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:	Michael Schraft	Councilman
	Jeanne Macko	Councilman
	Mary Hosler	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Jennifer Farrell	Town Attorney
	Doug Czora	Police Chief
	Roberta Rappoccio	Director of Planning
	Brittany Gloss	Director of Finance
	Ed Michalski	Highway Superintendent
	Mary Holl	Supervisor's Secretary

RESOLUTION 2018 #237 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the meeting of the May 2, 2018 and May 9, 2018 meeting be dispensed with and accepted as submitted by the Town Clerk.

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

Communications

Supervisor Hosler read a communication from Roberta Rappoccio, Director of Community Development and Planning regarding Minor Subdivision Review - dividing a 0.52± acre parcel at 431 Lake Breeze Road, known as SBL# 234.19-6-38.21, to create an 0.15± acre portion to form a 0.38± acre parcel, and a 0.14+ acre portion to be annexed to an adjacent parcel at 425 Lake Breeze Road, known as SBL# 234.19-6-43, to form a 0.37± acre parcel. Petitioner: Edward Ferber, 431 Lake Breeze Road, Angola, NY 14006

RESOLUTION 2018 #238 Declare Lead Agency and Issue Negative Declaration - Edward Ferber Minor Subdivision

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, minor subdivisions are unlisted SEQR actions, and

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

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

WHEREAS, in a letter dated May 11, 2018, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Edward Ferber Minor Subdivision, and

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

NOW THEREFORE BE IT RESOLVED, that the Town of Evans shall be the Lead Agency for the SEQR process for proposed the above mentioned minor subdivision; and

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

a division of SBL# 234.19-6-38.21, dividing a 0.52± acre parcel to create:

1. a 0.15± acre portion to form a 0.38± acre parcel with 50± foot of frontage on Lake Breeze Road and 69.79± foot of frontage on Woodside Road, and
2. a 0.14± acre portion to be annexed to an adjacent parcel at 425 Lake Breeze Rd., known as SBL# 234.19-6-43, to create a 0.37± acre parcel with 50± foot of frontage on Lake Breeze Road and 84.58± foot of frontage on Woodside Road.

Petitioner: Edward Ferber, 431 Lake Breeze Road, Angola, NY 14006.

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

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

RESOLUTION 2018 #239 Approve Minor Subdivision - Ferber

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans Minor Subdivision Review Committee has completed a review and recommended approval, and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby adopts the findings of the Town of Evans Minor Subdivision Review Committee and approves the Edward Ferber Minor Subdivision, a division of SBL# 234.19-6-38.21, dividing a 0.52± acre parcel to create:

1. a 0.15± acre portion to form a 0.38± acre parcel with 50± foot of frontage on Lake Breeze Road and 69.79± foot of frontage on Woodside Road, and
2. a 0.14± acre portion to be annexed to an adjacent parcel at 425 Lake Breeze Rd., known as SBL# 234.19-6-43, to create a 0.37± acre parcel with 50± foot of frontage on Lake Breeze Road and 84.58± foot of frontage on Woodside Road.

Petitioner: Edward Ferber, 431 Lake Breeze Road, Angola, NY 14006.

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

Supervisor Hosler read a communication from Roberta Rappoccio, Director of Community Development and Planning regarding Minor Subdivision Review - dividing a 33.77± acre parcel with frontage on Greninger Rd. and Southwestern Blvd., known as SBL# 236.00-4-33, to create a 12.31± acre portion to be annexed to an adjacent parcel known as SBL# 236.00-4-21.2 to form a 31.3± acre parcel with frontage on Southwestern Blvd, a 4.0± acre parcel with frontage on Greninger Rd. and Southwestern Blvd., and a 14.16± acre parcel with frontage on Southwestern Blvd. Petitioner: Sandra Greninger, 4087 Richcrest Drive #6, Hamburg, NY 14075.

RESOLUTION 2018 #240 Declare Lead Agency and Issue Negative Declaration - Greninger Minor Subdivision

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, minor subdivisions are unlisted SEQR actions, and

WHEREAS, the Town Board of the Town of Evans desires the Town of Evans to be the Lead Agency for the SEQR process:

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

WHEREAS, in a letter dated May 11, 2018, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Estate of Allewis S. Greninger Minor Subdivision, and

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

NOW THEREFORE BE IT RESOLVED, that the Town of Evans shall be the Lead Agency for the SEQR process for the above mentioned minor subdivision; and

RESOLVED, that the Town Board of the Town of Evans adopts the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the Estate of Allewis S. Greninger Minor Subdivision.
(Addendum B SEQR Short Environmental Assessment Form),

a division of SBL# 236.00-4-33, dividing a 33.77± acre parcel to create:

1. a 12.31± acre portion with 1305.15± feet of frontage on Southwestern Blvd., to be annexed to an adjacent parcel known as SBL# 236.00-4-21.2 to form a 31.3± acre parcel with 2187.15± feet of frontage on Southwestern Blvd., and
2. a 4.0± acre parcel with 24.75± feet of frontage on Greninger Rd. and 281.50± feet of frontage on Southwestern Blvd., and
3. a 14.16± acre parcel with 1023.60± feet of frontage on Southwestern Blvd.

Petitioner: Sandra Greninger, 4087 Richcrest Drive #6, Hamburg, NY 14075

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

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

RESOLUTION 2018 #241 Approve Minor Subdivision - Greninger

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, the Town of Evans Minor Subdivision Review Committee has completed a review and recommended approval, and

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby adopts the findings of the Town of Evans Minor Subdivision Review Committee and approves the Estate of Allewis S. Greninger Minor Subdivision,

a division of SBL# 236.00-4-33, dividing a 33.77± acre parcel to create:

1. a 12.31± acre portion with 1305.15± feet of frontage on Southwestern Blvd., to be annexed to an adjacent parcel known as SBL# 236.00-4-21.2 to form a 31.3± acre parcel with 2187.15± feet of frontage on Southwestern Blvd., and
2. a 4.0± acre parcel with 24.75± feet of frontage on Greninger Rd. and 281.50± feet of frontage on Southwestern Blvd., and
3. a 14.16± acre parcel with 1023.60± feet of frontage on Southwestern Blvd.

Petitioner: Sandra Greninger, 4087 Richcrest Drive #6, Hamburg, NY 14075

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

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

PUBLIC HEARING

LEGAL NOTICE
TOWN OF EVANS

Please take notice that a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York at 7:10 pm on May 16, 2018, at the Evans Town Hall, 8787 Erie Road, Angola, New York to consider the petition of Nicholas Larson, d/b/a AutoTune Service and Repair, for a Special Use Permit renewal for the purpose of continued operation of a Used Car Lot facility located at 9712 Southwestern Boulevard, Angola, NY 14006, part of SBL# 251.00-2-21.

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

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

RESOLTUION 2018 #242 Open the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to open the public hearing.

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

The following spoke in favor: Bill Henry

RESOLUTION 2018 #243 Close the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to close the public hearing.

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

RESOLUTION 2018 #244 Approve Renewal of Special Use Permit Autotune

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, a renewal application dated March 13, 2018 was submitted by Nicholas Larson, d/b/a Autotune Service & Repair, petitioning for a special use permit renewal for the purpose of continued operation of a Used Car Lot facility located at 9712 Southwestern Blvd., Angola, NY 14006, SBL# 251.00-2-21; and

WHEREAS, the Town of Evans Planning Office and the Code Enforcement Office have conducted a proper review of the application and the facility and have recommended the Special Use Permit be renewed for a period of two (2) years with the following revised conditions:

1. The site must be developed in accordance with the site plan dated 3/25/03 and approved by the Evans Town Board; for the purpose of sales, a maximum of 7 vehicles may be displayed or stored on the southern front of the building aligned with the front façade and a maximum of 12 vehicles on the north side of the building.
2. To minimize adverse effects on the character of the surrounding area, no major auto body or collision repairs will be conducted on this site.
3. No storage of auto parts or accessories shall be permitted outside of the building.
4. Any painting, sandblasting, machine grinding or sanding must occur inside the building with a ventilation system designed in accordance with the State and Federal standards.
5. To protect the waters of Big Sister Creek, no discharge or deposition of liquid or solid waste materials shall be permitted adjacent to or into the creek.

WHEREAS, the negative SEQRA declaration issued by the Town Board on October 7, 1998 for the original Special Use Permit for said facility is still sufficient and valid for this action; and

WHEREAS, the Town Board of the Town of Evans conducted a public hearing on May 16, 2018 regarding said special use permit renewal;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit renewal to Nicholas Larson, for the purpose of continued operation of Used Car Lot facility located at 9712 Southwestern Blvd., Angola NY 14006, SBL# 251.00-2-21; and

BE IT FURTHER RESOLVED, that the above-said Special Use Permit be granted for a two (2) year period and may be renewed; and

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

LEGAL NOTICE
TOWN OF EVANS

Please take notice that a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York at 7:10 pm on May 16, 2018, at the Evans Town Hall, 8787 Erie Road, Angola, New York to consider the petition of Judy Clark, d/b/a We Care Auto Repair, Inc. for a Special Use Permit renewal for the purpose of continued operation of a Vehicle Sales & Service facility located at 7312 Erie Road, Derby, NY 14047, part of SBL# 206.00-5-14.

