

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, June 5, 2013 there were:

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

RESOLUTION 2013-256 Approve Minutes

Councilman Feldmann moved and Councilman Cooper seconded to approve the minutes of the May 15, 2013 Town Board meeting and the Work Session of May 29, 2013.

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

Communications

- 1.) Supervisor Dash read a letter from Sandra Brant, Minor Subdivision Review Committee regarding the New Covenant Baptist Fellowship of Evans minor subdivision at 985 Church Rd.

RESOLUTION 2013-257 SEQR declaration for the minor subdivision of New Covenant Baptist Fellowship of Evans minor subdivision at 985 Church Rd.

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 30, 2013, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the New Covenant Baptist Fellowship of Evans, NY, 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 New Covenant Baptist Fellowship of Evans, NY, Minor Subdivision. (Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 220.19-3-7.1 dividing 1.20± acres to create:

1. a .36± acre parcel with 93.81± feet of frontage on Church Road, and
1. a .84± acre parcel with 95.68± feet of frontage on Church Road.

Petitioner: New Covenant Baptist Fellowship of Evans, NY, 985 Church 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 2013-258 Approve the minor subdivision of New Covenant Baptist Fellowship of Evans at 985 Church Rd.

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS, in a letter dated May 30, 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 New Covenant Baptist Fellowship of Evans, NY, Minor Subdivision, a division of SBL# 220.19-3-7.1 dividing 1.20± acres to create:

1. a .36± acre parcel with 93.81± feet of frontage on Church Road, and
2. a .84± acre parcel with 95.68± feet of frontage on Church Road.

Petitioner: New Covenant Baptist Fellowship of Evans, NY, 985 Church Road, Angola, NY 14006.

AND BE IT FURTHER

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

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

2.)Supervisor Dash read the communication from Sandra L. Brant, Minor Subdivision Review Committee regarding the Sally Fite minor subdivision at 1102 Church Road

RESOLUTION 2013-259 SEQR declaration for the Sally Fite minor subdivision at 1102 Church Road

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 30, 2013, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Sally Fite 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 Sally Fite Minor Subdivision. (Addendum B SEQR Short Environmental Assessment Form),

a division of SBL# 220.00-3-17.2, dividing 10.64± acres to create:

- 2. a 6.50± acre parcel with 272.10± feet of frontage on Church Road, and
- 2. a 4.14± acre parcel with 235.12± feet of frontage on Church Road.

Petitioner: Sally Fite, 1102 Church 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 2013-260 Approve minor subdivision for the Sally Fite at 1102 Church Road

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS, in a letter dated May 30, 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 Sally Fite Minor Subdivision, a division of SBL# 220.00-3-17.2, dividing 10.64± acres to create:

- 1. a 6.50± acre parcel with 272.10± feet of frontage on Church Road, and
- 2. a 4.14± acre parcel with 235.12± feet of frontage on Church Road.

Petitioner: Sally Fite, 1102 Church Road, Angola, NY 14006.

AND BE IT FURTHER

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

VOTE RESULT: ADOPTED
 AYES: Feldmann, Cooper, Dash

NAYS: None

3.)Diane Martorana, Director of Corporate Relations Cradle Beach & Michelle Flading, Secretary, Dunlop Riders MTC regarding a fundraising event on July 27, 2013.

Supervisor Dash read the communication from Diane Martorana, Director of Corporate Relations Cradle Beach in support of the Dunlop Riders fundraiser that is proposed to be held at Lake Erie Beach Park on July 27th.

Supervisor Dash referred this communication to the Chief of Police to get this all squared away then a vote can be held to hold this event.

7:10pm Public Hearing for the purpose of considering the issuance of a special use permit for the operation of a commercial kennel for dog boarding, daycare and training facility to be located at 8061 Southwestern Blvd., Angola

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

LEGAL NOTICE
TOWN OF EVANS

Please take notice that a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York on June 5, 2013 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 for the purpose of considering the issuance of a Special Use Permit for the operation of a commercial kennel for dog boarding, daycare and training facility to be located at 8061 Southwestern Boulevard, Angola, NY, 14006 SBL# 222.00-3-14. Petitioner: Susan Schmitt.

