Evans Town Board

At a meeting of the Town Board of the Town of Evans, the following were present:

PRESENT:	Mary Hosler	Supervisor
	Michael Schraft	Councilman
	Thomas George	Councilman
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Kenneth Farrell	Town Attorney

RESOLUTION 2021 #327 Accept Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of August 4, 2021 and August 18, 2021 be dispensed with and accepted as submitted by the Town Clerk.

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

Communications

William Smith, Minor Subdivision Review Committee RE: Minor Subdivision Review - dividing a 90.54± acre parcel on Cain Road to create two parcels; a 10.0± acre parcel and an 80.54± acre parcel located at 1654 Cain Road, Angola, NY, 14006, SBL# 252.00-2-18. Petitioner: James Snider, 1654 Cain Road, North Collins, NY 14111

RESOLUTION 2021 #328 SEQR Negative Declaration - Snider

Councilman Schraft moved and Supervisor Hosler 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 August 30, 2021, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the James Snider 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 James Snider Minor Subdivision.
(Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 252.00-2-18, dividing a 90.54± acre parcel to create:

1. a 10.0± acre parcel with 388± feet of frontage on Cain Road, and
2. a 80.54± acre parcel with 971.60± feet of frontage on Cain Road.

Petitioner: James Snider, 1654 Cain Road, North Collins, NY 14111

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #329 Lead Agency - Snider

Councilman Schraft moved and Councilman George seconded,

WHEREAS, the proposed subdivision was referred to the Erie County Department of Environment and Planning for a 239M Review as required, and

WHEREAS, the proposed subdivision was also referred to the Erie County Department of Environment and Planning for review of the Agricultural Data Statement with the Erie County Agriculture and Farmland Protection Board in which no comment was offered, and

WHEREAS, notification was mailed to all addresses occurring on property within an agricultural district containing a farm operation, or on property within 500 feet of an active farm operation with no comments being received, and

WHEREAS, in a letter dated August 30, 2021 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 James Snider Minor Subdivision,

a division of SBL# 252.00-2-18, dividing a 90.54± acre parcel to create:

1. a 10.0± acre parcel with 388± feet of frontage on Cain Road, and
2. a 80.54± acre parcel with 971.60± feet of frontage on Cain Road.

Petitioner: James Snider, 1654 Cain Road, North Collins, NY 14111

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

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 September 1, 2021 at 7:10 P.M. via a Zoom and/or In-person Public Meeting to consider the adoption of Proposed Local Law #4 of the year 2021 which will amend Local Law #8 of the year 1987, commonly known as the Zoning Law and any amendments thereto, specifically Town Code Chapter 200: Zoning, Section 200-4(B) - Provision for Official Zoning Map, for the purpose of rezoning a .73± acre parcel located at 6943 Erie Road (a.k.a. NYS Route 5), Derby, NY 14047, SBL# 206.07-2-20./C, from General Business (GB) to Motor Service (MS) on the Town's official map. Copies of the Proposed Local Law will be available for inspection by any interested person in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am - 4pm or Wednesday from 9am - 5pm and the Town's website www.townofevans.org on or after August 6, 2021. Questions and comments may be forwarded to the Planning Office by USPS or by email to planning@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the Zoom and/or In-person Public Hearing to be held aforesaid.
By Order of the Town Board of the Town of Evans
Lynn M. Krajacic
Town Clerk

RESOLUTION 2021 #330 Open the Public Hearing

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

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

Michael Masullo spoke in favor of Proposed Local Law #4

RESOLUTION 2021 #331 Close the Public Hearing

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

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

RESOLUTION 2021 #332 SEQR Lead Agency - Lester

Councilman Schraft moved and Councilman George seconded,

WHEREAS, Michael J. Lester, Jr., Right Direction Auto (RDA) has requested that the Town Board of the Town of Evans rezone a .73± acre parcel from General Business (GB) to Motor Service (MS) for the purpose of continued operation of a Motor Vehicle Service operation located at 6943 Erie Road, (a.k.a. NYS Route 5), Derby, NY, 14047, SBL# 206.07-2-20./C; and

WHEREAS, a Motor Vehicle Service business is not permitted in the General Business Zoning District, therefore the applicant has applied for a Rezone of the property to Motor Service (MS) to bring the property into compliance with its intended use; and

WHEREAS, the Evans Planning Board has determined that a Rezone from General Business (GB) to Motor Service (MS) will bring the property into compliance with its intended use; and

WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced petition for Rezone at their July 28, 2021 Planning Board meeting as set forth in Proposed Local Law #4 of the year 2021; and

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

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Evans shall be the Lead Agency for the SEQR process for proposed Local Law #4 of the year 2021;

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

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

RESOLUTION 2021 #333 SEQR Negative Declaration

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, Michael J. Lester, Jr., Right Direction Auto, has requested the Evans Town Board Rezone a .73± acre parcel from General Business (GB) to Motor Service (MS) for the purpose of continued operation of a Motor Vehicle Service operation located at 6943 Erie Road (a.k.a. NYS Route 5), Derby, NY, 14047, SBL# 206.07-2-20./C; and

WHEREAS, a Motor Vehicle Service business is not permitted in the General Business Zoning District, therefore the applicant has applied for a Rezone of the property to Motor Service (MS) to bring the property into compliance with its intended use; and

WHEREAS, the Evans Planning Board has determined that a Rezone from General Business (GB) to Motor Service (MS) will bring the property into compliance with its intended use; and

WHEREAS, the Evans Planning Board unanimously recommended approval of the above-referenced petition for Rezone at their July 28, 2021 Planning Board meeting as set forth in Proposed Local law #4 of the year 2021; and

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

WHEREAS, the Town Board of the Town of Evans has reviewed the Environmental Assessment Form and has determined that the rezoning of this property will not result in any significant impacts to the environment.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans issues a negative declaration in accordance with the SEQR requirements for the Rezone of a .73± acre parcel from General Business (GB) to Motor Service (MS) for the purpose of continued operation of a Motor Vehicle Service operation located at 6943 Erie Road, Derby, NY, 14047 SBL# 206.07-2-20./C;

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

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

RESOLUTION 2021 #334 Adopt Local Law #4 of 2021 - Rezone

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, Michael J. Lester, Jr., Right Direction Auto, has requested the Evans Town Board Rezone a .73± acre parcel from General Business (GB) to Motor Service (MS) for the purpose of continued operation of a Motor Vehicle Service operation located at 6943 Erie Road (a.k.a. NYS Route 5), Derby, NY, 14047, SBL# 206.07-2-20./C; and

WHEREAS, a Motor Vehicle Service business is not permitted in the General Business Zoning District, therefore the applicant has applied for a Rezone of the property to Motor Service (MS) to bring the property into compliance with its intended use; and

WHEREAS, the Evans Planning Board has determined that a Rezone from General Business (GB) to Motor Service (MS) will bring the property into compliance with its intended use; and

WHEREAS, notice of the proposed Amendment was duly advertised and notice provided in writing to owners of land immediately adjacent to the land affected by said amendment extending 500-feet therefrom and of that directly opposite thereto extending 500-feet from the street frontage of such opposite land to be rezoned; and

WHEREAS, the Evans Town Board held a public hearing to consider Proposed Local Law #4 of the year 2021 on September 1, 2021 at 7:10pm via a Zoom and In-person Public meeting; and

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

- The action will bring the property into compliance with its intended use
- The project will constitute the use of an underutilized property; and
- The action is not expected to result in any significant adverse impacts; and

WHEREAS, the Evans Planning Board recommends the following conditions be placed on the approval of this action:

- Any future development of this parcel to be rezoned is subject to a full site plan application submittal, review and approval by the Planning Board.
- Any landscaping, drainage, parking, lighting, setbacks, and any other design elements shall follow the requirements of Evans Town Code.
- The applicant must secure an approved Special Use Permit prior to utilizing the parcel as a Motor Vehicle Service operation. Should one be approved, the applicant must follow any and all conditions set forth on said Special Use Permit.

WHEREAS, the Town Board of the Town of Evans approves the conditioned approval as recommended by the Evans Planning Board; and

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

NOW THEREFORE BE IT RESOLVED, that Proposed Local Law #4 of the year 2021, as amended, which will amend Local Law #8 of the year 1987, commonly known as the Zoning

Law, and any amendments thereto, specifically Town Code Chapter 200: Zoning, Section 200-4(B) - Provision for Official Zoning Map, for the purpose of rezoning the .73± acre parcel located at 6943 Erie Road (a.k.a. NYS Route 5), Derby, NY, 14047, SBL# 206.07-2-20./C, from General Business (GB) to Motor Service (MS) on the Town's official zoning map be adopted as Local Law # 4 of the year 2021;

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

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

LEGAL NOTICE TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a Public Hearing on September 1, 2021 at 7:10 P.M. via a Zoom and/or In-person Public Meeting to consider the petition of Michael J. Lester, Jr., Right Direction Auto (RDA) for a Special Use Permit for the continued operation of a Motor Vehicle Service business to be located at 6943 Erie Road (a.k.a. NYS Route 5), Derby, NY 14047, SBL# 206.07-2-20./C. Questions and comments may be forwarded to the Planning Office by USPS or by email to planning@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the Zoom and/or In-person Public Hearing to be held aforesaid.

