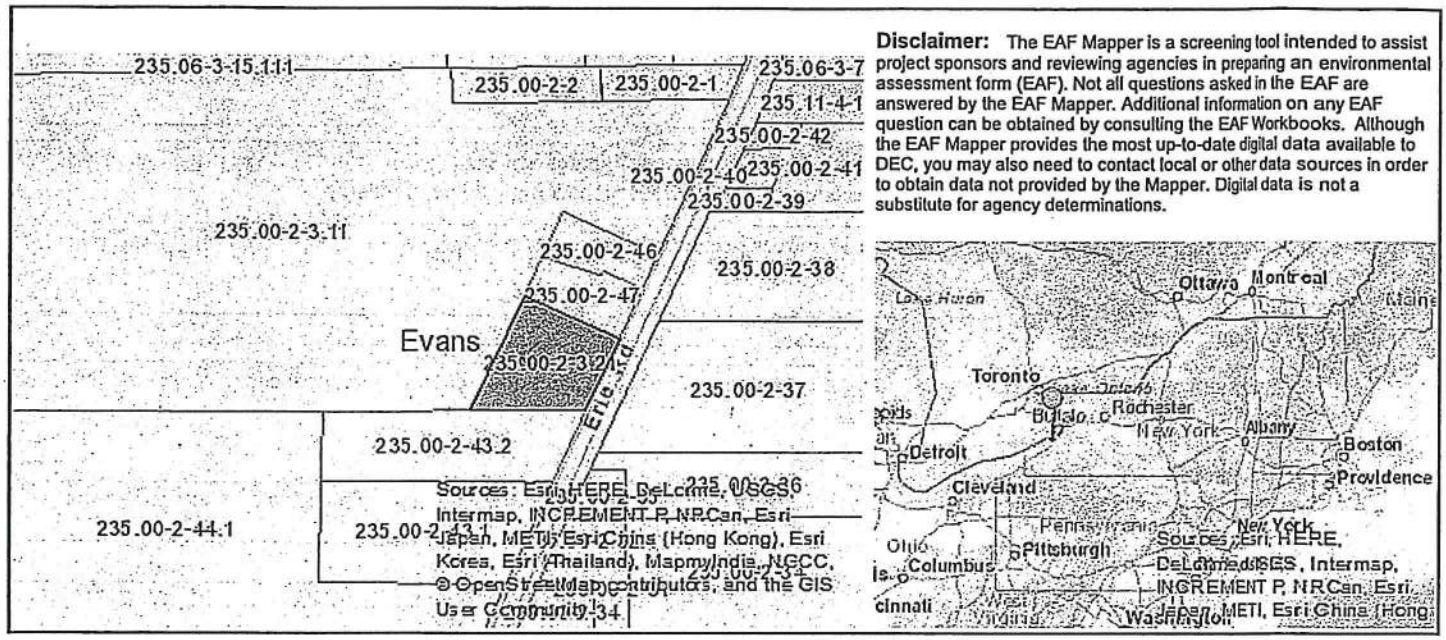
Applicant/Sponsor Name Roberta Rappoccio Date Oct 27, 2017

Signature _____ Title Director of Planning and Community Development

PRINT FORM

EAF Mapper Summary Report

Wednesday, November 01, 2017 9:48 AM



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]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
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]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

SEQR – 8766 Erie Road - Neighborhood Business to General Business
FULL ENVIRONMENTAL ASSESSMENT FORM
Part 1. F. Additional Information

The Town of Evans has proposed to rezone the property located at 8766 Erie Road from Neighborhood Business (NB) to General Business (GB). The rezone will allow additional uses on the property and fill in the zoning gaps along Erie Road to the General Business zoning designation, as per the 1999 Comprehensive Plan.

The Town of Evans 1999 Comprehensive Plan identified Erie Road as a major transportation and commercial corridor in the Town. This major corridor has a mix of commercial, motor services, light Industrial and a spattering of residential uses. The rezone continues to allow for consistent development within the General Business zoning districts, and maintains the character of the surrounding neighborhoods.

Agency Use Only [If applicable]

Project : LSFCU - REZONE

Date : October 24, 2017

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, Elb	☐	☐
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.	El 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: _____		☐	☐

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

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.

Proposed action is a rezone of one property located at 8766 Erie Road from Neighborhood Business(NB) to General Business (GB).

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 TOWN OF EVANS TOWN BOARD 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: 8766 ERIE ROAD - REZONE

Name of Lead Agency: TOWN OF EVANS TOWN BOARD

Name of Responsible Officer in Lead Agency: MARY K. HOSLER

Title of Responsible Officer: TOWN OF EVANS, NY SUPERVISOR

Signature of Responsible Officer in Lead Agency: Mary K. Hosler Date: 11/15/17

Signature of Preparer (if different from Responsible Officer) Date: 10/23/17

For Further Information:

Contact Person: ROBERTA RAPPOCCIO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

Address: 8787 ERIE ROAD

Telephone Number: 716-549-0945

E-mail: planning@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

PRINT FULL FORM

AFFIDAVIT OF PUBLICATION

LEGAL NOTICE
TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York, will hold a public hearing on **November 1, 2017 at 7:10 P.M.** at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 for the consideration of the adoption of Proposed Local Law #9 of the year 2017 which will amend Town Code Chapter 200: Zoning, Section 200-4(B)- Provision for Official Zoning Map for the purpose of amending the Town's official zoning map, eliminate Section 200-22, Motor Service District (MS), and incorporate the associated permitted uses designated in Section 200-22 into Section 200-21, General Business District (GB), with all Motor Service uses requiring a special use permit except for the use "tire, battery and other automotive parts and accessories and sales".