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

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

RESOLUTION 2013-261 Open the Public Hearing

Councilman Cooper moved Councilman Feldmann seconded to open the public hearing for the purpose of considering the issuance of a special use permit for Susan Schmitt for the operation of a commercial kennel for the purpose of dog boarding, daycare and training facility to be located at 8061 Southwestern Boulevard, Angola, NY

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

There being no one wishing to speak

RESOLUTION 2013-262 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

RESOLUTION 2013-263 SEQR declaration for the Susan Schmitt special use permit at 8061 Southwestern Blvd., Angola

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS, Susan Schmitt has requested a Special Use Permit for the purpose of operating a commercial kennel for a dog boarding, daycare and training facility located at 8061 Southwestern Blvd, Angola, NY 14006, SBL# 222.00-3-14, and

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

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans adopts these findings and issues a negative declaration in accordance with the SEQRA requirements for the Susan Schmitt Special Use Permit. (Addendum C SEQRA Short Environmental Assessment Form).

AND BE IT FURTHER

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

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

RESOLUTION 2013-264 Approve the Susan Schmitt special use permit at 8061 Southwestern Blvd., Angola

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS, Susan Schmitt has requested a Special Use Permit for the purpose of operating a commercial kennel for a dog boarding, daycare and training facility located at 8061 Southwestern Blvd, Angola, NY 14006, SBL# 222.00-3-14, and

WHEREAS, the Town Board of the Town of Evans conducted a public hearing on June 5, 2013 regarding said Special Use Permit, and

WHEREAS, the Town Board of the Town of Evans has issued a negative declaration as part of the SEQR review process, and

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

1. We have found no apparent significant environmental concerns and recommend a SEQR negative declaration.
2. This project is in compliance with the intent of the Town's Comprehensive Plan and the Rural Agriculture Zoning District.
3. The nature of this business appears to be within the character of the surrounding Area; and

WHEREAS, the Planning Board also recommended that that the following conditions be placed on the approval of this action:

- This Special Use Permit shall be for the overnight boarding of up to 5 dogs and a maximum total of 8 dogs at the facility including training and daycare.
- This Special Use Permit shall be for a one (1) year period. Applicant may apply for renewal.

NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit to Susan Schmitt, for the purpose of operating a commercial kennel for a dog boarding, daycare and training facility located at 8061 Southwestern Blvd, Angola, NY 14006, SBL# 222.00-3-14 , with the above-said two (2) conditions.

BE IT FURTHER

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

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

Privilege of the Floor on Meeting Agenda Items & Other Issues

Nancy Engasser, 451 Eisenhower spoke in regards to the lack of property maintenance of 455 Eisenhower.

Mike Engasser, 451 Eisenhower spoke in regards to the flooding problem on Kennedy Avenue near Ivanhoe and Kenmore.

Michelle Flading, 31 Briggs Ave. Buffalo spoke on behalf of the Dunlop riders who are organizing a fundraising event to benefit Cradle Beach Camp to be held on July 27th.

Committee and Department Head Reports

Councilman Cooper reported that the solar panels have been installed behind the Town Hall. The solar panels at Highway, Water, Senior Center and Town Hall are generating electricity. The next installation is the South Creek Pool.

Lake Erie Beach Vol. Fire Co. will be hosting the town wide disaster training pertaining to disasters and the shoreline on June 23rd involving Brant, Farnham, Eden and Hamburg. The public is invited to attend to view the training.

Supervisor Dash mentioned that there will be a public information meeting with the Windover Waterworks on June 11th at 7pm in the Town Clerk’s Conference Room.

RESOLUTION 2013-265 Town Clerk monthly reports

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

Monthly - May 2013	\$19,045.95
Interest - May 2013	\$ 1.35
Petty Cash - May 2013	\$ -0-
Water Receipts - April 2013	\$131,353.05
Interest - April 2013	\$ 9.89
Water Receipts - May 2013	\$275,754.22
Interest - May 2013	\$ 27.69

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

RESOLUTION 2013-266 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 2013-267 Award bid for Sturgeon Point Bluffs - Phase 1

Supervisor Dash moved and Councilman Feldmann seconded,

Whereas, Bids on the Town of Evans Sturgeon Point Bluffs Phase 1 Project (Contract 13-3) were received and opened on May 24, 2013 at 11:00 AM, in accordance with the Notice to Bidders previously authorized, and

Whereas, Wendel has reviewed the proposal from Titan Development and held a meeting with the President of the company, and confirmed his understanding of the requirements of this project, and

Whereas, the bid for the Base Bid submitted by Titan Development was \$169,750.00,

Now, therefore be it resolved, that the Evans Town Board authorizes the award of the Town of Evans Sturgeon Point Bluffs Phase 1 Project (Contract 13-3) to Titan Development, 8534 Seaman Road, Gasport, NY 14067 contingent upon the Town Attorney's review of the Contractor's Bonds and Insurance's.