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

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

RESOLTUION 2018 #245 Open the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to open the public hearing.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

There was nobody wishing to speak in favor or opposition

RESOLUTION 2018 #246 Close the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to close the public hearing.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #247 Approve Renewal of Special Use Permit We Care Auto

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, a renewal application dated March 21, 2018 was submitted by Judy Clark, d/b/a We Care Auto Repair, Inc., petitioning for a special use permit renewal for the purpose of continued operation of a Vehicle Sales and Service Facility located at 7312 Erie Rd., Derby, NY 14047, SBL# 206.00-5-14; and

WHEREAS, the Town of Evans Planning Office and the Code Enforcement Office have conducted a proper review of the application and the facility and have recommended the Special Use Permit be renewed for a period of two (2) years and;

WHEREAS, the negative SEQRA declaration issued by the Town Board on April 4, 2013 for the original Special Use Permit for said facility is still sufficient and valid for this action; and

WHEREAS, the Town Board of the Town of Evans conducted a public hearing on May 16, 2018 regarding said special use permit renewal;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit renewal to We Care Auto Repair, Inc., for the purpose of continued operation of a Vehicle Sales and Service Facility located at 7312 Erie Rd., Derby, NY 14047, SBL# 206.00-5-14; and

BE IT FURTHER RESOLVED, that the above-said Special Use Permit be granted for a two (2) year period and may be renewed; and

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

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

RESOLUTION 2018 #248 Town Clerk's Reports

Supervisor Hosler moved and Councilman Macko seconded to accept the reports of the Town Clerk as presented for the month of April 2018:

Town Clerk Report April	$38,482.92
Interest for April	$7.10
Greenspace Fees transferred to Trust & Agency Account	$700.00

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

RESOLUTION 2018 #249 Remove Items 3 & 4 from Old Business

Supervisor Hosler moved and Councilman Schraft seconded to remove and dispose with Resolution #3 - Tower Permit - Eden Evans Road and #4 - PLL# 9 of 2017 (MS to GB)

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

RESOLUTION 2018 #250 Donation for Party in the Playground Fundraiser

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, the Evans Playground Committee holds fundraising events throughout the year to raise money for the new playground at the Evans Town Park; and

WHEREAS, the Evans Playground Committee has requested a donation for its "Party for the Playground" Fundraisers, one (1) for the May 24, 2018 event and one (1) for the August 29, 2018 event to complete Phase 2 of the new playground;

BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the donation of one (1) 2018 seasonal boat launch pass and one (1) 2019 seasonal boat launch pass.

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

RESOLUTION 2018 #251 Appointment of Part Time Seasonal Appointments

Councilman Macko moved and Councilman Schraft seconded,

BE IT RESOLVED, that the following part time seasonal gate guards/laborers are hereby appointed, effective immediately, for the year 2018, with their respective rates as follows:

Nicholas Ralph	$11.50/hr.
Zack Byrne	$10.40/hr.
Wayne Thomas	$10.40/hr.

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

RESOLUTION 2018 #252 Authorize Highway Superintendent to Attend 73rd Annual Highway School

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the Superintendent of Highways Ed Michalski requests permission to attend the NYS Association of Towns and Cornell Local Roads Program 73rd Annual Highway School for Superintendents conference; and

WHEREAS, said training will be held in Ithaca, New York June 4-6, 2018; and

WHEREAS, the registration fee is waived since Superintendent Michalski has attained a 20 year attendance status;

NOW, THEREFORE BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Superintendent of Highways Ed Michalski, to attend said conference and all appropriate and reasonable expenses shall be paid by the Town, per Town policy.

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

RESOLUTION 2018 #253 Amend Resolution #7 RE: Order of Business for Town Board Meetings

Councilman Schraft moved and Supervisor Hosler seconded,

BE IT RESOLVED, that Resolution 2018-007 be amended to reflect the order of business for meetings of the Evans Town Board for the year 2018 be as follows:

I. Call the meeting to order
II. Pledge of Allegiance;
III. Roll Call;
IV. Approval of the Minutes;
V. Communications;
VI. Privilege of the Floor;
VII. Public Hearing and Bid Openings;
VIII. Committee and Department Head Reports;
IX. Town Clerk's Report;
X. Old Business;
XI. Resolutions;
XII. Licenses;
XIII. Audit of Bills;
XIV. Adjournment.

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

RESOLUTION 2018 #254 Amend Resolution #204 RE: Air Monitoring Contract

Councilman Macko moved and Councilman Schraft seconded,

BE IT RESOLVED, that Resolution 2018-204 be amended to allow Supervisor Hosler to execute a modification to the air monitoring services contract with Northeastern Inc. regarding demolition of certain properties to add 9406 Jamestown, SBL #250.07-4-26.1 to the air monitoring services contract and amend the cost of said contract to not exceed $12,375.

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

RESOLUTION 2018 #255 Suspend the Rules of Order

Supervisor Hosler moved and Councilman Schraft seconded,

BE IT RESOLVED, that Resolution 2018-213 be amended to reflect that the Town Clerk is authorized to advertise for a public hearing to be held on June 6, 2018 at 7:10 p.m. to consider Proposed Local Law #2 of the year 2018 for the consideration of amendments to the Evans Town Code as outlined in Resolution 2018-213.

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

RESOLUTION 2018 #256 Approve Town Licenses

Supervisor Hosler moved and Councilman Macko seconded,

Michael Slawinski D/B/A Stroh's - Fireworks

RESOLVED, that the aforesaid licenses be granted pertaining to the report of the Chief of Police and the Department of Health where appropriate.

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

RESOLUTION 2018 #257 Audit of Bills

Councilman Macko moved and seconded Supervisor Hosler seconded that all properly audited bills be paid out of their respective accounts per abstract

	AUDIT OF BILLS
DATE	5/17/2018
ABSTRACT NO.	10
VOUCHER NO.	2571 - 2642
CHECK NUMBERS	77818 - 77871
APPROVED AT	Board Meeting
DATE	5/16/2018
GENERAL	$76,507.83
PART TOWN	$1,891.33
HIGHWAY DB	$18,601.54
WATER	
CAPITAL PROJECTS	
SPECIAL DISTRICTS	$103,036.50
DEBT SERVICE	
TA FUND	
TOTAL	**$200,037.20**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #258 Enter Executive Session

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS: the Evans Town Board wishes to enter Executive Session, and;

BE IT RESOLVED: that the public shall be excluded from discussion of and action upon hereinafter specified subject matter.

The general nature of the subject matter to be discussed as follows: Employment history of a particular employee.

NOW THEREFORE BE IT RESOLVED: Jennifer Farrell, Town Attorney, is invited to attend the Evans Town Board Executive Session.

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

RESOLUTION 2018 #259 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, May 23, 2018 for a Work Session at 6pm then to Wednesday, June 6, 2018 at 6pm for an Agenda Meeting then to 7pm for the Regular Meeting.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Macko	Aye
	Councilman Schraft	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, RMC
Town Clerk

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 - Project and Sponsor Information
Edward Ferber

Name of Action or Project:
Minor Subdivision

Project Location (describe, and attach a location map):
431 Lake Breeze Road

Brief Description of Proposed Action:

Minor Subdivision - Dividing a 1.36+/- acre parcel with 50' of frontage on Lake Breeze Road and 154.37' of frontage on Woodside Road to create a .61+/- acre parcel with 50' of frontage on Lake Breeze Road and 69.79+/- foot of frontage on Woodside Road and a .60+/- acre parcel with 50' of frontage on Lake Breeze Road and 84.58+/- foot of frontage on Woodside Road.

Name of Applicant or Sponsor:	Telephone: 716-863-8421
Edward Ferber	E-Mail:

Address:
431 Lake Breeze Road

City/PO:	State:	Zip Code:
Angola	New York	14006

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

3.a. Total acreage of the site of the proposed action? 1.36+/- acres
b. Total acreage to be physically disturbed? -0- acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.36+/- acres

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

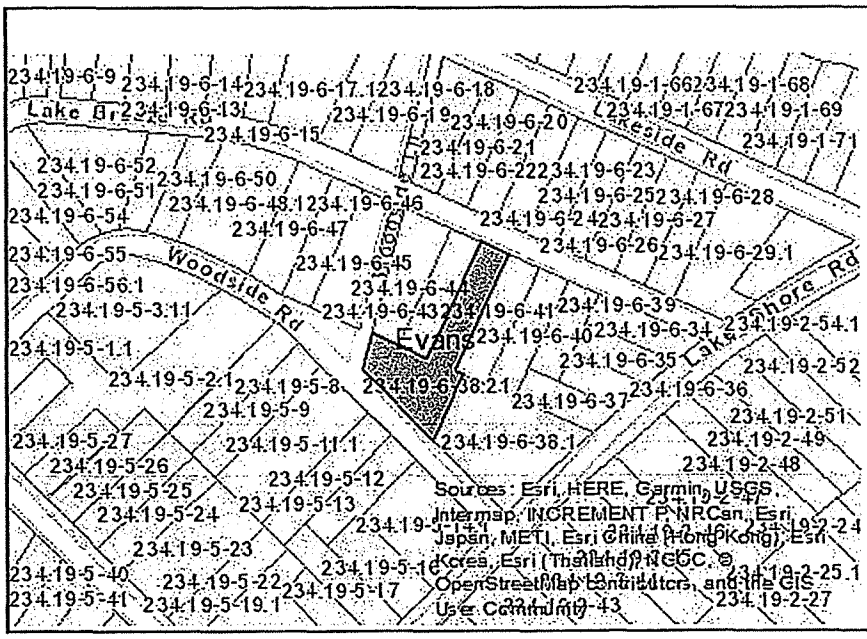
	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☐	☐	☒
b. Consistent with the adopted comprehensive plan?	☐	☐	☒
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☒	☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☒	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☑	☐	
b. Is the proposed action located in an archeological sensitive area?	☑	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	☑	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☒	☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☐ Suburban

