

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, May 15, 2013 there were:

- |               |   |  |
|---------------|---|--|
| PRESENT:      | Dennis M. Feldmann<br>Paul T. Cooper<br>Keith E. Dash   | Councilman<br>Councilman<br>Supervisor   |
| ALSO PRESENT: | Lynn Stoessel<br>Lynn M. Krajacic<br>J. Grant Zajas<br>Charles LaBarbera<br>Lori Szewczyk<br>Scott Dill<br>Edward Michalski<br>Sandra Brant<br>Ernest Masullo<br>Julie Roach<br>Diana Cafferty<br>Rob Klavoon | Deputy Town Clerk<br>Deputy Town Clerk<br>Town Attorney<br>Building Dept. Head<br>Director of Community Develop.<br>Director of Finance<br>Highway Superintendent & Overseer of DPW<br>Director of Planning<br>Police Chief<br>Seniors Dept. Head<br>Supervisor’s Dept.<br>Wendel Duschscherer |
| EXCUSED:      | Jeanne C. Ebersole<br>Patrick Conrad  | Assessor<br>Parks & St. Pt. Marina   |

**RESOLUTION 2013-234 Approve Minutes**

Councilman Feldmann moved and Councilman Cooper seconded to approve the minutes of the May 1, 2013 Town Board meeting.

- |              |   |
|--------------|---|
| VOTE RESULT: | ADOPTED<br>AYES: Feldmann, Cooper, Dash<br>NAYS: none |
|--------------|---|

**Communications**

- 1.) Supervisor Dash read a letter of recognition from Chief Masullo for outstanding work performed by Dog Control Officer Michael Franey and the boat team from Lake Erie Beach Volunteer Fire Department for the rescue of a dog at the bottom of the cliff on the shores of Lake Erie.
- 2.) Supervisor Dash read the communication from Sandra L. Brant, Minor Subdivision Review Committee regarding the Jay & Mary Addison minor subdivision located at 1073 Beach Road, Angola.

**RESOLUTION 2013-235 SEQR declaration for the Jay & Mary Addison minor subdivision**

Supervisor Dash moved and Councilman Cooper 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 May 10, 2013, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Jay and Mary Addison 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 Jay and Mary Addison Minor Subdivision. (Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 235.00-1-7.12 and SBL# 235.12-1-30 (located within the Village of Angola), dividing 37.95± acres to create:

1. 35.85± acres with 441.50± feet of frontage on Beach Road which includes a 5.7± acre rear portion within the Village of Angola, and
2. a 2.10± acre parcel with 208.07± feet of frontage on Beach Road.

Petitioner: Jay and Mary Addison, 1073 Beach Road, Angola, NY 14006.

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 2013-236 Approve Addison minor subdivision**

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS, in a letter dated May 10, 2013, 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 Jay and Mary Addison Minor Subdivision, a division of SBL# 235.00-1-7.12 and SBL# 235.12-1-30 (located within the Village of Angola), dividing a 37.95± acres to create:

1. 35.85± acres with 441.50± feet of frontage on Beach Road which includes a 5.7± acre rear portion within the Village of Angola, and
2. a 2.10± acre parcel with 208.07± feet of frontage on Beach Road.

Petitioner: Jay and Mary Addison, 1073 Beach Road, Angola, NY 14006.

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

**Committee and Department Head Reports**

Supervisor Dash reported that Erie County will hold a free rabies clinic May 29 from 4-7pm at Erie Community College South and Elder Law Day will be held June 20<sup>th</sup> from 9am-1pm at Adams Mark Hotel.

-Read letter of resignation from Mathew Balon as Crossing Guard.

-Town has received a call from the Board of Elections that the Town will receive \$8,500.00 for a handicap accessible door at the Town Hall & \$10,500 for handicap parking at the Senior Center.

**7:10pm Public Hearing for the purpose of consider adoption of Proposed Local Law #5 of the year 2013 which will amend Local Law #8 of the year 1987 commonly known as the Zoning Law and any amendments thereto and the Zoning Map by rezoning two (2) properties situated in the Town of Evans as requested by Petitioner: North Evans Fire District**

Supervisor Dash asked the Deputy Town Clerk to read the legal notice as follows:

