

Evans Town Board

At the regular meeting of the Town Board of the Town of Evans, held at the Evans Town Hall, 8787 Erie Road, Angola, New York on Wednesday, September 19, 2012 at 7:00pm there were:

PRESENT:	Dennis M. Feldmann	Councilman
	Paul T. Cooper	Councilman
	Keith E. Dash	Supervisor
ALSO PRESENT:	Lynn R. Stoessel	Deputy Town Clerk
	Jeanne C. Ebersole	Assessor
	Charles LaBarbera	Building Dept. Head
	Lori Szewczyk	Dir. of Community Development
	Scott Dill	Finance Dept.
	Edward Michalski	Highway Superintendent
	Russ Manguso	Parks Commissioner
	Sandra Brant	Dir. of Planning
	Ernie Masullo	Police Chief
	Julie Roach	Seniors Dept. Head
	Patrick Conrad	St. Pt. Marina Dept. Head
	Diana Cafferty	Supervisor's Dept.
	James Guarino	Water Dept.
	Rick Hanavan	Wendel Duchscherer
ABSENT:	J. Grant Zajas	Town Attorney

RESOLUTION 2012- 299 Approve Minutes

Councilman Cooper moved and Councilman Feldmann seconded that the reading of the minutes of the meeting of the regular meeting of September 5, 2012 and the Work Session of September 12, 2012 be dispensed with and approved as submitted by the Town Clerk.

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

Communications

Supervisor Dash read the communication from Edward Schneider III regarding a thank you for the Police Department. No action was taken.

RESOLUTION 2012-300 Sandra L. Brant, Dir. of Planning RE: proposed sign code revisions

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS, in a letter dated September 10, 2012, the Planning Director has requested that the Evans Town Board set a public hearing to consider the adoption of Proposed Local Law # 4 of 2012 regarding proposed revisions to the Town Code, Sections 200-29 Sign Regulations and 200-7 Definitions

NOW THEREFORE BE IT

RESOLVED, that the Town Board authorizes the Town Clerk to advertise for a public hearing to be held on October 3, 2012 at a specified time for the consideration of said revisions to the Town Code,

AND BE IT FURTHER

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

VOTE RESULT: ADOPTED
 Ayes: Feldmann, Cooper, Dash
 Nays: None

RESOLUTION 2012-301 Sandra L. Brant Minor Subdivision Review Committee RE: minor subdivision at 2060 Shadagee Petitioner: St. Vincent RC Church

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS, minor subdivision are unlisted SEQR actions, and

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

WHEREAS, in a letter dated September 14, 2012, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the St. Vincent RC Church Minor Subdivision, and

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

NOW THEREFORE BE IT

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

a division of SBL# 207.07-2-20.21, dividing a 2.35± acre parcel to create:

1. a .60± acre parcel with 273.16± feet of frontage on Shadagee Rd. (aka South Creek Rd.), and
2. a 1.75± acre parcel with 119.94± feet of frontage on Shadagee Rd. (aka South Creek Rd.).

Petitioner: St. Vincent RC Church, 2050 Shadagee Rd. (aka South Creek Rd.), North Evans, NY 14112.

AND BE IT FURTHER

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

VOTE RESULT:

ADOPTED

AYES: Feldmann, Cooper, Dash

NAYS: None

RESOLUTION 2012-302 Approve the minor subdivision for St. Vincent R.C. Church

Supervisor Dash moved and Councilman Cooper seconded,

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

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

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans hereby adopts the findings of the Town of Evans Minor Subdivision Review Committee and approves the St. Vincent RC Church Minor Subdivision, a division of SBL# 207.07-2-20.21, dividing a 2.35± acre parcel to create:

1. a .60± acre parcel with 273.16± feet of frontage on Shadagee Rd. (aka South Creek Rd.), and
2. a 1.75± acre parcel with 119.94± feet of frontage on Shadagee Rd. (aka South Creek Rd.).