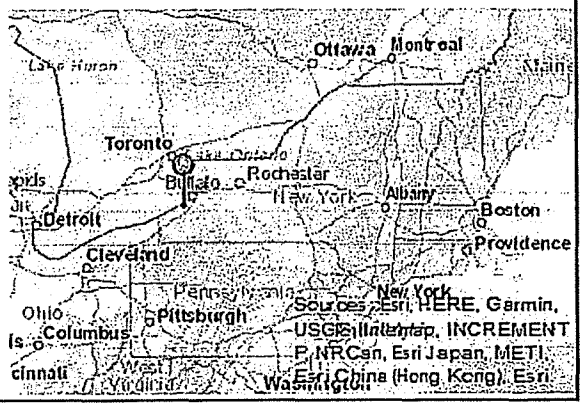
	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☑	☐
16. Is the project site located in the 100 year flood plain?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐ NO ☐ YES		

EAF Mapper Summary Report

Tuesday, March 13, 2018 3:32 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



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

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

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

Applicant/sponsor name: Edward Fraser Date: 4/30/18

Signature: _____

PRINT FORM

Agency Use Only [If applicable]

Project: Ferber - Minor Subdivision

Date: May 23, 2018

Short Environmental Assessment Form
Part 2 - Impact Assessment

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

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

PRINT FORM

Agency Use Only [If applicable]

Project: Ferber - Minor Subdivisio

Date:

Short Environmental Assessment Form
Part 3 Determination of Significance

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

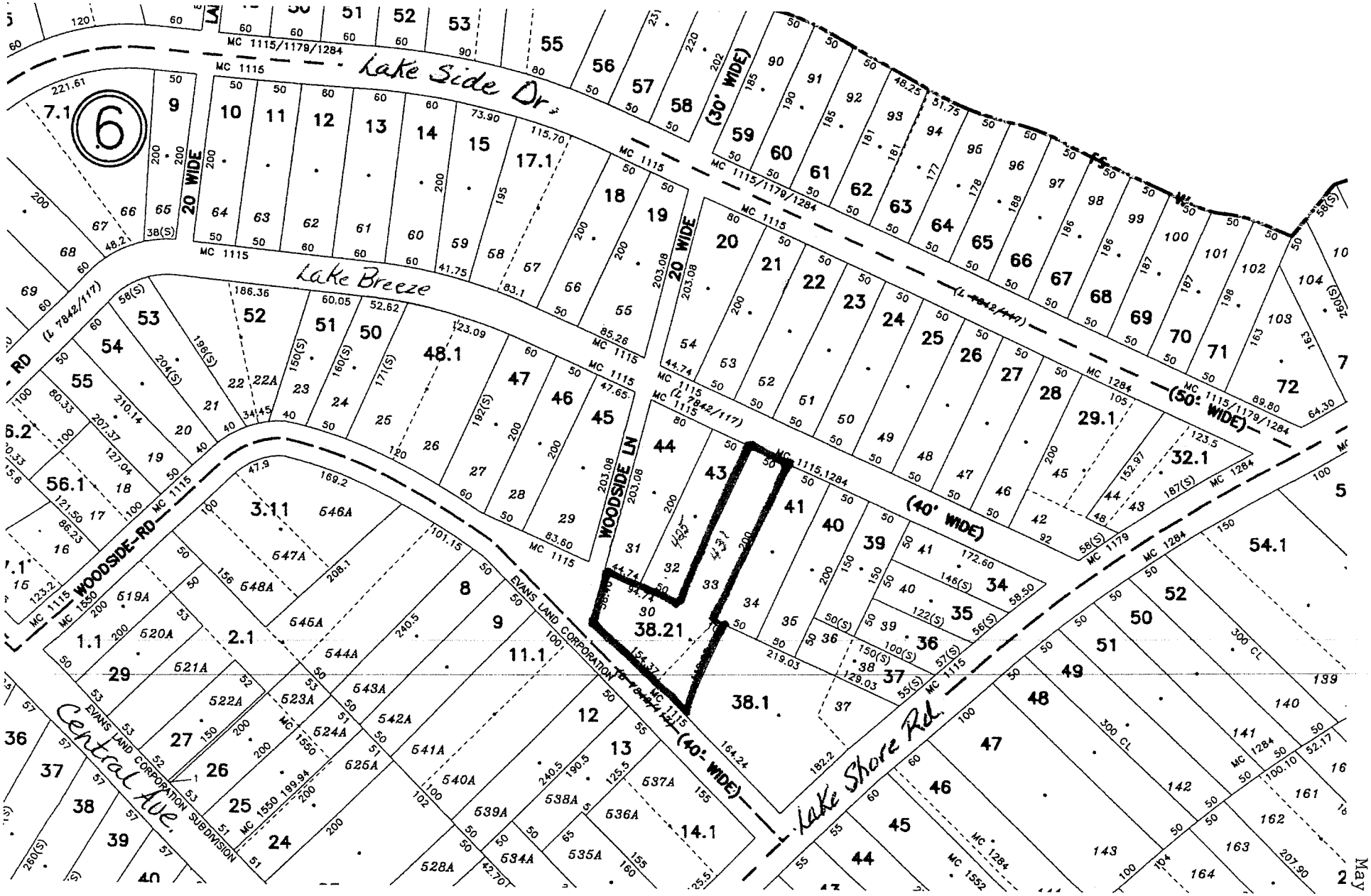
Action is a mini-subdivision and will not result in any adverse environmental impacts.

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

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

Evans Town Board	May 16, 2018
Name of Lead Agency	Date
Mary K. Hosler	Supervisor, Town of Evans
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM



Ferber, Edward
431 Lake Breeze
SBL# 234.19-6-38.21

Quit Claim Deed (Individual) 884 ½ Ellicott Sq. Bldg., Buf., N. Y. 14203

This Indenture

Made the 25th *day of* May *Nineteen Hundred and* eighty-eight.

Between DIANE R. FERBER, 307 Reeves Road, Angola, New York 14006

party of the first part, and

EDWARD A. FERBER, 307 Reeves Road, Angola, New York 14006

party of the second part.

Witnesseth *that the said party of the first part, in consideration of*

ONE and No MORE ——— *Dollars,*

($ 1 & no more) *lawful money of the United States. paid by the party of the second part, do es hereby remise, release and forever Quit-Claim unto the said party of the second part,* her heirs *and assigns forever, all* that tract or parcel of land, situate in the Town of Evans, County of Erie and State of New York, being part of Lot No. 82, Township 8, Range 9 of the Holland Land Company's Survey and being subdivision Lot No. 33 as shown on a certain map made by Straley Bros., surveyors, and filed in the Erie County Clerk's Office under Cover No. 1115.

TOGETHER WITH AND SUBJECT TO rights, rights of ways, and restrictions of records, if any.

This conveyannce is made pursuant to a matrimonial settlement and is not made in defraud of creditors and does not render the grantor insolvent.

RECEIVED
$ EXEMPT
REAL ESTATE
JUL 19 1988
TRANSFER TAX
28635 ERIE COUNTY

LIBER 9893 PAGE 482

Together *with the appurtenances and all the estate and rights of the party of the first part in and to the said premises.*

To have and to hold, *the above granted premises unto the said party of the second part,* his heirs *and assigns forever.*

In Witness Whereof, *The said party of the first part has hereunto set* her *hand and seal the day and year first above written.*

In Presence of

Diane R. Ferber LS

LS

LS

STATE OF NEW YORK] *ss.* *On this* 25 *day of* May
COUNTY OF ERIE] *Nineteen Hundred and* eighty-eight
before me, the subscriber, personally appeared

DIANE R. FERBER

to me personally known and known to me to be the same person described in and who executed the within Instrument, and she duly *acknowledged to me that* she *executed the same.*

ANTHONY J. BARONE, JR.
Notary Public, State of New York
Qualified in Erie County
My Commission Expires June [illegible] 19 [illegible]

STATE OF NEW YORK] *ss:* *On this* *day of*
COUNTY OF] *Nineteen Hundred and*
before me, the subscriber, personally appeared

to me personally known and known to me to be the same person described in and who executed the within Instrument, and he *acknowledged to me that* he *executed the same.*

FILED
1988 JUL 25 PM 3:40
ERIE COUNTY
CLERK'S OFFICE

Deed

Box 242 QUIT-CLAIM

DIANE R. FERBER

To

EDWARD A. FERBER

Dated 5-25 19 88

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE
Recorded in Liber 9893 Page 483
of Deeds
on the 25 day of July
A.D. 1988 at 3:40 o'clock P.M
and examined.
David J. Swarts
CLERK

LIBER 9893 PAGE 483

7-11 P 33

Warranty Deed with Lien Covenant
Laws of 1917, Chap. 681, Laws of 1954

880½

David F. Williamson Co., Inc., Publishers
Buffalo, New York

This Indenture,

Made the 19th *day of* January *, Nineteen Hundred and* Eighty-Seven

Between EDWARD FERBER, individually and as surviving spouse of Linda Ferber, residing at 307 Reeves Road, Angola, New York 14006

Grantor(s), and

EDWARD A. FERBER AND DIANE R. FERBER, his wife, residing at 307 Reeves Road, Angola, New York 14006

Grantee(s).

