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
	Brittany Gloss	Director of Finance
	Mary Holl	Supervisor's Secretary
	Douglas Czora	Police Chief

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 March 6, 2019 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 to consider the adoption of Proposed Local Law #4 of the year 2019, which will amend Town Code Chapter 200: Zoning.

Copies of the Proposed Local will be available for inspection by any interested person after February 22, 2019 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

RESOLTUION 2019 #145 Open the Public Hearing

Supervisor Hosler moved and Councilman Schraft 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 opposition to Proposed Local Law #4:
Bill Henry Ed Schneider David Stout

The following spoke in favor to Proposed Local Law #4:
Paul Michalec

RESOLUTION 2019 #146 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

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 March 6, 2019, at the Evans Town Hall, 8787 Erie Road, Angola, New York to consider the petition of Gary L. Toner/ITEC for a Special Use Permit for the purpose of operation of a motor vehicle service, repair and sales business located at 8181 Erie Road (a.k.a. NYS Route 5), Angola, NY, 14006 (SBL# 220.15-1-21).

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 2019 #147 Open the Public Hearing

Supervisor Hosler moved and Councilman Schraft 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 2019 #148 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 2019 #149 Adopt Findings and Issue Negative Declaration

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, Gary L. Toner/ITEC has requested a Special Use Permit for the operation of a Motor Vehicle Service, Repair and Sales Facility at the former Napa property located at 8181 Erie Road (a.k.a. NYS Route 5), Angola, NY 14006, SBL# 220.00.15-1-21, and

WHEREAS, the Town of Evans Planning Board and the Town Engineer have reviewed the Environmental Assessment Form for this property, and have determined that there will be no significant effect on the environment, and have recommended the issuance of a SEQRA negative declaration.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans adopts these findings and issues a negative declaration in accordance with the SEQRA requirements for the Gary L. Toner/ITEC Special Use Permit. (Addendum C SEQRA 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 Macko	Aye
	Councilman Schraft	Aye
	Supervisor Hosler	Aye

RESOLUTION 2019 #150 Grant Special Use Permit Toner/ITEC

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, Gary L. Toner/ITEC has requested a Special Use Permit for the operation of a Motor Vehicle Service, Repair and Sales Facility at the former Napa property located at 8181 Erie Road (a.k.a. NYS Route 5), Angola, NY 14006, SBL# 220.00.15-1-21, and

WHEREAS, the Town Board of the Town of Evans conducted a public hearing on March 6, 2019 regarding said Special Use Permit, and
WHEREAS, the Town Board of the Town of Evans has issued a negative declaration as part of the SEQR review process, and

WHEREAS, the Evans Planning Board has conducted a thorough review of the application and has unanimously voted to recommend approval of said Special Use Permit, for the following reasons:

- The action will not result in any significant adverse impacts to the environment
- The development of this business in the Town will be a benefit to the local community and surrounding area.
- The nature of this business appears to be within the character of the surrounding area.

WHEREAS, the Planning Board also recommended the following conditions be placed on said Special Use Permit:

1. Requirement for drains are subject to the decision and approval of the Code Enforcement Officer (includes the need for an oil/water separator).
2. Show the dumpster location on the plan along with required screening.
3. Parking shall be a minimum of 8 spaces based on the number of operating bays (3) and the residential dwelling and also include any required handicap spaces. Vehicle sales space shall be no more than six (6) as shown on the plans.
4. Show existing and proposed lighting on the plan along with photometric details.
5. Show the loading garage door and main entrance on the plan.
6. Provide details on the planter box or final barrier material to be used at the entrance driveway, and

WHEREAS, we further issue the addition of the following eight (8) conditions on the approval of said Special Use Permit:

1. This Special Use Permit shall be for a two (2) year period. Applicant may apply for a renewal.
2. The site must be developed in accordance with the site plan as recommended with the above conditions by the Town of Evans Planning Board on January 23, 2019 and as approved by the Evans Town Board.
3. For the purpose of vehicle sales, no more than six (6) cars may be displayed on the property as shown on the site plan in the side yard.
4. No storage of automotive parts, accessories or scrap parts shall be permitted outside of the building unless contained within the fenced in dumpster area.
5. Under no circumstances shall cars be displayed or parked in the required 20-foot parking setback or in the NYS Department of Transportation Right-of-Way.
6. Only minor car and truck repairs shall be conducted on the site per definition of "Gasoline, Motor Fuel Service Station" to minimize adverse effect on the character of the surrounding area.