Petitioner: St. Vincent RC Church, 2050 Shadagee Rd. (aka South Creek Rd.), North Evans, NY 14112

AND BE IT FURTHER

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

VOTE RESULT: ADOPTED
AYES: Feldmann, Cooper, Dash
NAYS: None

RESOLUTION 2012-303 Sandra L. Brant Minor Subdivision Review Committee RE: minor subdivision on Applewood St by Petitioner: Jonathan Marchese

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS: minor subdivisions are unlisted SEQR actions, and

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

WHEREAS: in a letter dated September 14, 2012, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Jonathan Marchese Minor Subdivision, and

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

NOW THEREFORE BE IT

RESOLVED: that the Town Board of the Town of Evans adopts the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the Jonathan Marchese Minor Subdivision. (Addendum B SEQR short environmental assessment form),

A division of SBL#SBL# 234.19-3-19.11, dividing a 1.10± acre parcel to create:

1. a .69± acre parcel with 150.00± feet of frontage on Applewood Street, and
2. a .41± acre parcel with 90.00± feet of frontage on Applewood Street.

Petitioner: Jonathan Marchese, 1350 Abington Place, North Tonawanda, NY 14120

AND BE IT FURTHER

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

VOTE RESULT: ADOPTED
AYES: Feldmann, Cooper, Dash
NAYS: None

RESOLUTION 2012-304 Sandra L. Brant Minor Subdivision Review Committee RE: minor subdivision on Applewood St by Petitioner: Jonathan Marchese

Supervisor Dash moved and Councilman Feldmann seconded,

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

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

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans hereby adopts the findings of the Town of Evans Minor Subdivision Review Committee and approves the Jonathan Marchese Minor Subdivision, a division of SBL# 234.19-3-19.11, dividing a 1.10± acre parcel to create:

- 3. a .69± acre parcel with 150.00± feet of frontage on Applewood Street, and
- 4. a .41± acre parcel with 90.00± feet of frontage on Applewood Street.

Petitioner: Jonathan Marchese, 1350 Abington Place, North Tonawanda, NY 14120

AND BE IT FURTHER

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

VOTE RESULT:	ADOPTED
	AYES: Feldmann, Cooper, Dash
	NAYS: None

Supervisor Dash mentioned the following communications were received from Police Chief Ernest Masullo:

- There are two work orders from the NYS Department of Transportation regarding speed limit changes on NYS Route #5 aka Erie Road
- Letter of recommendation for excellent police work during the investigation of 2 stolen golf carts, 1 bicycle and 1 automobile that occurred on September 7, 2012 for Patrolman Crupe and Detective Bruce Green
- Letter of recognition to Patrolman Brian Kauzala, Matthew Stontisch for their work with an armed robbery at the Nettlecreek playground on September 7th and the recovery
- Community Concern in cooperation with NYS Office of Mental Health and Lake Shore Central School District will be hosting an evening of dialogue, awareness and healing on October 4th from 7-9pm at the American Legion Post #928

Privilege of the Floor on Meeting Agenda Items & Other Issues

Ernest Waddell, 600 Milsom Pkwy., Co-Chairman of the Evans Taxpayers United, spoke regarding his comments at the last Town Board meeting and that his questions have been answered by the Police Chief. He congratulated the Town Board

for all of their accomplishments to date. He believes that everybody including the Town Board members should go through the metal detector and that they should be moved to the entrance of the meeting room.

7:20pm Public Hearing RE: Federal Community Development Block Grant

RESOLUTION 2012-305 Open the public hearing

Supervisor Dash moved and Councilman Cooper seconded to open the public hearing for the Federal Community Development Block Grant.

VOTE RESULT: ADOPTED
 AYES: Feldmann, Cooper, Dash
 NAYS: None

Deputy Town Clerk read the legal notice.