Witnesseth, *that the said Grantor(s), in consideration of*

----------One and No/More---------- *Dollars ($* 1.00 & No More *)*

lawful money of the United States, paid by the Grantee(s), do es *hereby grant and release unto the Grantee(s),* their *and assigns forever.*

All that Tract or Parcel of Land,

situate in the Town of Evans, County of Erie and State of New York, being part of Lot No. 82, Township 8, Range 9 of the Holland Land Company's Survey and being Subdivision Lot No. 33 as shown on a certain map made by Straley Bros., Surveyors, and filed in the Erie County Clerk's Office under Cover No. 1115.

TOGETHER WITH AND SUBJECT TO rights, right -of-ways, and restrictions of record, if any.

RECEIVED
$ EXEMPT
REAL ESTATE
JAN 22 1987
16618
TRANSFER TAX
ERIE COUNTY

TOGETHER *with the appurtenances and all the estate and rights of the Grantor(s) in and to the said premises.*

TO HAVE AND TO HOLD, *the above granted premises unto the said Grantee(s).*

AND *the said Grantor(s) does covenant with said Grantee(s) as follows:*

FIRST.—*That the Grantee(s) shall quietly enjoy the said premises.*

SECOND.—*That the Grantor(s) will forever* ***WARRANT*** *the title to said premises.*

THIRD.—*Subject to the trust fund provisions of section thirteen of the lien law.*

IN WITNESS WHEREOF, *The said Grantor(s) has hereunto set* his *hand and seal the day and year first above written.*

IN PRESENCE OF

_____ [L.S.] _____ [L.S.]

_____ [L.S.] _____ [L.S.]

STATE OF NEW YORK) ss. On this 19th day of Janaury
COUNTY OF ERIE) Nineteen Hundred and Eighty-Seven

before me, the subscriber(s), personally appeared
EDWARD FERBER, individually and as surviving spouse of LINDA FERBER
to me personally known and known to me to be the same person described in and who executed the within instrument, and he acknowledged to me that he executed the same.

Andrew D Yosick Jr
Notary State of N.Y.
Qualified Erie County
My comm expires 8/31/88

STATE OF NEW YORK) ss. On this day of
COUNTY OF) Nineteen Hundred and

before me, the subscriber(s), personally appeared

to me personally known and known to me to be the same person described in and who executed the within instrument, and he acknowledged to me that he executed the same.

_____

DEED
Box 242

EDWARD FERBER, individually and as surviving spouse of LINDA FERBER

1987 JAN 22 PM 12 20
FILED
ERIE COUNTY
CLERK'S OFFICE
143

To

EDWARD A. FERBER AND
DIANE R. FERBER,
his wife

DATED January 19, 1987

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE
Recorded in Liber 9672 Page 531
of Deeds
on the 22 day of January
A.D., 1987, at 12:06 o'clock P.M.
and examined.

David J. Swanton
CLERK

101—DEED—Warranty with lien covenant (Individual)
Sanders Legal Publishers
Prudential Bldg., Buffalo, N.Y. 14202

This Indenture, *Made the* 26th *day of*
April *Nineteen Hundred and* Seventy-eight

Between HUGH C. SPINNER and C. BIVIAN SPINNER, his wife
residing at 6799 Old Lake Shore Road, Derby, New York 14047

part ies *of the first part, and*

EDWARD FERBER and LINDA FERBER, his wife, residing at
431 Lake Breeze, Angola, New York 14006

Witnesseth, *that the part* ies *of the first part, in consideration of* ---------- *part* ies *of the second part,*
----------One and more----------*Dollars* (*$1.00&more*)
lawful money of the United States,
paid by the part ies *of the second part, do hereby grant and release unto the part* ies *of the*
second part, their heirs *and assigns forever,*

All that Tract or Parcel of Land, situate in the Town of Evans, County of Erie and State of New York, being part of Lot Number 82, Township 8, Range 9 of the Holland Land Company's Survey and being Subdivision Lot Number 33 as shown on a certain map made by Straley Bros Surveyors and filed in the Erie County Clerk's Office under Cover Number 1115.

TOGETHER with all the right, title and interest of the parties of the first part in and to the land to the center of a forty (40) foot street in front of said lot, as shown on said map and known as Lakebreeze Road which is to be kept open by the parties of the second part as a private road for the use of all lot owners whose titles are from or through the Evans Land Corporation and that all said lot owners whose titles are so derived have the right to use said private road at all times.

TOGETHER with a right-of-way through a private lane extending from Woodside Road to the beach as shown on the said map for bathing purposes.

This conveyance is subject to all restrictions of record.

RECEIVED
$ 3.90
REAL ESTATE
APR 26 1978
TRANSFER TAX
ERIE COUNTY
5031F

APR 26 11 21 AM '78
ERIE COUNTY
CLERK'S OFFICE

LIBER 8637 PAGE 201

Addendum A
May 16 2018
page 13 of 23

Together *with the appurtenances and all the estate and rights of the part* ies *of the first part in and to said premises,*

To have and to hold, *the above granted premises unto the said part* ies *of the second part,* their heirs *and assigns forever.*

And *said* parties of the first part *covenant as follows:*

First, *that the part* ies *of the second part shall quietly enjoy the said premises;*

Second, *that said* parties of the first part *will forever* **Warrant** *the title to said premises.*

Third, *that this conveyance is subject to the trust fund provisions of section thirteen of the lien law.*

In Witness Whereof, *the part* ies *of the first part ha* ve *hereunto set* their *hand(s) and seal(s) the day and year first above written.*

In Presence of

Hugh C. Spinner ls
C. Bivian Spinner ls
ls
ls

State of New York
County of ERIE } ss.

On this 26th *day of* April *Nineteen Hundred and* Seventy-eight *before me, the subscriber, personally appeared*

Hugh C. Spinner and C. Bivian Spinner

to me personally known and known to me to be the same person(s) described in and who executed the within Instrument, and he (she) (they) acknowledged to me that he (she) (they) executed the same.

ROBERT W. TILLS
Notary Public, State of New York
Qualified in Erie County
My Commission Expires March 30, 1980

State of New York
County of } ss.

On this day of Nineteen Hundred and before me, the subscriber, personally appeared

to me personally known and known to me to be the same person(s) described in and who executed the within Instrument, and he (she) (they) acknowledged to me that he (she) (they) executed the same.

Bk 166

Deed
Warranty with Lien Covenant
(Individual)

HUGH C. SPINNER and
C. BIVIAN SPINNER, his wife

to 47

EDWARD FERBER and
LINDA FERBER, his wife

Dated April 26, 1978

STATE OF NEW YORK
ERIE COUNTY CLERK'S OFFICE
Recorded in Liber 8637 Page 201
of Deeds
on the 26 day of April
A.D. 1978 at 11:21 o'clock A M
I examined
Clerk

THIS SPACE FOR CLERK'S TIME STAMP
(Do not write in this space.)

17 ov 23

David F. Williamson Co., Inc.
Ellicott Sq. Bldg., Bflo., N. Y. 14203

Quit Claim Deed (Individual) 884 ½

This Indenture

Made the _____ *day of* _____ *Nineteen Hundred and* eighty-eight.

Between DIANE R. FERBER, 307 Reeves Road, Angola, New York 14006

party of the first part, and

EDWARD A. FERBER, 307 Reeves Road, Angola, New York 14006

party of the second part.