**Legal Notice of Public Hearing  
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 on May 15, 2013 at 7:10pm at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 to consider adoption of Proposed Local Law #5 of the year 2013 which will amend Local Law #8 of the year 1987 commonly known as the Zoning Law

and any amendments thereto and the Zoning Map by rezoning two (2) properties situated in the Town of Evans as requested by Petitioner: North Evans Fire District, PO Box 879, Derby, NY 14047 to rezone a .2+/- acre parcel located at 6742 Schuyler Drive, Derby, NY 14047, SBL# 192.20-4-27 and a .3+/- acre parcel located at 6750 Schuyler Drive, Derby, NY 14047, SBL#192.20-4-28.1 as follows:

All that tract or parcel of land, situate in the Town of Evans, County of Erie and State of New York, being part of Lot Number fifty-one (51), Township nine (9), Range nine (9) of the Holland Land Company’s Survey and further distinguished as Subdivision Lots Numbers eleven hundred forty (1140) and eleven hundred forty-one (1141) as shown on a map entitled “Highland on the Lake” filed in Erie County Clerk’s Office under cover Number 1542

AND

All that tract of parcel of land, situate in the Town of Evans, County of Erie and State of New York, being part of Lot No. 51, Township 9, Range 9 of the Holland Land Company’s Survey and according to map filed in Erie County Clerk’s Office under Cover No. 1542 is known as subdivision lots Nos. 1142, 1143 and 1144, being 105 feet front by 120 in depth, situate on the west side of Schuyler Drive, at its intersection with the north line of North Park. Together with the rights and subject to the burdens of easements and restrictions of record from Residential District Two (R-2) to Public Facility (PF) for the purpose of expansion to the Highland Hose Fire Company facility.

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  
Jonica B. DiMartino, RMC  
Town Clerk

**RESOLUTION 2013-237 Open the Public Hearing**

Councilman Feldmann moved and Councilman Cooper seconded to open the public hearing.

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

There was no one present wishing to speak

**RESOLUTION 2013- 238 Close the Public Hearing**

Councilman Cooper moved and Councilman Feldmann seconded to close the public hearing.

VOTE RESULT:         ADOPTED

AYES: Feldmann, Cooper, Dash  
NAYS: none

Supervisor Dash read a communication from Sandra Brant, Chairman of the Planning Board recommending the adoption of this proposed local law.

**RESOLUTION 2013-239 Negative Declaration for PLL #5**

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS, the North Evans Fire District has requested rezoning of a .2± acre parcel located at 6742 Schuyler Drive, Derby, NY 14047, SBL# 192.20-4-27 and a .3± acre parcel located at 6750 Schuyler Drive, Derby, NY 14047, SBL# 192.20-4-28.1 from Residential District Two (R-2) to Public Facility (PF) for the purpose of expansion to the Highland Hose Fire Company facility, and

WHEREAS, this action is an unlisted SEQR action and a short Environmental Assessment Form has been completed by the applicant, and

WHEREAS, the Town of Evans Planning Board has reviewed the Environmental Assessment Form for this rezoning and has determined that the rezoning of these properties will not result in any significant impacts to the environment, and has recommended the issuance of a SEQR 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 SEQR requirements for the North Evans Fire District rezoning of a .2± acre parcel located at 6742 Schuyler Drive, Derby, NY 14047, SBL# 192.20-4-27 and a .3± acre parcel located at 6750 Schuyler Drive, Derby, NY 14047, SBL# 192.20-4-28.1 from Residential District Two (R-2) to Public Facility (PF) (Addendum B 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  
AYES: Feldmann, Cooper, Dash  
NAYS: None

**RESOLUTION 2013-240 Adopt PLL #5 as LL #5 of the year 2013**

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS, the North Evans Fire District has requested rezoning of a .2± acre parcel located at 6742 Schuyler Drive, Derby, NY 14047, SBL# 192.20-4-27 and a .3± acre parcel located

at 6750 Schuyler Drive, Derby, NY 14047, SBL# 192.20-4-28.1 from Residential District Two (R-2) to Public Facility (PF) for the purpose of expansion to the Highland Hose Fire Company facility, and

WHEREAS, the Town Board of the Town of Evans has held a public hearing on May 15, 2013 regarding the above-said action, and

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

- The action is consistent with the Town of Evans Comprehensive Plan.
- The action is not expected to result in any significant adverse impacts.
- The rezoning action will not result in any changes to the character of the area.
- The action will enable the applicant to provide improved services to the community.