**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 October 3, 2012 at 7:20 pm at the Evans Town Hall, 8787 Erie Road, Angola, New York regarding the use of Federal Community Block Development Funds in the Town of Evans.

The Town of Evans is eligible for a Federal Community Block Development Grant under Title 1 of the Housing and Community Act, of 1974, as amended.

The purpose of the hearing is to provide an opportunity for citizens to express community development needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Evans.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Evans selection of potential projects to be submitted for possible funding under the Federal Community Block Development Grant Program.

The hearing will also present a review of prior Community Block Development projects and expenditures and discussion of eligible activities. The meeting room is wheelchair accessible.

By Order of the Town Board
 of the Town of Evans
 Jonica B. DiMartino, RMC
 Town Clerk

RESOLUTION 2016-306 close the Public Hearing as it is scheduled for Oct. 3rd.

Supervisor Dash moved and Councilman Cooper seconded that the public hearing is closed as it is scheduled for October 3, 2012 at 7:20pm.

VOTE RESULT: ADOPTED
 AYES: Feldmann, Cooper, Dash
 NAYS: None

Committee and Department Head reports

Councilman Feldmann reported that he will attend a meeting tomorrow regarding the Federal Community Development Block Grant Fund at the Middle School along with the Village, real estate agents and contractors to discuss how to bring some development to Evans.

Councilman Cooper reported that the next prescription drop-off will be Saturday, September 29th at the North Collins PD, West Herr - Camp Road and the Cattaraugus Indian Reservation Health Center and no questions will be asked.

-Introduced & welcomed Juhee Lee a senior at Immaculata from South Korea who is taking the government class.

Supervisor Dash reported that the NYS State Comptroller’s Audit is available on their website and on the Town’s website by the end of the week.

-welcomed William & Andrew Mangan, brothers, from Boy Scout Troop 578 who are working on their citizenship merit badges.

-Please keep the Town Attorney, J. Grant Zajas, in your prayers as he had surgery yesterday at Roswell Park Cancer Institute and there is a list of attorneys who will assist while he is recuperating.

RESOLUTION 2012-307 Reports of the Town Clerk

Councilman Cooper moved and Councilman Feldmann seconded to approve the Town Clerk monthly reports as follows:

August 2012 Monthly	\$12,358.15
August 2012 Interest	\$2.29
August 2012 Petty Cash	\$0.00
August 2012 POS credit Taxes	\$16.00
August 2012 Water Receipts	\$181,066.17
August 2012 Interest	\$19.29

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

RESOLUTION 308 PLL #3 of 2012 (amend Chapter 182 Taxation)

Supervisor Dash moved and Councilman Feldmann seconded to remove Old Business #1 Proposed Local Law #3 of the year 2012 amending Chapter 182 Taxation from Old Business on the agenda.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann Aye

Councilman Cooper Aye
 Supervisor Dash Aye

RESOLUTION 2012-309 Adopt PLL #3 of the year 2012 as LL #4 of the year 2012

Supervisor Dash moved and Councilman Feldmann seconded to adopted Proposed Local Law #3 of the year 2012 as Local Law #4 of the year 2012.

VOTE RESULT ADOPTED BY ROLL CALL
 Councilman Feldmann Aye
 Councilman Cooper Aye
 Supervisor Dash Aye

RESOLUTION 2012-310 Relevy unpaid water bills

Councilman Cooper moved and Supervisor Dash seconded,

RESOLVED: that all delinquent water accounts in the amount of \$35.00 or more not paid by October 12, 2012 will be re-levised onto the 2012 County and Town Tax bills. WITH NO EXCEPTIONS!!!!

At present time the outstanding amounts per water billing districts are as follows.