Witnesseth *that the said party of the first part, in consideration of*

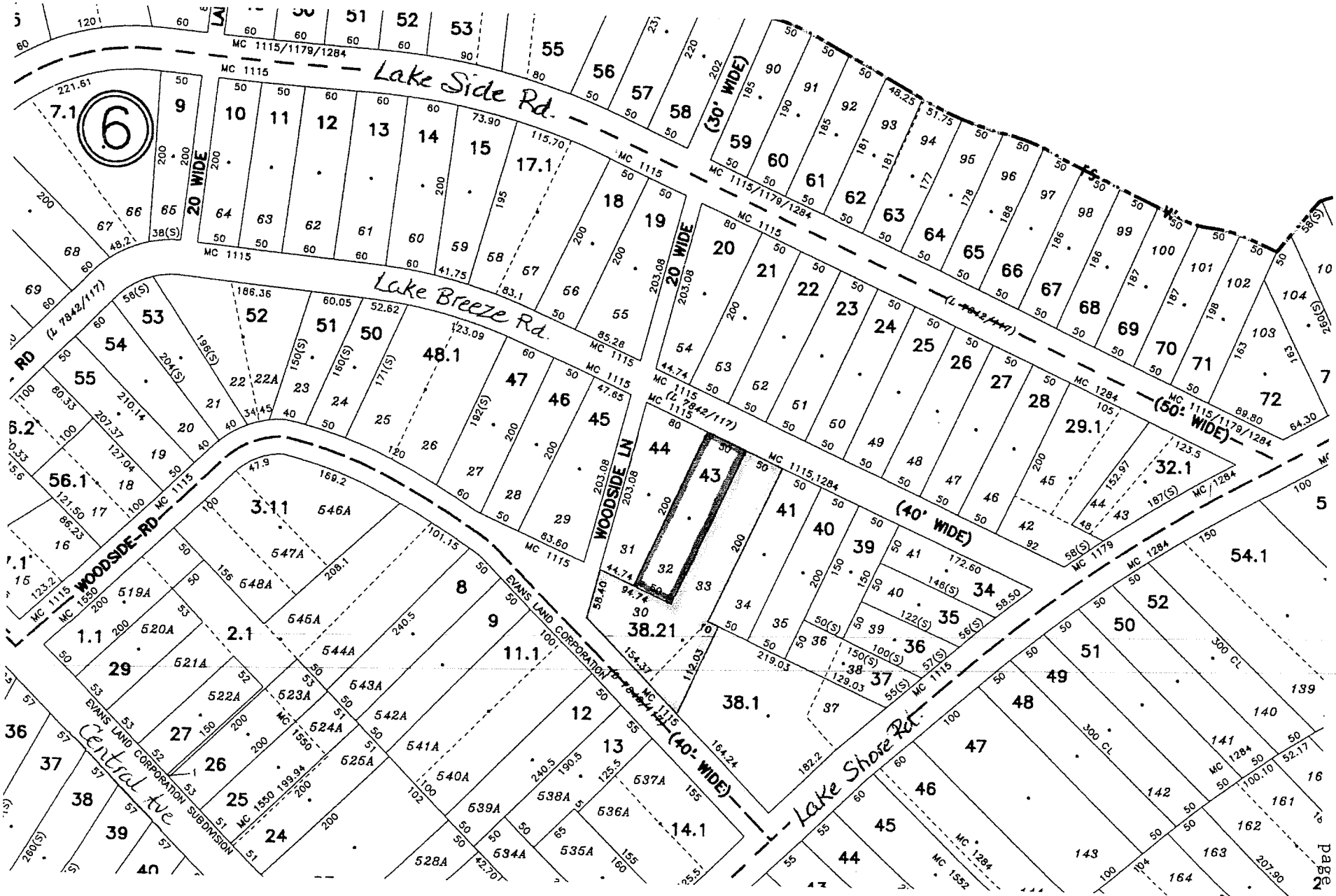
Dollars,

($) lawful money of the United States.
paid by the party of the second part, do es hereby remise, release and forever Quit-Claim unto the said party of the second part, her heirs and assigns forever, all that tract or parcel of land, situate in the Town of Evans, County of Erie and State of New York, being part of Lot No. 82, Township 8, Range 9 of the Holland Land Company's Survey and being subdivision Lot No. 33 as shown on a certain map made by Straley Bros., surveyors, and filed in the Erie County Clerk's Office under Cover No. 1115.

TOGETHER WITH AND SUBJECT TO rights, rights of ways, and restrictions of records, if any.

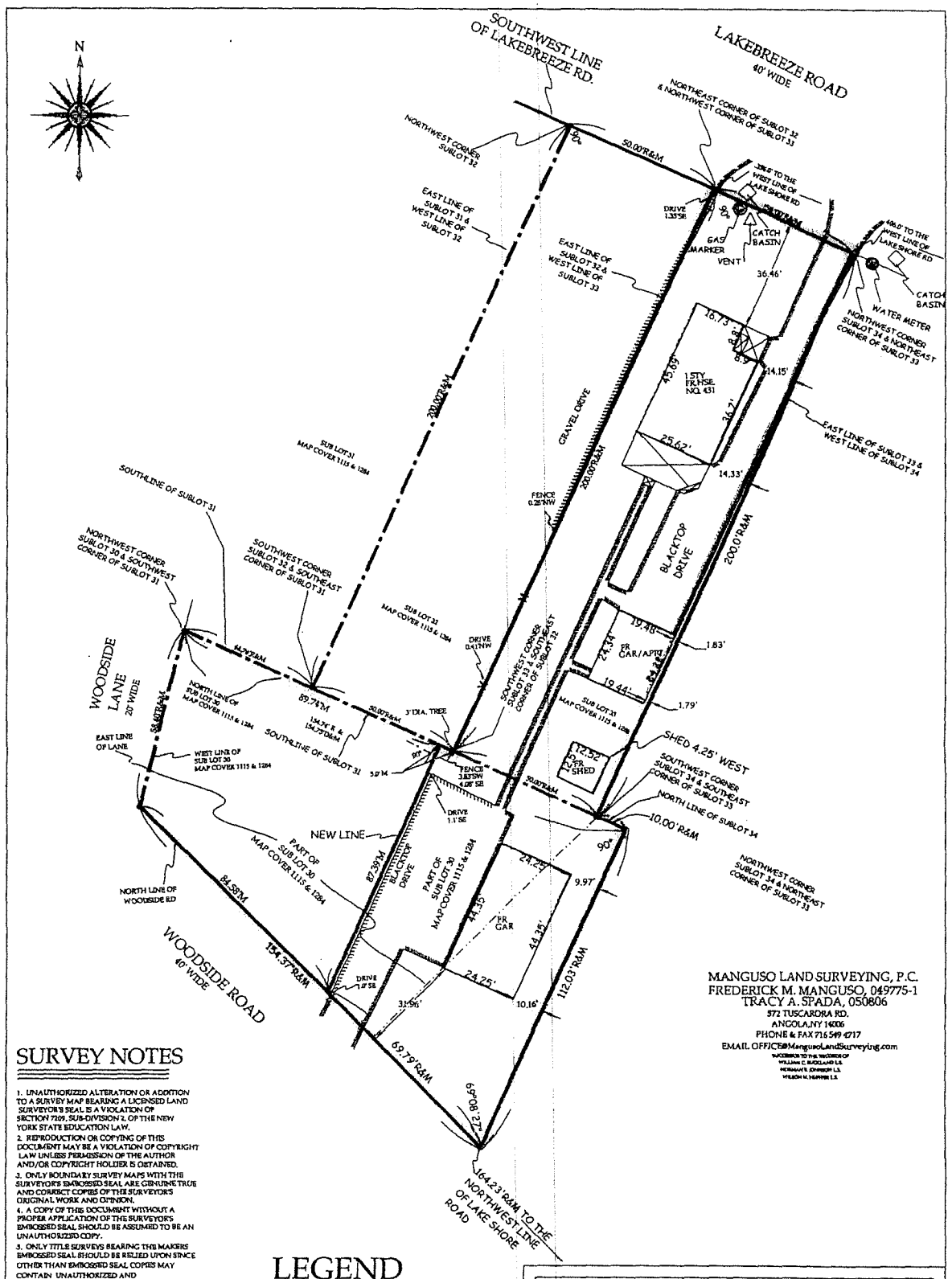
This conveyance is made pursuant to a matrimonial settlement and is not made in defraud of creditors and does not render the grantor insolvent.

Recorded July 25, 1988
Liber 9893 page 482



Ferber, Edward – 431 Lake Breeze
SBL# 234.19-6-38.21
Despirt, Mary, 425 Lake Breeze
~~SBL# 234.19-6-43~~

Addendum A
May 16 2018
page 15 of 23



SURVEY NOTES

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6. THE LOCATION OF THE UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT ALWAYS KNOWN AND OFTEN MUST BE ESTIMATED. IF ANY UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS EXIST OR ARE SHOWN, THE IMPROVEMENTS OR ENCROACHMENTS ARE NOT COVERED BY THIS CERTIFICATE.
7. SURVEY PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY FACTS THAT MAY ARISE THEREFROM.
8. NO STAKES SET AS PER CONTRACT
9. THIS SURVEY NOT VALID WITH AFFIDAVIT OF NO CHANGE.
10. THIS SURVEY IS NOT VALID FOR SUBSEQUENT OWNERS, MORTGAGES OR TITLE INSURERS UNLESS THIS SURVEY HAS BEEN RESURVEYED BY THIS SURVEYOR.

LEGEND

These standard symbols will be found in the drawing.

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

0 30 60 90

MANGUSO LAND SURVEYING, P.C.
FREDERICK M. MANGUSO, 049775-1
TRACY A. SPADA, 050806
572 TUSCARORA RD.
ANGOLA, NY 14006
PHONE & FAX 716 549 4717
EMAIL OFFICE@MangusoLandSurveying.com

431 LAKEBREEZE RD		
DRAWN	DATE	PART OF LOT 82 TWP 8 RG 9
JCM	09/11/17	TOWN OF EVANS
APPROVED	DATE	COUNTY OF ERIE
TAS	09/11/17	STATE OF NEW YORK
SCALE	SHEET	PROJECT NO.
1" = 30'		20170928