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

NOW THEREFORE BE IT

RESOLVED, that Proposed Local Law #5 of the year 2013 regarding the above rezoning of SBL# 192.20-4-27 and SBL# 192-4-28.1 be adopted as Local Law #5 of the year 2013, and

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 Feldmann	Aye
Councilman Cooper	Aye
Supervisor Dash	Aye

**RESOLUTION 2013-241 Town Clerk monthly reports**

Supervisor Dash moved and Councilman Cooper seconded to accept the reports of the Town Clerk as presented for the month of April:

Town Clerk	\$14,278.75
Interest	\$1.18
Petty Cash	\$-0-

VOTE RESULT:    ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Cooper	Aye
Supervisor Dash	Aye

**RESOLUTION 2013-242 Pull Resolution #1 on tonight's agenda**

Supervisor Dash moved and Councilman Feldmann seconded that resolution #1 on tonight's agenda will be pulled from the agenda regarding the Advertise for Bids for Sturgeon Point Bluffs Park, Phase 1.

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

**RESOLUTION 2013-243 Suspend the Rules of Order for the conduct of business**

Supervisor Dash moved and Councilman Cooper seconded to amend Resolution 2013-226 regarding Proposed Local Law #4 of the year 2013.

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

**RESOLUTIN 2013-244 Negative Declaration for PLL #4**

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS: the Evans Town Board wishes to adopt Proposed Local Law #4 of the year 2013 regarding Town Code revisions to Zoning Sections 200-12, 200-34, 200-8.1, 200-8.2, 200-9 and 200-16, and

WHEREAS: pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the Environmental Conservation Law, SEQR (State Environmental Quality Review), the Evans Town Board as SEQR Lead Agent, determined that the action an Unlisted Action and completed a Short Environmental Assessment Form, and

WHEREAS: the Evans Town Board held a Public Hearing on April 17, 2013 to receive input from the public and has taken a look at the potential social, economic and environmental impacts of this proposed action

NOW THEREFORE BE IT

RESOLVED: that the Town Board of the Town of Evans has determined that the adoption of Proposed Local Law #4 of the year 2013, regarding revisions to Town Code Zoning Sections 200-12, 200-34, 200-8.1, 200-8.2, 200-9 and 200-16 will not have a significant impact on the environmental and therefore, issues a Negative Declaration. Based on this determination of non-significance, no further SEQR review is required (Addendum B Short Environmental Assessment Form).

AND BE IT FURTHER

RESOLVED: that the Evans Town Board authorizes the Town Planning Director to conduct all necessary filings pursuant to the SEQR requirements for Unlisted Actions and that a copy of this resolution be provided to the Planning Office.

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

**RESOLUTION 2013-245 Adopt PLL #4 as LL #4 of the year 2013 (Lake Erie Beach Neighborhood Revitalization Rezoning)**

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS: in conformance with the goals and recommendations of the Lake Erie Beach Neighborhood Revitalization Strategy, the Town wishes to adopt revisions to Section 200-12, R-2 Zoning District with the Lake Erie Beach Neighborhood, and

WHEREAS: in addition, the Planning Director and Code Enforcement Office has identified several Town Code revisions to Zoning Sections 200-34, 200-8.1, 200-8.2, 200-9 and 200-16 that will provide clarification on several town standards, and

WHEREAS: in a letter dated March 14, 2013, the Evans Planning Board, the Planning Director, the Code Enforcement Office and the Director of Community Development have recommended adoption of these proposed code revisions, and

WHEREAS: the Evans Town Board held a public hearing on the proposed code revisions on April 17, 2013, and

WHEREAS: in accordance with Part 617 of the implementing regulations pertaining to Article 8 of the Environmental Conservation Law, SEQR (State Environmental Review), the Evans Town Board declared itself SEQR Lead Agency, and issued a Negative Declaration of Significance.

NOW THEREFORE BE IT

RESOLVED: that Proposed Local Law #4 of the year 2013, be and hereby is adopted as Local Law #4 of the year 2013.

AND FURTHER BE IT

RESOLVED: that a copy of this resolution be provided to the Planning Office, Code Enforcement Office and the Office of Community Development.

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



Supervisor Dash Aye

**RESOLUTION 2013-246 Water Bill Adjustment**

Councilman Cooper moved and Supervisor Dash seconded,

RESOLVED, that an adjustment be made to the following water account because of a water leak.