7. All site lighting shall be shielded from Route 5 and adjacent properties and dark sky compliant.
8. Snow storage shall be identified on site.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit to Gary L. Toner/ITEC, 8181 Erie Road, Angola, NY, 14006, part of SBL# 220.15-1-21, for a two (2) year period, and

BE IT FURTHER RESOLVED, that the fourteen (14) above-recommended conditions be placed upon said Special Use Permit

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

Communications

Supervisor Hosler read a communication from Justin Steinbach, Interim Director of Community Development and Planning regarding Special Use Permit - for the operation of a Boat Sales & Service Facility to be located at 9268 Erie Road, Angola, NY 14006, SBL# 235.00-3-19. Petitioner: Donald Schaffer, 8 Chase Road, Orchard Park, NY 14127.

RESOLUTION 2019 #151 Authorize Town Clerk to Advertise Public Hearing

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, in a letter dated March 4, 2019, the Planning Office has requested that the Town Board set a public hearing regarding the petition of Donald Schaffer, 8 Chase Road, Orchard Park, NY 14127 for a Special Use Permit for the purpose of the operation of a Boat Sales & Service Facility to be located at 9268 Erie Road, Angola, NY 14006, SBL# 235.00-3-19.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Clerk to advertise for a public hearing to be held on March 20, 2019 at 7:10pm for the consideration of said Special Use Permit, 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 2019 #152 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 February 2019:

Town Clerk Report February	$133,277.82
Interest for February	$6.86
Greenspace Fee	$ 0

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #153 Agreement to Spend Town Highway Funds for 2019

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, the Town Board and the Superintendent of Highways are required by Highway Law Section 284 to enter into a written agreement stating the places ad manner in which the Highway Fund appropriations for repairs and improvements are to be expended: and

WHEREAS, in conjunction with the estimate submitted by the Highway Superintendent, the Highway Superintendent has submitted a proposed Highway Law Section 284 agreement to spend Town Highway Funds; and

WHEREAS, the Highway Superintendent has prepared an agreement to spend Town Highway Funds for the fiscal year commencing January 1, 2019, for general repairs and primary work, and permanent improvements subject to limitations set by NYS Capital Highway Improvement Program (CHIPS) funding;

NOW, BE IT RESOLVED, that the Town Board hereby approves said agreement to spend Town Highway Funds therefore, the Town Supervisor and Town Board Members are authorized and directed to execute said agreement as required by law in substantially the same form as annexed hereto. (Addendum A)

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #154 Amend 2019 Parks Fees for Non-Residents

Supervisor Hosler moved and Councilman Schraft seconded to Table resolution,

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

RESOLUTION 2019 #155 Authorize Town Clerk to Attend Conference

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS; the Town Clerk requests permission to attend the New York State Town Clerk Association 2019 Conference, and

WHEREAS; said training will be held in Syracuse, New York May 5th through May 8th; and

NOW THEREFORE BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Lynn Krajacic, Town Clerk, to attend said training 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 2019 #156 Erie County Environmental Management Council Reappointment

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, Paul Michalec serves as the Town of Evans' representative on the Erie County Environmental Management Council (ECEMC) and has regularly attended and actively participated as the representative during his appointment;

NOW, BE IT RESOVLED, that Paul Michalec is hereby reappointed to the Erie County Environmental Management Council (ECEMC) with his term to expire on May 31, 2021.

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

RESOLUTION 2019 #157 Property Maintenance Service Fees for 2019

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the Town of Evans Code Enforcement Office determines from time to time that certain properties are not in compliance with local and/or state laws, ordinances, codes, and regulations regarding the lack of upkeep of said properties; and

WHEREAS, certain work is needed on such properties (i.e. seasonal clean-up, grass cutting, board-up, etc.) when the owners of such properties fail to bring them into compliance with local and/or state laws, ordinances, codes, and regulations;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans hereby establishes payment rates for such work for various properties in the Town of Evans for the calendar year 2019 as set forth in the attached Schedule; and (Addendum B)

BE IT FURTHER RESOLVED that the Code Enforcement Office is hereby authorized to solicit for interested parties for such property maintenance services for the calendar year 2019.