District #1	\$ 118,588.08
District #2	116,938.80
District #3	181,647.97
Total	\$ 417,174.85

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

RESOLUTION 2012-311 Sign agreement for computer services

Councilman Feldmann moved and Councilman Cooper seconded,

WHEREAS: the contract is expiring on September 30, 2012 for computer services to the Town of Evans,

NOW THEREFORE BE IT

RESOLVED: that the Supervisor is authorized to sign an agreement with Network Consulting Group of WNY, aka NCGWNY of Derby NY for computer services from October 1, 2012 to September 30, 2013 pending approval of the Town Attorney and the Director of Finance.

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

RESOLUTION 2012-312 Disaster Coordinator's responsibility to open heating/cooling stations when necessary, make necessary notifications, Disaster Coordinator & Police Chief's responsibility to make press releases

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS: the Town Board wants to be sure the residents of the Town of Evans have a safe place to go in the event of an emergency due to severe weather conditions, and

WHEREAS: the Disaster Coordinator has developed a procedure if such is to occur,

NOW THEREFORE BE IT

RESOLVED: that it will be the policy of the Town of Evans that when the weather becomes hazardous, either too hot or cold, for the residents of the Town of Evans, it will be the Disaster coordinator's responsibility to open heating or cooling stations depending on the conditions at the time. It will also be his/her duty to notify the appropriate Fire Companies or Department Heads of the Town of Evans to make sure adequate staffing is available to have the stations open. The Disaster Coordinator and the Police Chief of the Town of Evans will issue a press release that temporary shelters are being made available for Evans residents due to weather conditions. If a resident requires more permanent assistance the Disaster Coordinator should be notified immediately to help make other arrangements.

VOTE RESULT: ADOPTED
 Ayes: Feldmann, Cooper, Dash
 Nays: None

RESOLUTION 2012-313 Authorize the Dir. of Finance to pay portion of health insurance costs for any employee with 20 years of credit who retires prior to December 31, 2012

Councilman Cooper moved and Supervisor Dash seconded,

WHEREAS: the Town of Evans is offering it's employees with twenty (20) years of credit in the New York State Retirement System a ten (10%) percent reduction on the cost of their health insurance upon their retirement prior to December 31, 2012

NOW THEREFORE BE IT

RESOLVED: that the Town Board of the Town of Evans authorizes the Director of Finance to pay the additional ten (10%) percent of insurance costs for any employee who retires prior to December 31, 2012.

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

RESOLUTION 2012-314 Approve agreement that employees must sign prior to taking advantage of early retirement

Councilman Feldmann moved and Councilman Cooper seconded,

RESOLVED: that the Town Board approve the "AGREEMENT" drafted by the Town Attorney which Town employees must sign prior to taking advantage of the early retirement offer from the Town of Evans.

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

RESOLUTION 2012-315 Reimburse 50% of slip rental fee for a slip holder

Supervisor Dash moved and Councilman Cooper seconded,

RESOLVED: that the Town of Evans is authorized to reimburse Michael Palyszeski \$305.00 for 50% of the cost of his slip rental at the Sturgeon Point Marina, upon signing a general release form.

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

RESOLUTION 2012-316 Audit of Bills

Councilman Cooper moved and Supervisor Dash seconded,

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

Date: September 5, 2012
 Abstract No. 15

Voucher No. 1540-1617
Prepaid:

GENERAL	\$42,065.93
PART TOWN	\$9,680.00
HIGHWAY DA	
HIGHWAY	\$117,227.42
WATER	\$105,448.54
CAPITAL PROJECTS	
SPECIAL DISTRICTS	\$148,920.99
DEBT SERVICE	
COMMUNITY DEVELOPMENT	

TOTAL	\$423,342.88

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

RESOLUTION 2012-317 Adjournment

Supervisor Dash moved and Councilman Feldmann seconded, to observe a moment of silence in memory of the Diplomatic Staff of Libya, all the Ambassadors and Diplomatic Staff throughout the world and our Soldiers who are in harms way and that a Memorial Page be placed in the minutes in memory of and then adjourn to Wednesday, September 26, 2012 at 6:15pm for a Work Session then to Wednesday, October 3, 2012 at 7pm for an Agenda Meeting and the Town Board meeting at 7pm.