Michael Farrell	Account # 02050505
386 Roat Drive	Adjustment \$546.34
Angola NY 14006	
Customer responsibility	\$608.06

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Cooper	Aye
Supervisor Dash	Aye

**RESOLUTION 2013-247 Appt of laborers and gateguards**

Councilman Feldmann moved Councilman Cooper seconded,

RESOLVED: that the following be appointed as part-time laborer/gateguard at the following rate effective immediately:

Arthur Buczkowski	\$8.00 hour
Donald Schiedel	8.50 hour
Mary Heath	7.50 hour
Sharlene Fowler	7.50 hour
Katelyn Radder	7.50 hour
Summer Weinheimer	7.50 hour
Jacob Majuk	7.25 hour
Aaron Crusan	7.25 hour
Kenneth Boehm	8.00 hour
Donald Battaglia	8.00 hour
Kelly Heath	7.50 hour

FURTHER BE IT RESOLVED; that Frederick Bartlett and Phyllis Jost should be paid at the rate of \$8.50 per hour and Richard Murphy should be paid at a rate of \$7.50 per hour effective immediately.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Cooper	Aye
Supervisor Dash	Aye

**RESOLUTION 213-248 Authorize Engineering Services for the Shoreline Trail Multi-use Pathway Project**

Supervisor Dash moved and Councilman Cooper seconded,

Resolved: the Supervisor of the Town of Evans is hereby authorized to sign the agreement with Audubon Architecture, Engineering, Surveying & Landscape Architecture, P.C dated May 10, 2013 for survey and design services for the Shoreline Trail Multi-Use Pathway Project, subject to the vote results.

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

**RESOLUTO N 2013-249 Declare Surplus from the Highway Dept.**

Councilman Feldmann moved and Councilman Cooper seconded,

WHEREAS, the Superintendent of Highways has requested the Town Board to declare 800 feet of 10”Ductile Pipe as surplus and is no longer of any value to the town,

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby declares 800 feet of 10”Ductile Iron pipe as surplus and hereby authorizes the Superintendent of Highways to sell it as scrap.

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

**RESOLUTION 2013-250 Water bill adjustment**

RESOLVED, that an adjustment be made to the following water account because of a water leak.

Joseph Deni Account # 02020550  
9136 Lake Shore Road Adjustment \$374.61  
Angola NY 14006  
Customer Responsibility \$424.59

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

**RESOLUTION 2013-251 Water bill adjustment**

Councilman Cooper moved and Councilman Feldmann seconded,

RESOLVED, that an adjustment be made to the following water account because of a water leak.

Vincent O'Hare	Account # 02091080
908 Bennett Road	Adjustment \$1,355.33
Angola NY 14006	
Customer responsibility	\$ \$1,389.70

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Cooper	Aye
Supervisor Dash	Aye

**RESOLUTION 2013-252 Old Business**

Supervisor Dash moved and Councilman Feldmann seconded that the Appointment of Assessor remain under Old Business on the agenda.

VOTE RESULT: ADOPTED

AYES -	Feldmann, Cooper, Dash
NAYS -	none

**RESOLUTION 2013-253 Audit of Bills**

Councilman Cooper moved Councilman Feldmann seconded that all properly audited bills be paid out of their respective accounts per abstract dated May 15, 2013:

Date: 5/15/2013  
Abstract No. 9  
Voucher No. 690-752  
Prepaid:

General	\$41,511.10
Part Town	1,286.80
Highway DA	0
Highway	1,952.13
Water	3,163.46
Capital Projects	0
Special Districts	233,157.00
Debt Service	0
Community Development	0
	<hr/>
	\$281,070.49

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

Supervisor Dash mentioned on behalf of himself and Councilman Cooper and Councilman Feldmann that last week was the most difficult for everyone, not only the Town Board but the community at large with the loss of a very young patrolman very tragically. I would be remiss on this Board meeting, after his funeral, if I didn't mention that the community at large, his colleagues on the force and everyone who attended those services for those three days truly honored that young man and not only him personally but also I think the Chief said it best "It's the reason why we decide not to move from a small community.". With that in mind I would:

**RESOLUTION 2013-254 Adjournment in memory of Frederick Garrasi III**

Supervisor Dash moved and Councilman Feldmann seconded that tonight's meeting be adjourned in memory of and set aside a page of the official record in the memory and honor of Evans Police Officer Frederick Garrasi III.

A moment of silence was observed.

We stand adjourned to Wednesday, May 29, 2013 for a Town Board Work Session at 6:15pm, then to Wednesday June 5, 2013 for an Agenda meeting at 6:30pm and 7:00pm for the Town Board meeting.