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

RESOLUTION 2021 #335 Open the Public Hearing

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

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

Michael J. Lester Jr. spoke regarding the Special Use Permit

RESOLUTION 2021 #336 Close the Public Hearing

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #337 SEQR Negative Declaration

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, Michael J. Lester, Jr., Right Direction Auto, has requested a Special Use Permit for the purpose of continued operation of a Motor Vehicle Service Operation located at 6943 Erie Rd. (a.k.a. NYS Route 5), Derby, NY. SBL# 206.07-2-20./C, and

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

WHEREAS, the Town of Evans Planning Board has reviewed the Environmental Assessment Form for this property and have found no apparent significant environmental concerns, and has recommended the issuance of a SEQRA negative declaration, and

WHEREAS, the Town Board of the Town of Evans has reviewed the Environmental Assessment Form and has determined that the issuance of a Special Use Permit will not result in any significant impacts to the environment.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans issues a negative declaration in accordance with the SEQR requirements for the Michael J. Lester, Jr., Right Direction Auto, Special Use Permit for the purpose of continued operation of a Motor Vehicle Service Operation located at 6943 Erie Rd. (a.k.a. NYS Route 5), Derby, NY. SBL# 206.07-2-20./C.
(Addendum A SEQR Short Environmental Assessment Form)

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #338 Grant Special Use Permit

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, Michael J. Lester, Jr., Right Direction Auto, has requested a Special Use Permit for the purpose of continued operation of a Motor Vehicle Service Operation located at 6943 Erie Rd. (a.k.a. NYS Route 5), Derby, NY. SBL# 206.07-2-20./C, and

WHEREAS, notice of the proposed Amendment was duly advertised and notice provided in writing to owners of land immediately adjacent to the land affected by said amendment extending 100-feet therefrom and of that directly opposite thereto extending 100-feet from the street frontage of such opposite land to be rezoned; and

WHEREAS, the Town Board of the Town of Evans has held a public hearing on September 1, 2021 for consideration of said Special Use Permit, and

WHEREAS, the Town of Evans Planning Board has recommended the issuance of a Special Use Permit of said property based on the following reasons:

- The project will constitute the use of an underutilized property
- The action is not expected to result in any significant adverse impacts.

WHEREAS, the Planning Board would also like to recommend that the following conditions be placed on the approval of this action:

- A maximum of seven (7) cars shall be displayed only in the designated striped area and in accordance with the approved site plan approved on July 28, 2021.
- Any additional proposed alterations to the property not illustrated on the site plan will be subject to further Planning Board review and approval.
- The applicant shall not begin operating the Motor Service business until all conditions of the Special Use Permit are met and in accordance with the approved site plan.
- This Special Use Permit shall be for a one (1) year period. Applicant may then apply for renewal.

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

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit to Michael J. Lester, Jr., Right Direction Auto, for the purpose of continued operation of a Motor Vehicle Service Operation located at 6943 Erie Rd. (a.k.a. NYS Route 5), Derby, NY. SBL# 206.07-2-20./C, with the above-said four (4) conditions.

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

Communications Cont'd

Supervisor Hosler reported that the Supervisor's June and July 2021 Monthly Reports have been made to the Town Board and a copy was filed with the Town Clerk's Office.

RESOLUTION 2021 #339 Code Enforcement to Attend WSTBOA Educational Conference

Councilman Schraft moved and Councilman George seconded,

WHEREAS; Code Enforcement Officer Joseph Boberg requests permission to attend the 2021 Western Southern Tier Building Officials Educational Conference; and

WHEREAS; said annual conference will be held in Celeron, New York from Wednesday, September 15, 2021 to Friday, September 17, 20201; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Joseph Boberg, 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 Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #340 Comtel Agreement

Councilman Schraft moved and Supervisor Hosler seconded,

BE IT RESOLVED, that the Town of Evans renew and enter into a Maintenance & Service agreement for the Town of Evans telephone system with COMTEL located at 750 Ensminger Road, Suite 100, Tonawanda, New York 14150 for the period of August 1, 2021 to July 31, 2022 in the amount of $2,228.26 per said contract period, which is the New York State OGS pricing.