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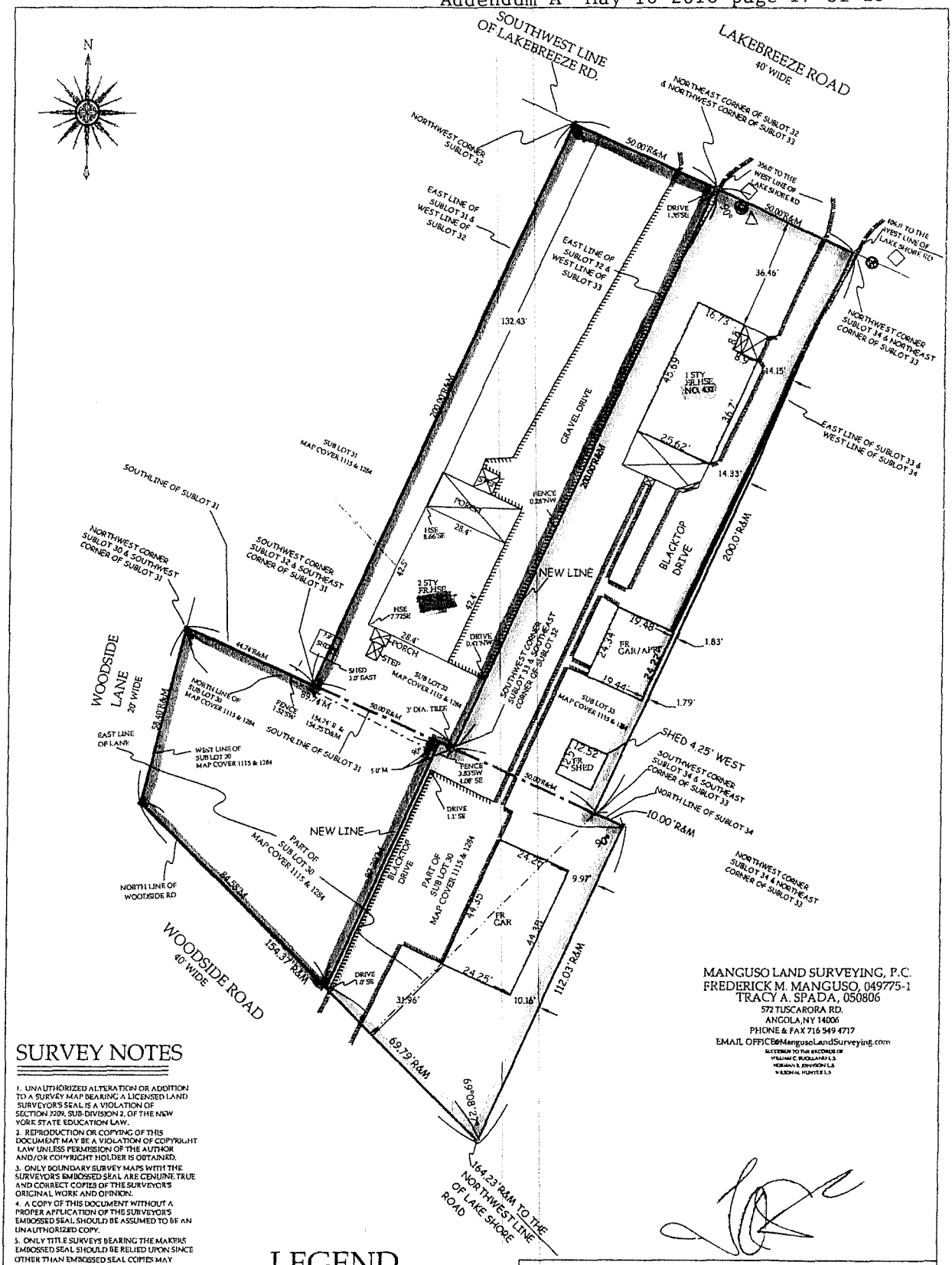
Ferber, Ed - Minor Subdivision
SBL # 234.19-6-38.21 Original Lot



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TRACY A. SPADA, 050806
572 TUSCARORA RD.
ANGOLA, NY 14006
PHONE & FAX 716 549 4717
EMAIL OFFICE@MangusoLandSurveying.com
SUCCESSOR TO THE SURVEYS OF WILLIAM C. BUCKLAND L.S. NORMAN E. JOHNSON L.S. WILSON M. HUNTER L.S.

SURVEY NOTES

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LEGEND

These standard symbols will be found in the drawing.

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

0 30 60 90

425 LAKEBREEZE RD 431 LAKEBREEZE RD		
DRAWN JCM	**DATE** 09/11/17	PART OF LOT 82 TWP 8 RG 9 TOWN OF EVANS
APPROVED TAS	**DATE** 09/11/17	COUNTY OF ERIE STATE OF NEW YORK
SCALE 1" = 30'	**SHEET**	**PROJECT NO.** 20170928

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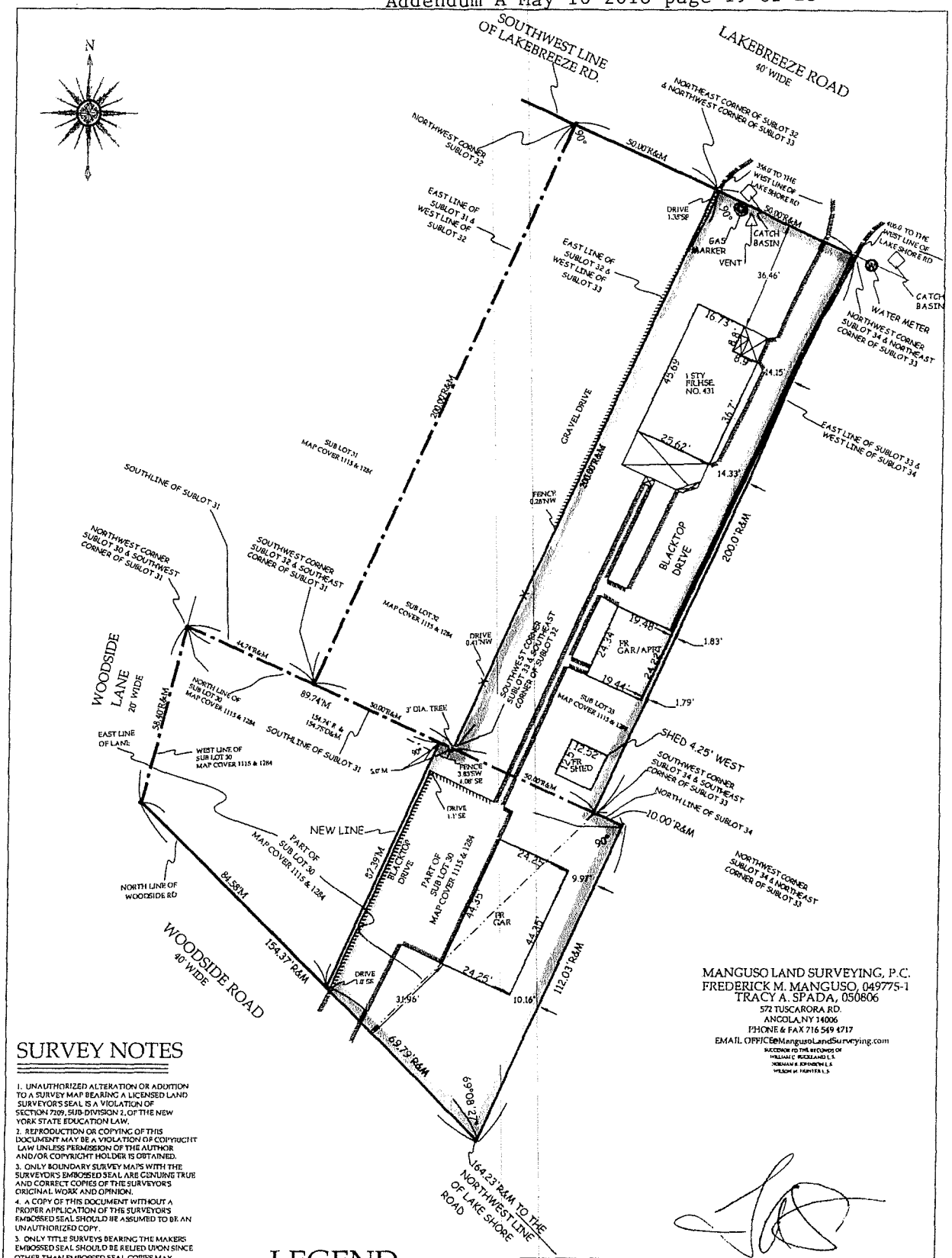
Forbes Ext - Minor Subdivision

Ferber, Ed . . .
Minor Subdivision
SBL# 234.19-6-38.21
Amended 431 Lakebreeze Dr.

431 lake side combing lots

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE TOWN OF EVANS, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF LOT NO. 82, TOWNSHIP 8, RANGE 9 OF THE HOLLAND LAND COMPANY'S SURVEY AND ACCORDING TO MAPS FILED IN THE ERIE COUNTY CLERK'S OFFICE UNDER COVERS NOS. 1115 AND 1284, IS KNOWN AS PART OF SUBLOT 30 AND ALL OF SUBLOT NO 33 AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHWEST LINE OF LAKEBREEZE ROAD AT THE NORTHEAST CORNER OF SUBLOT 32 AND NORTHWEST CORNER OF SUBLOT 33 BY AFOREAID MAP COVERS; THENCE SOUTHERLY ALONG THE WEST LINE OF SUBLOT 31 AND EAST LINE OF SUBLOT 32 A DISTANCE OF 200' (TWO HUNDRED FEET) TO THE SOUTHEAST CORNER OF SUBLOT 32; THENCE WESTERLY ALONG THE SOUTH LINE OF SUBLOT 32 A DISTANCE OF 5' (FIVE FEET) TO A POINT; THENCE SOUTHWESTERLY AT RIGHT ANGLES A DISTANCE OF 87.39' (EIGHTY-SEVEN AND THIRTY-NINE HUNDREDTHS FEET) TO THE NORTH LINE OF WOODSIDE ROAD;THENCE EASTERLY ALONG THE NORTH LINE OF WOODSIDE ROAD A DISTANCE OF 69.79' (SIXTY-NINE AND SEVENTY-NINE HUNDREDTHS FEET) TO A POINT 164.23' (ONE HUNDRED SIXTY-FOUR AND TWENTY-THREE HUNDREDTHS FEET) WESTERLY FROM THE NORTHWEST LINE OF LAKE SHORE ROAD; THENCE NORTHERLY AT AN INTERIOR ANGLE OF 69°08'27" A DISTANCE OF 112.03' (ONE HUNDRED TWELVE AND THREE TENTHS FEET) TO THE NORTH LINE OF SUBLOT 34; THENCE WESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE AND ALONG THE NORTH LINE OF SUBLOT 34 A DISTANCE OF 10' (TEN FEET) TO THE SOUTHWEST CORNER OF SUBLOT 34 AND THE SOUTHEAST CORNER OF SUBLOT 33; THENCE NORTHERLY ALONG THE WEST LINE OF SUBLOT 34 AND THE EAST LINE OF SUBLOT 33 A DISTANCE OF 200'(TWO HUNDRED FEET) TO THE SOUTHWEST LINE OF LAKEBREEZE ROAD; THENCE WESTERLY ALONG THE SOUTHWEST LINE OF LAKEBREEZE ROAD A DISTANCE OF 50' (FIFTY FEET) TO THE POINT OR PLACE OF BEGINNING



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SUCCESSOR TO THE RECORDS OF
WILLIAM C. RUCKLAND L.S.
NORMAN R. JOHNSON L.S.
WILSON M. HUNTER L.S.