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

RESOLUTION 2019 #158 Southtowns Walleye Tournament Donation

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, the Southtowns Walleye Association of WNY, Inc. holds its annual Walleye Tournament which will take place from June 8, 2019 through June 16, 2019 at Sturgeon Point Marina and;

WHEREAS, the Town of Evans has annually donated a one (1) week launch pass for the duration of the tournament (9 days) and one (1) season boat launch pass,

BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the donation of a 1 Week Launch Pass for 9 days (June 8, 2019 through June 16, 2019) at $10.00 per day, total value of $90.00 and 1 season boat launch pass, total value of $150.00.

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

RESOLUTION 2019 #159 Audit of Bills

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

AUDIT OF BILLS

DATE	3/7/2019
ABSTRACT NO.	5
VOUCHER NO.	4358 - 4421

CHECK NUMBERS	79167 - 79222
APPROVED AT	Board Meeting
DATE	3/6/2019
GENERAL	$210,007.13
PART TOWN	$17,870.97
HIGHWAY DB	$71,313.15
WATER	$4,697.92
CAPITAL PROJECTS	$490.70
SPECIAL DISTRICTS	$319,559.30
DEBT SERVICE	$0.00
TOTAL	**$623,939.17**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #160 Adjournment

Supervisor Hosler and Councilman Schraft moved to adjourn to Wednesday February 27, 2019 at 6pm for a Work Session and then to Wednesday March 6, 2019 at 6pm for a Work Session and 7pm for a Regular Town Board 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

Addendum A
March 6, 2019

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS **YEAR** 2019

TOWN OF EVANS
COUNTY OF ERIE

Pursuant to the provisions of Section 284 of the Highway Law, we agree that monies levied and collected for the repair and improvement of highways, and received from the State for the repair and improvement of highways, shall be expended as follows:

1. **GENERAL REPAIRS**
The sum of $ 1,298,485.00 may be expended for general repairs upon 69.68 miles of town highways, including sluices, culverts and bridges having a span of less that five feet and boardwalks or the renewal thereof.

2. **IMPROVEMENTS** - The following sum shall be set aside to be expended for the improvement of town highways:

(a) On Townline Road, starting at Route#20 and ending at Dead End I-90, a distance of .38 miles, there shall be expended not over the sum of $ 30,400.00.
Type Top: Cold Mix Width of traveled surface: 18 feet
Thickness Top: 2 inches Thickness binder: n/a inches
Other

(b) On Madison Ave., starting at Route # 5 and ending at Chippwa St., a distance of .31 miles, there shall be expended not over the sum of $ 24,800.00.
Type Top: Cold Mix . Width of traveled surface: 18 feet
Thickness Top: 2 inches Thickness binder: n/a inches
Other

(c) On Monroe Ave., starting at Route #5 and ending at Chippwa St., a distance of .31 miles, there shall be expended not over the sum of $.
Type Top: Cold Mix Width of traveled surface: 18 feet
Thickness Top: 2 inches Thickness binder: n/a inches
Other

(d) On Garfield Ave., starting at Lakeshore Rd. and ending at Kennedy Ave., a distance of .36 miles, there shall be expended not over the sum of $28,800.00.
Type Top: Cold Width of traveled surface: 18 feet
Thickness Top: 2 inches Thickness binder: n/a inches
Other

(e) On Eastwood Ave., starting at Lakeshore Rd. and ending at Kennedy Ave., a distance of .36 miles, there shall be expended not over the sum of $ 28,800.00.
Type Top: Cold Mix Width of traveled surface: 18 feet
Thickness Top: 2 inches Thickness binder: n/a inches
Other

NOTE: This Agreement must be signed by a majority of the members of the Town Board and by the Town Highway Superintendent. One copy must be filed in the Town Clerk's Office
Signatures on back.
Dollar amounts are based on 2018 vendor figures and do not reflect any 2019 increases.