FURTHER, BE IT RESOLVED, that the Supervisor Hosler is hereby authorized to execute the contract, upon the approval of the Town Attorney.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #341Assessor NYSAA Installation

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS; the Assessor Jeneen Hill request permission to attend the New York State Assessors' Association Annual Conference, Installation and Organizational meeting; and

WHEREAS; Assessor Jeneen Hill will be sworn in as the President of the New York State Assessor's Association representing over 900 members throughout New York State; and

WHEREAS; said annual conference will be held in Niagara Falls, New York on October 3, 2021 and October 6, 2021; and

WHEREAS; the Town Board recognizes Assessor Hill's duties as the New York State Assessors' Association President is to improve the standards of assessment practice; to promote professionalism; to provide a clearing house for the collection and distribution of useful information relating to the assessment of real property; to educate assessing officers; to engage in research and improve assessment technique and practice; to advocate for legislative proposals relating to assessing and taxation; to cooperate with other agencies interested in the improvement of tax administration throughout New York State.

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Assessor Jeneen Hill to preform her duties as the President of the New York State Assessors' Association and attend said conference, installation and meetings and all appropriate and reasonable expenses shall be paid by the New York State Assessor's Association, and training expenses to be reimbursed by the New York State Office of Real Property Tax Services with remaining training expense balance to be split between Town of Evans, Collins and North Collins equally not to exceed $400.00 per town.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #341 Lake Erie Beach Elected Membership

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, Lake Erie Beach Fire Company, Inc. has accepted applications for new candidates for membership; and

WHEREAS, each candidate was interviewed thoroughly and found to meet or exceed the qualifications;
and

WHEREAS, the following candidate was elected into membership of the Lake Erie Volunteer Fire Company, Inc. during the July 1, 2021 General Membership Meeting;

NOW, THEREFORE, BE IT RESOLVED, based on the above, the Evans Town Board hereby approves the following member elected into membership to Lake Erie Beach Volunteer Fire Company, Inc.;

Clark Schmidt

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

RESOLUTION 2021 #342 ILDC Funding Agreements

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans is undertaking a major Water System Improvements Project to address the current lack of adequate water capacity to meet peak demands and provide sufficient fire protection throughout the Town; and

WHEREAS, the Project involves the construction of an elevated water storage tank and the installation water mains at the site of the former Angola Airport and future Erie County Agri-Business Park at 1526 Eden-Evans Center; and

WHEREAS, the Town is currently working cooperatively with Erie County, the Erie County Industrial Development Agency (ECIDA) and its land-owning subsidiary the Buffalo and Erie County Industrial Land Development Corporation (ILDC) towards redeveloping the site as an Agri-Business Park; and

WHEREAS, the future Agri-Business Park is projected to add up to 500,000 gallons of additional water demand to the Evans Water System Project; and

WHEREAS, the ILDC has agreed to contribute up to $1,250,000 in funding to offset the increased cost of the Water System Project associated with the Agri-Business Park's projected water demand, requiring the construction of a larger elevated water tank; and
WHEREAS, the Erie County Legislature has allocated up to $500,000 for the water supply lines to service the Agri-Business Park in the approved 2020 Erie County Capital budget; and

WHEREAS, Erie County and ILDC have offered funding agreements with the Town, providing reimbursement in the form of four equal payments, with each payment contingent upon submission of receipts of services paid; and

NOW, THEREFORE BE IT RESOLVED the Town Board does hereby approve and authorize the Supervisor to execute all documents and enter into any agreements necessary for County and ILDC funding for the Town Water System Project; and

BE IT FURTHER RESOLVED that this resolution is conditioned upon receiving approvals from the Town Attorney before the execution of any contracts and/or agreements referenced herein.

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

RESOLUTION 2021 #343 Suspend the Rules of Order

Supervisor Hosler moved and Councilman Schraft seconded to suspend the rules of order for the consideration of an additional resolution.