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

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

Respectfully Submitted,

Lynn R. Stoessel
 Deputy Town Clerk
 Town of Evans

Jonica B. DiMartino, RMC
Town Clerk

In Memoriam

This page has been dedicated to:

*The Diplomatic Staff of Libya
and all our Ambassadors and
Diplomats throughout the world and our
Soldiers who are in harms way.*

PROJECT I.D. NUMBER

617.20
Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT / SPONSOR: St. Vincent RC Church 2. PROJECT NAME: St. Vincent RC Church Menor Subdivision

3. PROJECT LOCATION:
Municipality: Town of Evans County: Erie

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)
2060 Shadagee Rd (aka So. Creek Rd) - approx. 300' ft from Versailles Rd.

5. IS PROPOSED ACTION:
 New Expansion Modification/alteration

6. DESCRIBE PROJECT BRIEFLY:
Subdivision of a 2.35 +/- acre parcel to create a .60 +/- acre parcel and a 1.75 +/- acre parcel

7. AMOUNT OF LAND AFFECTED:
Initially 2.35 acres Ultimately 2.35 acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
 Yes No If No, describe briefly

WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
 Residential Industrial Commercial Agriculture Park/Forest/Open space Other
Describe: Operation Good Neighbor

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?
 Yes No If yes, list agency(s) and permit/approvals

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?
 Yes No If yes, list agency name and permit/approval

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?
 Yes No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE
Applicant/sponsor name: Deacon Cornelius Linnar Date: 8/10/12
Signature: Deacon Cornelius Linnar

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
 No

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
 No

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
 No

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
 No

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
 No

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.
 No

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.
 No

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?
 Yes No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination and significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

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 AND provide on attachments as necessary, the reasons supporting this determination.

Town of Evans
 Name of Lead Agency

Keith E. Dash
 Print or Type Name of Responsible Officer in Lead Agency

Supervisor
 Title of Responsible Officer

Keith E. Dash
 Signature of Responsible Officer in Lead Agency

Sandra L. Branti, Director of Planning
 Signature of Preparer (if different from responsible officer)

9/19/12
 Date

Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR <i>Jonathan Marchese</i>	2. PROJECT NAME <i>Jonathan Marchese Minor Subdivision</i>
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3. PROJECT LOCATION:

Municipality *Town of Evans* County *Eric*

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)

Vacant land on Applewood Street 380+/- feet from the intersection of Peters Rd.

5. PROPOSED ACTION IS:

New Expansion Modification/alteration

6. DESCRIBE PROJECT BRIEFLY:

subdivision of a 1.10+/- acre parcel to create a .69+/- acre parcel and a .41+/- acre parcel.

7. AMOUNT OF LAND AFFECTED:

Initially *1.10* acres Ultimately *1.10* acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?

Yes No If No, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?

Residential Industrial Commercial Agriculture Park/Forest/Open Space Other

Describe:

10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?

Yes No If Yes, list agency(s) name and permit/approvals:

11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?

Yes No If Yes, list agency(s) name and permit/approvals:

12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?

Yes No

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE.

Applicant/sponsor name: *Jonathan Marchese* Date: *9/10/12*

Signature: *[Signature]*

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.
 Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:
No

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:
No

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
No

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
No

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
No

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
No

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
No

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
 Yes No If Yes, explain briefly:

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If Yes, explain briefly:

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

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 **AND** provide, on attachments as necessary, the reasons supporting this determination.

Town of Evans Name of Lead Agency

9/19/12 Date

Keith E. Dash Print or Type Name of Responsible Officer in Lead Agency

Supervisor Title of Responsible Officer

Keith E. Dash Signature of Responsible Officer in Lead Agency

Sandra L. Grant, Director of Planning Signature of Preparer (if different from responsible officer)