RECEIVED
MAR 2 1 2019
Lynn M. Krajacic
Town Clerk
Town of Evans

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

YEAR 2019
TOWN OF EVANS
COUNTY OF ERIE

Pursuant to the provisions of Section 284 of the Highway Law, we agree that monies levied and collected for the repair and improvement of highways, and received from the State for the repair and improvement of highways, shall be expended as follows:

1. **GENERAL REPAIRS**
The sum of $_____ may be expended for general repairs upon 69.68 miles of town highways, including sluices, culverts and bridges having a span of less that five feet and boardwalks or the renewal thereof.

2. **IMPROVEMENTS** - The following sum shall be set aside to be expended for the improvement of town highways:

(a) On SEE OTHER, starting at _____ and ending at _____, a distance of _____ miles, there shall be expended not over the sum of $ 150,000.00.
Type Top: _____ Width of traveled surface: _____ feet
Thickness Top: _____ inches Thickness binder: _____ inches
Other Funds levied for oil/stone (Chip Seal) to be determined upon inspection for deterioration attributed to winter.

(b) On See Other, starting at _____ and ending at _____, a distance of _____ miles, there shall be expended not over the sum of $ 100,000.00.
Type Top: _____ Width of traveled surface: _____ feet
Thickness Top: _____ inches Thickness binder: _____ inches
Other Monies to be levied pavement preservation patching/crackfil Roads determined after winter.

(c) On _____, starting at _____ and ending at _____, a distance of _____ miles, there shall be expended not over the sum of $ _____.
Type Top: _____ Width of traveled surface: _____ feet
Thickness Top: _____ inches Thickness binder: _____ inches
Other _____

Supervisor	3/2/19 Date	Councilmember	Date
Councilmember	Date	Councilmember	2/4/19 Date
Councilmember	Date	Councilmember	1/03/19 Date
Councilmember	Date	Highway Superintendent	01/03/19 Date

NOTE: This Agreement must be signed by a majority of the members of the Town Board and by the Town Highway Superintendent. One copy must be filed in the Town Clerk's Office

2019 PROPERTY MAINTENANCE SERVICES	Price
SEASONAL CLEAN-UP	
Per 1/2 man hour	**$20.00**
Per man hour	**$40.00**
per ton- material, garbage, and debris disposal	**$112.00**
GRASS CUTTING	**Price**
Lot size	
8,000 sq ft	**$65.00**
11,000 sq ft	**$85.00**
15,000 sg ft	**$105.00**
22,000 sq ft	**$125.00**
***Lot over 22,0000 sq ft-Lot size will be at determined by Code Enforcement Officer for cuttable area	
Lot Size	
Less than 120' frontage	
120' or more frontage	
BOARD UP OPENING	**Price**
Labor	
Per Half -Man Hour	**$20.00**
Per Man Hour	**$40.00**
1 sheet of 1/2 inch CDX Plywood, painted with all necessary accessories	**$45.00**
framing per discretionary of the building inspector	
Install Padlock and Latches Labor & Material	
1 Padlock and Latches	**$35.00**

Emergency Board-up (ie. fire) that requires immediate response and being billed directly to Town:	
Contractor will be paid a $250 call-out fee. If work is after normal business hours, labor will be paid at time and a half	
Labor	
Per Half -Man Hour	**$20.00**
Per Man Hour	**$40.00**
1 sheet of 1/2 inch CDX Plywood, painted with all necessary accessories	**$45.00**
framing per discretionary of the building inspector	
Install Padlock and Latches Labor & Material	
1 Padlock and Latches	**$35.00**
Close Up of In-Ground Pool	**Price**
Labor	
Per-Half Man Hour	**$20.00**
Per Man Hour	**$40.00**
1/2 inch CDX Plywood, painted with all necessary accessories (per sheet)	**$45.00**
Close-up/removal of above ground pool and decks	**Price**
per cubic yard - clean fill material	**$30.00**
per cubic yard - top soil and seed material	**$60.00**

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
Bammel Architects PC

Name of Action or Project:
Toner Autobody Service & Repair Shop - Special Use Permit

Project Location (describe, and attach a location map):
8181 Erie Road, Angola, NY 14006

Brief Description of Proposed Action:
Restoration of a portion of the existing building to original condition. No site work proposed SBL# 220.15-1-21 (also known as 8175 Erie Rd.)