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

RESOLUTION 2021 #344 Amend Resolution 2021-311 Proposed Local Law #5

Councilman George moved and Supervisor Hosler seconded,

BE IT RESOLVED, that the Town Clerk is hereby authorized to post and publish the needed legal notice for a public hearing to be held Wednesday, September 15, 2021 at 7:10 p.m. in the Evans Town Hall for consideration of Proposed Local Law #5 of 2021 regarding Code Revision to Evans Town Code Chapter 70, Building Code Administration, Section 70-5, Building Permits

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

RESOLUTION 2021 #345 Danforth System Maintenance Agreement

Councilman George moved and Supervisor Hosler seconded,

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Hosler is hereby authorized to execute the Systems Maintenance Agreement with J.W. Danforth Company, 300 Colvin Woods Parkway, Tonawanda, NY 14150 for the Town of Evans Buildings and Equipment, which include Municipal Building, Highway Garage, Water Building, Community Center and Town Pool (See Attachment C of Agreement for Equipment Lists), upon the approval of the Town Attorney.

FURTHER BE IT RESOLVED, the agreement terms are September 1, 2021 through August 31, 2022 in the amount of $17,981.00, payable in equal quarterly installments of $4,495.25.

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

RESOLUTION 2021 #346 Approve Town Licenses

Councilman Schraft moved and Supervisor Hosler seconded,

Matt Shaw D/B/A Fireworks at 8934 Lake Shore Road, Angola, September 5, 2021

Holly Tiedt D/B/A Toasted Hogg - Refreshment

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 Schraft	Aye
	Councilman George	Aye
	Supervisor Hosler	Aye

RESOLUTION 2021 #347 Audit of Bills

Councilman George moved and Supervisor Hosler seconded that all properly audited bills be paid out of their respective accounts as follows:

	AUDIT OF BILLS
DATE	9/2/2021
ABSTRACT NO.	15
VOUCHER NO.	9277 - 9306
CHECK NUMBERS	83060 - 83085
APPROVED AT	Board Meeting
DATE	9/1/2021
GENERAL	$254,881.61
PART TOWN	$3,904.74
HIGHWAY DB	$28,839.77
WATER	$5,156.97
CAPITAL PROJECTS	$536.25
SPECIAL DISTRICTS	$21,903.12
DEBT SERVICE	
TOTAL	$315,222.46

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

RESOLUTION 2021 #348 Adjournment

Supervisor Hosler moved and Councilman Schraft seconded to adjourn to Wednesday, September 15, 2021 at 6pm for a Work Session and a Town Board Meeting. This meeting was adjourned in Memory of Howard "Hub" Frawley, former Mayor of the Village of Angola.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman George	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

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk

Jan Harrington, 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

Date 8-4-2021

Jan Harrington, Account Clerk

Signed before me this 1th day of August 2021

Barbara J Musso
Notary Public

BARBARA J. MUSSO
Notary Public, State of New York
Qualified in Chautauqua County
My Commission Expires 5/4/23

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 September 1, 2021 at 7:10 P.M. via a Zoom and/or In-person Public Meeting to consider the adoption of Proposed Local Law #4 of the year 2021 which will amend Local Law #8 of the year 1967, commonly known as the Zoning Law and any amendments thereto, specifically Town Code Chapter 200: Zoning, Section 200-4(B) – Provision for Official Zoning Map, for the purpose of rezoning a .73 + acre parcel located at 6943 Erie Road (a.k.a. NYS Route 5), Derby, NY 14047, SBL# 206.07-2-20./C, from General Business (GB) to Motor Service (MS) on the Town's official map. Copies of the Proposed Local Law will be available for inspection by any interested person in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am – 4pm or Wednesday from 9am – 6pm and the Town's website www.townofevans.org on or after August 6, 2021. Questions and comments may be forwarded to the Planning Office by USPS or by email to planning@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the Zoom and/or In-person Public Hearing to be held aforesaid.

By Order of the Town Board of the Town of Evans
Lynn M. Krajacic
Town Clerk
168272 August 4, 2021

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 **September 1, 2021 at 7:10 P.M.** via a Zoom and/or In-person Public Meeting to consider the petition of Michael J. Lester, Jr., Right Direction Auto (RDA) for a Special Use Permit for the continued operation of a Motor Vehicle Service business to be located at 6943 Erie Road (a.k.a. NYS Route 5), Derby, NY 14047, SBL# 206.07-2-20./C. Questions and comments may be forwarded to the Planning Office by USPS or by email to planning@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the Zoom and/or In-person Public Hearing to be held aforesaid.