SURVEY NOTES

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7. SURVEY PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY FACTS THAT MAY ARISE THEREFROM.
8. NO STAKES SET AS PER CONTRACT
9. THIS SURVEY NOT VALID WITH AFFIDAVIT OF NO CHANGE.
10. THIS SURVEY IS NOT VALID FOR SUBSEQUENT OWNERS, MORTGAGES OR TITLE INSURERS UNLESS THIS SURVEY HAS BEEN RESURVEYED BY THIS SURVEYOR.

LEGEND

These standard symbols will be found in the drawing.

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

0 30 60 90

431 LAKEBREEZE RD		
DRAWN	DATE	PART OF LOT 82 TWP 8 RG 9
JCM	09/11/17	TOWN OF EVANS
APPROVED	DATE	COUNTY OF ERIE
TAS	09/11/17	STATE OF NEW YORK
SCALE	SHEET	PROJECT NO.
1" = 30'		20170928

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Prefer Ext - Minor Subdivision

Ferber, Ed
Minor Subdivision
SBL# 234.19-6-38.21
Amended 425 Lakebreeze LOT

425 lake side combing lots

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE TOWN OF EVANS, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF LOT NO. 82, TOWNSHIP 8, RANGE 9 OF THE HOLLAND LAND COMPANY'S SURVEY AND ACCORDING TO MAPS FILED IN THE ERIE COUNTY CLERK'S OFFICE UNDER COVERS NOS. 1115 AND 1284, IS KNOWN AS PART OF SUBLOT 30 AND ALL OF SUBLOT NO 32 AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH LINE OF WOODSIDE ROAD AND THE WEST LINE OF SUBLOT 30 UNDER MAP COVER NOS. 1115 & 1284, SAID WEST LINE OF SUBLOT 30, BEING THE EAST LINE OF WOODSIDE LANE AS SHOWN ON MAP COVER NOS. 1115 & 1284;THENCE NORTHERLY ALONG THE WESTERLY LINE OF SUBLOT 30 AND ALONG THE EAST LINE OF WOODSIDE LANE AS SHOWN ON MAP COVER NOS. 1115 & 1284, A DISTANCE OF 58.4' (FIFTY-EIGHT AND FOUR TENTHS FEET)TO THE NORTHWEST CORNER OF SUBLOT 30 & SOUTHWEST CORNER OF SUBLOT 31; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SUBLOT 30 AND THE SOUTH LINE OF SUBLOTS 31 A DISTANCE OF 44.74' (FORTY-FOUR AND SEVENTY-FOUR HUNDREDTHS FEET) TO THE SOUTHWEST CORNER OF SUBLOT 32; THENCE NORTHERLY ALONG THE WEST LINE OF SUBLOT 32 A DISTANCE OF 200' (TWO HUNDRED FEET) TO THE SOUTHWEST LINE OF LAKEBREEZE ROAD AT THE NORTHWEST CORNER OF SUBLOT 32; THENCE EASTERLY ALONG THE SOUTHWEST LINE OF LAKEBREEZE ROAD A DISTANCE OF 50' (FIFTY FEET) TO THE NORTHEAST CORNER OF SUBLOT 32 AND NORTHWEST CORNER OF SUBLOT 33; THENCE SOUTHERLY ALONG THE WEST LINE OF SUBLOT 33 AND EAST LINE OF SUBLOT 32 A DISTANCE OF 200' (TWO HUNDRED FEET) TO THE SOUTHEAST CORNER OF SUBLOT 32; THENCE WESTERLY ALONG THE SOUTH LINE OF SUBLOT 32 A DISTANCE OF 5' (FIVE FEET) TO A POINT; THENCE SOUTHWESTERLY AT RIGHT ANGLES A DISTANCE OF 87.39' (EIGHTY-SEVEN AND THIRTY-NINE HUNDREDTHS FEET) TO THE NORTH LINE OF WOODSIDE ROAD; THENCE WESTERLY ALONG THE NORTH LINE OF WOODSIDE ROAD A DISTANCE OF 84.58' (EIGHTY-FOUR AND FIFTY-EIGHT HUNDREDTHS FEET) TO THE POINT OR PLACE OF BEGINNING.

Ferber, Ed
Minor Subdivision
SBL# 234.19-6-38.21
Lot to be annexed to
425 Lakebreeze

Lot to be sold

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE TOWN OF EVANS, COUNTY OF ERIE AND STATE OF NEW YORK, BEING PART OF LOT NO. 82, TOWNSHIP 8, RANGE 9 OF THE HOLLAND LAND COMPANY'S SURVEY AND ACCORDING TO MAPS FILED IN THE ERIE COUNTY CLERK'S OFFICE UNDER COVERS NOS. 1115 AND 1284, IS KNOWN AS PART OF SUBLOT 30 DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH LINE OF WOODSIDE ROAD AND THE WEST LINE OF SUBLOT 30 UNDER MAP COVER NOS. 1115 & 1284, SAID WEST LINE OF SUBLOT LOT 30, BEING THE EAST LINE OF WOODSIDE LANE AS SHOWN ON MAP COVER NOS. 1115 & 1284; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SUBLOT 30 AND ALONG THE EAST LINE OF WOODSIDE LANE AS SHOWN ON MAP COVER NOS. 1115 & 1284, A DISTANCE OF 58.4' (FIFTY-EIGHT AND FOUR TENTHS FEET) TO THE NORTHWEST CORNER OF SUBLOT 30 & THE SOUTHWEST CORNER OF SUBLOT 31; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SUBLOT 30 AND THE SOUTHERLY LINE OF SUBLOTS 31 & 32 A DISTANCE OF 89.74' (EIGHTY-NINE AND SEVENTY-FOUR HUNDREDTHS FEET) TO A POINT DISTANT 5' (FIVE FEET) WEST OF THE SOUTHEAST CORNER OF SUBLOT 32;THENCE SOUTHWESTERLY AT RIGHT ANGLES A DISTANCE OF 87.39' (EIGHTY-SEVEN AND THIRTY-NINE HUNDREDTHS FEET) TO THE NORTH LINE OF WOODSIDE ROAD; THENCE WESTERLY ALONG THE NORTH LINE OF WOODSIDE ROAD A DISTANCE OF 84.58' (EIGHTY-FOUR AND FIFTY-EIGHT HUNDREDTHS FEET) TO THE POINT OR PLACE OF BEGINNING.

ANNEXATION APPROVAL AGREEMENT WITH A MINOR SUBDIVISION

Town of Evans Planning Office

As a requirement for the Minor Subdivision approval, that land purchased from an adjoining property owner must be annexed to a main parcel, the criteria for the annexation of property is as follows:

- All parcels must be in the name(s) of all of the same owner(s).
- All taxes on both parcels must be paid.
- Prior to Minor Subdivison, this letter must be filed in the Town Planning Office.

I, Mary DeSpirt, as a prospective buyer of an adjoining
(Print Name)
proposed parcel and/or portion of a parcel of the Ferber Minor Subdivison, located at 431 Lake Breeze Rd., known as SBL# _____, and as the current owner(s) of an adjoining parcel located at 425 Lake Breeze Rd., known as SBL# _____, hereby accept and agree to adhere to the stipulations set forth above as a condition for Minor Subdivision/Annexation approval.