Name of Applicant or Sponsor:	Telephone: 716-390-5147
Gary Toner	E-Mail:

Address:
8181 Erie 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? 2.80+/- 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? 2.80+/- 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

RECEIVED
MAR 2 2 2019
Lynn M. Krajacic
Town Clerk
Town of Evans

	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		

EXISTING DITCH, EXISTING STORM INLET NEAR ERIE ROAD

	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

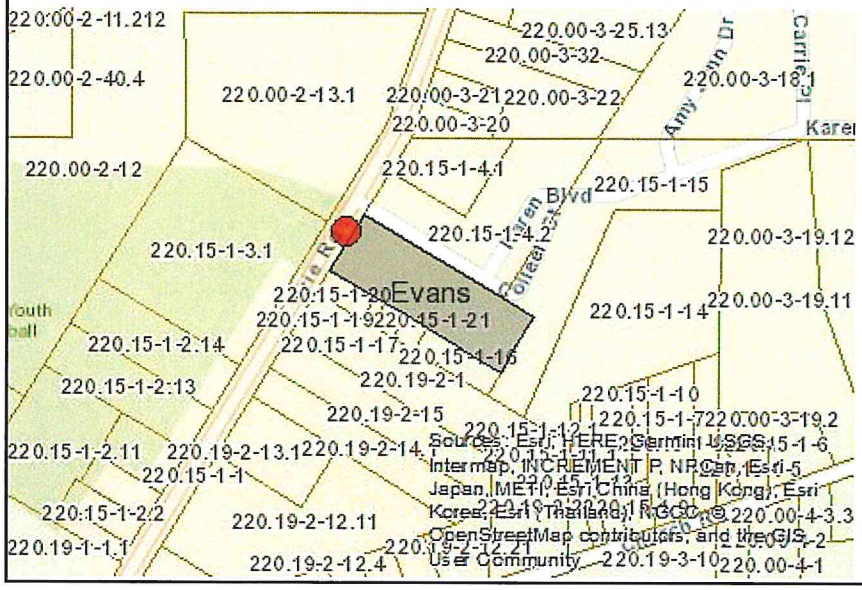
Applicant/sponsor ~~name~~: BAMMEL ARCHITECTS PC. Date: 10/9/2018

Signature:

PRINT FORM

EAF Mapper Summary Report

Tuesday, November 27, 2018 12:28 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]	No
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

Agency Use Only [If applicable]

Project: Toner

Date: 02/06/2019

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: Toner
Date: 02/06/2019

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.

☐ 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.

Town of Evans Town Board	3/6/19
Name of Lead Agency	Date
Mary Hosler	Supervisor
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

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

February 20, 2019

Signed: Sheila McWillson

Sheila McWillson

Signed before me this 20th day of February 2019

Barbara J. Musso

Notary Public

BARBARA J. MUSSO
Notary Public, State of New York
Qualified in Chautauqua County
My Commission Expires 5/4/19

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 March 6, 2019**, at the Evans Town Hall, 8787 Erie Road, Angola, New York to consider the petition of Gary L. Toner/ITEC for a Special Use Permit for the purpose of operation of a motor vehicle service, repair and sales business located at 8181 Erie Road (a.k.a. NYS Route 5), Angola, NY, 14006 (SBL# 220.15-1-21).

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

O-164923 February 20, 2019-adv

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk

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 **March 6, 2019 at 7:10 P.M.** at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 to consider the adoption of Proposed Local Law #4 of the year 2019, which will amend Town Code Chapter 200: Zoning.

Copies of the Proposed Local will be available for inspection by any interested person after February 22, 2019 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-164943 February 23, 2019
-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

February 23, 2019

Signed: Sheila McWillson
Sheila McWillson

Signed before me this 25th day of February 2019

Barbara J Musso
Notary Public

BARBARA J MUSSO
Notary Public State of New York
Qualified in Chautauqua County
My Commission Expires 5/4/19