By Order of the Town Board of the Town of Evans
Lynn M. Krajacic
Town Clerk
168273 August 4, 2021

Jan Harrington, 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

Date 8-4-2021

Jan Harrington, Account Clerk

Signed before me this 1th day of August 2021

Barbara J Musso
Notary Public

BARBARA J. MUSSO
Notary Public, State of New York
Qualified in Chautauqua County
My Commission Expires 5/4/23

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

SUBDIVISION OF 1654 CAIN RD. OWNED BY JAMES SNIDER

Name of Action or Project:
1654 CAIN RD.

Project Location (describe, and attach a location map):

Brief Description of Proposed Action:
DIVIDE 91.7 ACRE PARCEL INTO TWO LOTS. ONE BEING 400 X 1089 (10 ACRES) AND REMAINING LOT OF 81.7 ACRES WITH 959.6 FT. OF FRONTAGE.

Name of Applicant or Sponsor:	Telephone: 352-642-3332
JAMES SNIDER - PAUL ADAMCZYK, POA	E-Mail: Paul4putnam@gmail.com

Address:

City/PO:	State:	Zip Code:

	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? 91.7 acres
b. Total acreage to be physically disturbed? NONE acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 91.7 acres

4. Check all land uses that occur on, adjoining and near the proposed action.
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential ~~(suburban)~~ RURAL
☐ 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: SEPTIC ON SITE	☒	☐	
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		

	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: James Spider Date:

Signature: James R. Spider

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Agency Use Only [If applicable]

Project: Snider, J Minor Subdivision

Date: September 1, 2021

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?	☑	☐

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Agency Use Only [If applicable]
Project: Snider, J Minor Sub
Date: Sept. 1, 2021

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.

The proposed action will not result in any significant adverse impacts to the environment, as it is a minor subdivision of land.

☐ 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	September 1, 2021
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
Mary K. Hosler	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

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

Name of Action or Project: RDA South

Project Location (describe, and attach a location map):
6943 Erie Rd Derby NY 14047

Brief Description of Proposed Action:
Display 8 vehicles infront of building.
Building has no sale office. Vehicles are for Sale online.

Name of Applicant or Sponsor:	Telephone: (716) 536-3503
Right Direction Auto	E-Mail: RDABuffalo@gmail.com

Address:
205 S shadow lane

City/PO:	State:	Zip Code:
Orchard Park	NY	14

	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 acres
b. Total acreage to be physically disturbed?	< .01 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	.1 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): Communications Tower
☐ Parkland

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	☒	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☒	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☒	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO ☒	YES ☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	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			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☒	YES ☐	
16. Is the project site located in the 100 year flood plain?	NO ☒	YES ☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☒ NO ☐ YES	NO ☒	YES ☐	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: ☒ NO ☐ YES _____			

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

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

Applicant/sponsor name: Right Direction Auto Date: 6-3-21

Signature: Michael J Lester Jr

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

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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

Name of Action or Project:
RDA South

Project Location (describe, and attach a location map):
6943 Erie Rd, Derby, Ny, 14047

Brief Description of Proposed Action:
Our proposed Action is to put a few high end vehicles at front of the building for sale.

Name of Applicant or Sponsor:	Telephone: 716-536-3503
Michael J Lester JR	E-Mail: Lestmj01@mail.buffalostate.edu
Address: 205J shadow lane	
City/PO: orchard park	State: NY / Zip Code: 14127

	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 government Agency? If Yes, list agency(s) name and permit or approval: Department of Motor Vehicles VS-142	☐	☒

3. a. Total acreage of the site of the proposed action? .73 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? .73 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☐ 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?	☐	☒	☐

	NO	YES
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?	☒	☐
b. Are public transportation services available at or near the site of the proposed action?	☒	☐
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐

	NO	YES
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 project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	☒	☐
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐

	NO	YES
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 plan?	☒	☐
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?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☐
If Yes, briefly describe: _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	☒	☐
If Yes, explain the purpose and size of the impoundment: _____		
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 CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Michael J Lester JR Date: Monday May 17, 20

Signature: Michael J Title: partner

Agency Use Only [If applicable]
Project: Lester/RDA SUP
Date: September 1, 2021

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.

The proposed action will not result in any significant adverse impacts to the environment, as the property will be utilized for the continued operation of a Motor Vehicle Service business. The project will consititute the use of an underutilized property which has been vacant since Monro Muffler moved out.

☐ 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	September 1, 2021
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
Mary K. Hosler	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

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Agency Use Only [If applicable]

Project: Lester/RDA SUP

Date: September 1, 2021

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?	☑	☐

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