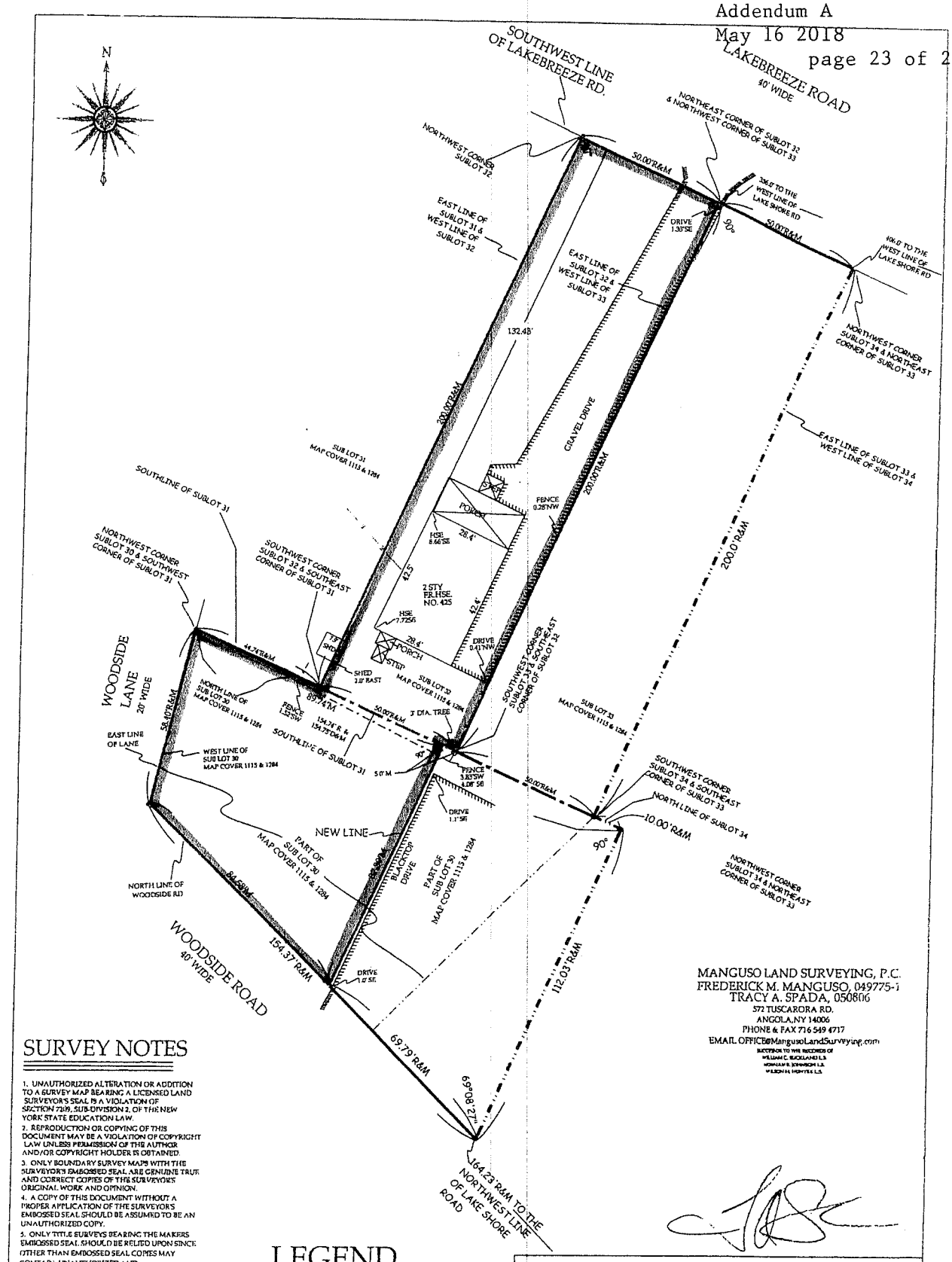
All taxes are paid on each of the subject parcels: Yes ✓ No ____

Comments: _____

_____

X Mary De Spirt — 3/5/17
Prospective Owner(s) Signature(s) — Date

X _____ — 3/5/18
Current Owner(s) Signature(s) — Date



MANGUSO LAND SURVEYING, P.C.
FREDERICK M. MANGUSO, 049775-1
TRACY A. SPADA, 050806
572 TUSCARORA RD.
ANGOLA, NY 14006
PHONE & FAX 716 549 4717
EMAIL. OFFICE@MangusoLandSurveying.com
SUCCESSOR TO THE RECORDS OF WILLIAM C. BUCKLAND L.S. HOWARD R. STANTON L.S. WILSON H. HUNTER L.S.

SURVEY NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
2. REPRODUCTION OR COPYING OF THIS DOCUMENT MAY BE A VIOLATION OF COPYRIGHT LAW UNLESS PERMISSION OF THE AUTHOR AND/OR COPYRIGHT HOLDER IS OBTAINED.
3. ONLY BOUNDARY SURVEY MAPS WITH THE SURVEYOR'S EMBOSSED SEAL ARE GENUINE TRUE AND CORRECT COPIES OF THIS SURVEYOR'S ORIGINAL WORK AND OPINION.
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- FENCE
- DRIVE
- OVERHEAD UTILITY LINE

0 30 60 90

425 LAKEBREEZE RD

DRAWN JCM	DATE 09/11/17	PART OF LOT 82 TWP 8 RG 9
APPROVED TAS	DATE 09/11/17	TOWN OF EVANS
		COUNTY OF ERIE
		STATE OF NEW YORK
SCALE 1" = 30'	SHEET	PROJECT NO. 20170928

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Ferber, Ed - Minor Subdivision

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 - Project and Sponsor Information		
Estate of Allewis S. Greninger		
Name of Action or Project: Greninger Minor Subdivision		
Project Location (describe, and attach a location map): Southwestern Blvd. and Greninger Road Vacant Property - SBL# 236.00-4-33		
Brief Description of Proposed Action: Minor Subdivision - Dividing a 33.77+/- acre parcel with frontage on Southwestern Blvd and Greininger Road to create (3) parcels; a 12.31+/- acre parcel with 1305.15+/- ft. of frontage on Southwestern Blvd. to be annexed to the Daniel Fetterick property, SBL# 236.00-4-21.2; a 4.0+/- acre parcel with 281.50+/- ft. of frontage on Southwestern Blvd and 24.75+/- ft. of frontage on Greninger Rd., and a 14.16+/- acre parcel with 1023.60+/- ft. of frontage on Southwestern Blvd.		
Name of Applicant or Sponsor: Sandra Geninger, Executrix	Telephone: 716-824-8611 E-Mail: n/a	
Address: 4087 Richcrest Drive #6		
City/PO: Hamburg	State: New York	Zip Code: 14075

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

3.a. Total acreage of the site of the proposed action? 33.77+/- acres
b. Total acreage to be physically disturbed? -0- acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 33.77+/- acres

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

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

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

Applicant/sponsor name: Sandra A Greninger Date: 1/30/18

Signature: Sandra A. Greninger

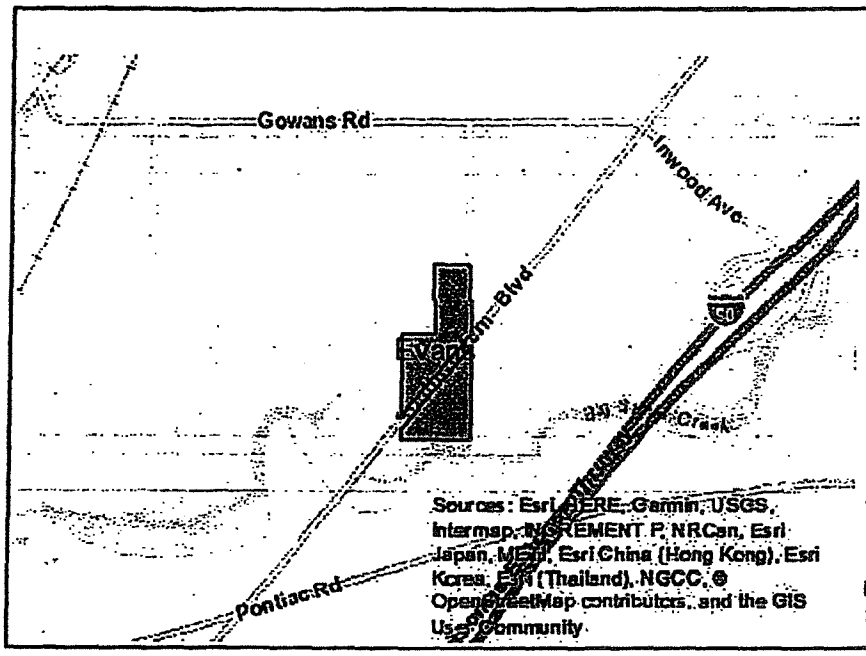
	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☒
b. Consistent with the adopted comprehensive plan?	☐	☐	☒
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☑	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☒	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO ☐	YES ☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO ☒	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO ☒	YES ☐	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☑	YES ☐	
b. Is the proposed action located in an archeological sensitive area?	☑	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO ☐	YES ☑	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☒	☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☐ Urban ☐ Suburban

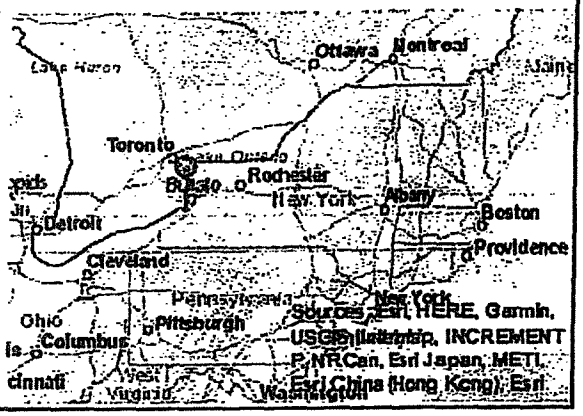
	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☑	☐
16. Is the project site located in the 100 year flood plain?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐NO ☐YES	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☐NO ☐YES		

EAF Mapper Summary Report

Monday, April 30, 2018 12:33 PM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



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