Copies of the Proposed Local will be available for inspection by any interested person in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am-4pm. Wednesday from 9am-5pm and the Town's website www.townofevans.org.

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
O-162782 October 22, 2017
-Adv.

State of New York

County of Chautauqua

City of Dunkirk

Sheila McWillson , being duly sworn, deposes and says that she is the Principal Clerk, for Ogden Newspapers of New York Inc. the publisher of The OBSERVER, a daily newspaper published in the City of Dunkirk, Chautauqua County, State of New York, and that a notice of which the annexed is a printed copy, was inserted and published in said newspaper on the following dates

October 22, 2017

Signed: Sheila McWillson

Sheila McWillson

Signed before me this 23rd day of October 2017

Barbara J Musso

Notary Public

5/4/18

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk

Sheila McWillson , being duly sworn, deposes and says that she is the Principal Clerk, for Ogden Newspapers of New York Inc. the publisher of The OBSERVER, a daily newspaper published in the City of Dunkirk, Chautauqua County, State of New York, and that a notice of which the annexed is a printed copy, was inserted and published in said newspaper on the following dates

October 22, 2017

Signed: Sheila McWillson

Sheila McWillson

Signed before me this 23rd day of October 2017

Barbara J Musso

Notary Public

LEGAL NOTICE
TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a public hearing on **November 1, 2017 at 7:10 P.M.** at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 for the consideration of the adoption of Proposed Local Law #10 of the year 2017 which will amend Town Code Chapter 200: Zoning, Section 200-4(B)- Provision for Official Zoning Map for the purpose of rezoning the property located at 8766 Erie Road (SBL #235.00-2-3.21) from Neighborhood Business (NB) to General Business (GB) on the Town's official zoning map.

Copies of the Proposed Local will be available for inspection by any interested person in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am-4pm, Wednesday from 9am-5pm and the Town's website www.townofevans.org.

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

O-162781 October 22, 2017
-Adv.

5/4/19

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk

TOWN OF EVANS
NOTICE OF
PUBLIC HEARING

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a public hearing on **November 1, 2017 at 7:10 PM**, at the Town Hall, 8787 Erie Road, Angola, New York 14075, to hear all interested parties and citizens for or against the adoption of proposed Local Law Number 11 for the year 2017. The proposed Local Law seeks to override the tax levy limit established in General Municipal Law Sec 3-c. A copy of the proposed local law will be available at the Town Clerk's Office to review or pick up during normal business hours, Monday, Tuesday, Thursday, and Friday from 8am-4pm and Wednesday from 9am-5pm or it can be viewed or printed out at www.townofevans.org. 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
O-162785 October 22, 2017
-Adv.

Sheila McWillson , being duly sworn, deposes and says that she is the Principal Clerk, for Ogden Newspapers of New York Inc. the publisher of The OBSERVER, a daily newspaper published in the City of Dunkirk, Chautauqua County, State of New York, and that a notice of which the annexed is a printed copy, was inserted and published in said newspaper on the following dates

October 22, 2017

Signed: Sheila McWillson

Sheila McWillson

Signed before me this 23rd day of October 2017

Barbara J Russo

Notary Public

5/4/19

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk

Sheila McWillson , being duly sworn, deposes and says that she is the Principal Clerk, for Ogden Newspapers of New York Inc. the publisher of The OBSERVER, a daily newspaper published in the City of Dunkirk, Chautauqua County, State of New York, and that a notice of which the annexed is a printed copy, was inserted and published in said newspaper on the following dates

October 27, 2017

Signed Sheila McWillson

Sheila McWillson

Signed before me this 27rd day of October 2017

Barbara J Mussow

Notary Public

5/4/18

LEGAL NOTICE
Town of Evans
Notice of Public Hearing on Preliminary Budget Year 2018

Notice is hereby given that the Preliminary Budget of the Town of Evans, Erie County, New York for the fiscal year beginning January 1, 2018 has been completed and filed in the office of the Town Clerk at 8787 Erie Road, Angola, New York where it is available for inspection by any interested person during regular business hours Monday, Tuesday, Thursday, Friday 8:00 a.m. to 4:00 p.m. and Wednesday from 9:00 a.m. to 5:00 p.m. 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 of the Town of Evans, pursuant to all applicable statutes, 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 1, 2017,** and that at such hearing any person may be heard in favor or against the preliminary budget as compiled and for or against any item or items therein contained.

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

Supervisor $40,000
Budget Officer $15,000
Councilmen (2) each $15,300
Town Clerk $56,365
Registrar of Vital Statistics $8,935
Superintendent of Highways $69,838
DPW Superintendent $10,000
Drainage Officer $5,000
Town Justices (2) each $22,819

By Order of the
Town Board of the
Town of Evans
Lynn M. Krajacic
Town Clerk
O-162816 October 27, 2017
-Adv.