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

RESOLUTION 2013-268 Appt of full time Police Officer

Councilman Feldmann moved and Supervisor Dash seconded,

RESOLVED, that Nathan Miller, Angola, NY is hereby appointed to the position full-time Police Officer subject to the Erie County Civil Service Rules, the successful completion of all medical testing, psychological evaluation and background investigation at the salary established pursuant to the Collective Bargaining Agreement effective June 24, 2013.

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

RESOLUTION 2013-269 Appt of 2 Laborers

Councilman Cooper moved and Councilman Feldmann seconded,

RESOLVED: that Daniel Carriero be appointed as laborer in the Parks Department at \$9.00 per hour effective May 25, 2013; and

RESOLVED: that Daniel Frame be appointed as laborer in the Parks Department at the hourly rate of \$8.00 effective May 29, 2013 .

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

RESOLUTION 2013-270 Declare surplus Highway equipment

Councilman Feldmann moved and Councilman Cooper seconded,

RESOLVED, that the Superintendent of Highways is authorized to declare the following items as surplus to be sold at public auction:

- 1) One 1980 John Deere Model # 401B Tractor - Vin # 370215T
- 2) One 2003 Salsco Brush Chipper- Model 813, Item # 0010052-NY.
- 3) Three digging buckets (one 18 inch, one 24 inch and one 5 foot ditch bucket) which the town failed to sell with a Lieb Herr Excavator declared surplus because of high repair costs back in the early 2000's. The buckets are no use to the town.

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

Supervisor Dash thanked on behalf of himself and the entire Town Board Scott Dill of Johnson and Macowiak for his service as Director of Finance and cleaning up the finances that were inherited January 1, of 2012. He has been offered Partnership with Johnson Macowiak and therefore he can not do justice for the job of Director of Finance. He has consented to a smooth transition with the appointment of a new Director of Finance.

RESOLUTION 2013-271 Appt of Director of Finance

Supervisor Dash moved and Councilman Feldmann seconded,

RESOLVED: that the Town Board of the Town of Evans does hereby acknowledge the Supervisor's appointment of Michael P. Kelly as Director of Finance effective June 3, 2013 at the annual salary of \$62,000.

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

Supervisor Dash Aye

RESOLUTION 2013-272 Fire Alarm contract

Councilman Cooper moved and Supervisor Dash seconded,

RESOLVED: that the Supervisor is authorized to sign the Fire Alarm contract with TYCO/SimplexGrinnell from February 1, 2012 to January 31, 2015 at a cost not to exceed \$543.00 per year.

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

RESOLUTION 2013-273 Rename Angola Fire Control

Supervisor Dash moved and Councilman Cooper seconded that resolution #7 on tonight's agenda regarding the renaming of Angola Fire Control be placed under Old Business on the agenda.

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

RESOLUTION 2013-274 Uniform Notice of Claims certificate

Councilman Feldmann moved and Councilman Cooper seconded,

WHEREAS, General Municipal Law, # 53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS, General Municipal Law, # 53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town's agent; and

WHEREAS, pursuant to General Municipal Law, #50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate;

NOW THEREFORE BE IT RESOLVED, THAT THE Town of Evans, County of Erie designates Jonica B. DiMartino in her capacity as Town Clerk, to receive notices of claims served upon the Secretary of State at 8787 Erie Road, Angola, New York 14006 and email at townclerk@townofevans.org; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him/her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

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

RESOLUTION 2013-275 Designate Marriage Officers

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS: the State Domestic Relations Law, Section 11-c authorizes Town Boards to appoint Marriage Officers who shall have the authority to solemnize marriages within the Town,

NOW THEREFORE BE IT

RESOLVED: that Town Supervisor Keith E. Dash be and the same is hereby appointed as Marriage Officer pursuant to the foregoing, this appointment to take effect immediately and to end on December 31, 2015 at the expiration of his present term as such Supervisor; and

BE IT FURTHER

RESOLVED: that Town Councilman Paul T. Cooper be and the same is hereby appointed as Marriage Officer pursuant to the foregoing, this appointment to take effect immediately and to end on December 31, 2015 at the expiration of his present term as such Councilman; and

BE IT FURTHER

RESOLVED: that Town Councilman Dennis M. Feldmann be and the same is hereby appointed as Marriage Officer pursuant to the foregoing, this appointment to take effect immediately and to end on December 31, 2013 at the expiration of his present term as such Councilman.