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 Stoessel  
 Deputy Town Clerk**

**Jonica B. DiMartino, RMC  
 Town Clerk**

*In Memoriam*

*This page has been dedicated to:  
Officer Frederick Garrasi, III*

PROJECT I.D. NUMBER

617.20

SEQR

Appendix C

Addendum A  
May 15, 2013  
Page 1 of 2

State Environmental Quality Review

**SHORT ENVIRONMENTAL ASSESSMENT FORM**

For UNLISTED ACTIONS Only

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

<p>1. APPLICANT /SPONSOR <i>Jay + Mary Addison</i></p>	<p>2. PROJECT NAME <i>Jay + Mary Addison Minor Subdivision</i></p>
<p>3. PROJECT LOCATION: Municipality <i>Town of Evans</i> County <i>Erie</i></p>	
<p>4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>1073 Beach Road (aka Eden-Evans Ctr. Rd) Angola, NY 14006</i></p>	
<p>5. IS PROPOSED ACTION:  <input type="checkbox"/> New    <input type="checkbox"/> Expansion    <input checked="" type="checkbox"/> Modification/alteration</p>	
<p>6. DESCRIBE PROJECT BRIEFLY: <i>Dividing a 37.95 +/- acre parcel to create a 35.85 +/- acre parcel + a 2.10 +/- acre parcel</i></p>	
<p>7. AMOUNT OF LAND AFFECTED: Initially <i>37.95</i> acres    Ultimately <i>37.95</i> acres</p>	
<p>8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?  <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    If No, describe briefly</p>	
<p>WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?  <input checked="" type="checkbox"/> Residential    <input type="checkbox"/> Industrial    <input type="checkbox"/> Commercial    <input type="checkbox"/> Agriculture    <input type="checkbox"/> Park/Forest/Open space    <input type="checkbox"/> Other                  Describe: <i>vacant land</i></p>	
<p>10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)?  <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    If yes, list agency(s) and permit/approvals</p>	
<p>11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL?  <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    If yes, list agency name and permit/approval</p>	
<p>12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION?  <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No</p>	
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE</p>	
<p>Applicant/sponsor name: <i>MARY M. Addison</i></p>	<p>Date: <i>4/19/13</i></p>
<p>Signature: <i>Mary M Addison</i></p>	

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

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

Addendum A

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

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

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 Dash  
Print or Type Name of Responsible Officer in Lead Agency

Keith E. Dash  
Signature of Responsible Officer in Lead Agency

Supervisor  
Title of Responsible Officer

Sandra L. Brant, Dir. of Planning  
Signature of Preparer (If different from responsible officer)

5-15-13  
Date

PROJECT I.D. NUMBER

617.20

May 15, 2013

SEQR

Appendix C

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**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 <u>Town of Evans</u>	2. PROJECT NAME <u>Lake Erie Beach Neighborhood Zoning Revisions</u>
3. PROJECT LOCATION: Municipality <u>Town of Evans</u> County <u>Erie</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>Lake Erie Beach Neighborhood, bound by the area shown on the attached map.</u>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>Revise the Town's Zoning Code for the R-2 zoning District to reduce the min. lot area, min. lot width, and min. floor area for a residence within the Lake Erie Beach Neighborhood (zoning revisions attached).</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>680 +/-</u> acres    Ultimately <u>680 +/-</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>Town of Evans</u>	Date: <u>2/8/13</u>
Signature: <u>Sandra R. Brant</u>	

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—ENVIRONMENTAL ASSESSMENT (To be completed by 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 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 EVANES TOWN BOARD  
 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 J. Grant, Director of Planning  
 Signature of Preparer (if different from responsible officer)

5/11/13  
 Date

5/15/13

**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>Town Board of the Town of Evans</i>	2. PROJECT NAME <i>Zoning Ordinance Amendment</i>
3. PROJECT LOCATION: Municipality <i>Town of Evans</i> County <i>Erie</i>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>Throughout the Town</i>	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>Town Code revisions - minor changes to Section 200 - Zoning (200-34, 200-8.1, 200-8.2) 200-9 and 200-16)</i>	
7. AMOUNT OF LAND AFFECTED: <i>Town-wide</i> Initially _____ acres    Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly <i>NA</i>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Describe: <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open Space <input checked="" type="checkbox"/> Other	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No    If Yes, list agency(s) name and permit/approvals: <i>NA</i>	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <i>Town Board of the Town of Evans</i>	Date: <i>2/8/13</i>
Signature: <i>Amanda L. Grant</i>	

**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 TOWN BOARD 5/1/13 5/15/13  
Name of Lead Agency Date

KEITH E. DASH Supervisor  
Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

*Keith E. Dash* *Sandra L. Grant, Dir. of Planning*  
Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from responsible officer)