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

RESOLUTION 2013-276 National Safe Boating Campaign

Councilman Cooper moved and Councilman Feldmann seconded,

WHEREAS, Recreational Boating is fun and enjoyable and we are fortunate that we have sufficient resources to accommodate the wide variety of pleasure boating demands, and

WHEREAS, our waterways may become crowded at times and be a place of chaos and confusion, and

WHEREAS, while being a marvelous source of recreation, boating to the unprepared can be a risky sport and not knowing or obeying the Navigation Rules or the nautical “Rules of the Road”, drinking alcohol or taking drugs while operating a boat or choosing not to wear your life jacket when doing so is clearly NOT the smart thing to do, and

WHEREAS, on average 700 people die each year in boating related accidents in the U.S. with approximately 70% of these fatalities caused by drowning, and

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors, and

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jacket, and

WHEREAS, today’s life jackets are more comfortable, more attractive and more wearable than styles of years past and deserve a fresh look by today’s boating public,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans, does hereby support the goals of the North American Safe Boating Campaign and proclaim May 18- May 24, 2013 as National Safe Boating Week and the start of the year-round effort to promote safe boating.

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

RESOLUTION 2013-277 Town Licenses

Supervisor Dash moved and Councilman Cooper seconded,

Licenses:

- Michael & Deborah Slawinski - Fireworks
- William J. Connors D/B/A Connors Hot Dog Stand - Refreshment
- Alex Whittinghill - Special Event Live Band

RESOLVED, that the aforesaid licenses be hereby granted pending the receipt of the report of the Chief of Police and of the Department of Health where appropriate.

VOTE RESULT: ADOPTED
AYES - Feldmann, Cooper, Dash

NAYS - None

RESOLUTION 2013-278 Audit of Bills

Councilman Cooper moved Supervisor Dash seconded that all properly audited bills be paid out of their respective accounts per abstract dated May 15, 2013 for the June 5

Date: 5/15/2013
 Abstract No. 10
 Voucher No. 753-851
 Prepaid:

General	\$102,259.94
Part Town	16,614.21
Highway DA	0
Highway	26,230.20
Water	31,542.06
Capital Projects	5,960.92
Special Districts	168,919.77
Debt Service	0
Community Development	0
	<hr/>
	\$351,517.10

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

RESOLUTION 2013-279 Adjournment

Supervisor Dash moved and Councilman Feldmann seconded that tonight's meeting be adjourned to Tuesday, June 11, 2013 at 7:00pm for the Windover Water Works meeting and Wednesday, June 12, 2013 for a Town Board Work Session at 6:15pm, then to Wednesday June 19, 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

PROJECT I.D. NUMBER

617.20

Addendum A
June 5, 2013

SEQR

Appendix C

page 1 of 2

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>New Covenant Baptist Fellowship of Evans, NY</i>	2. PROJECT NAME <i>New Cov. Baptist Fellowship of Evans Minor Subdivision</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>485 Church Road across from Walkers Rd (previously Scott St.); 325 +/- St. Snow N. Main St.</i>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>Subdividing a 1.20 +/- acre parcel to create a .36 +/- parcel and a .84 +/- acre parcel.</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>1.20 +/-</i> acres Ultimately <i>1.20 +/-</i> 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 checked="" type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: <i>vacant land</i>	
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: <i>MICHAEL TOMCZAK</i>	Date: <i>5-3-13</i>
Signature: <i>[Handwritten Signature]</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—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 Board of Town of Evans
 Name of Lead Agency

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

Yuth E. Daste
 Signature of Responsible Officer in Lead Agency

Supervisor
 Title of Responsible Officer

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

6-5-13
 Date

PROJECT I.D. NUMBER

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>Sally Fite</i>	2. PROJECT NAME <i>Sally Fite Minor Subdivision</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>1102 Church Rd, Angola, NY 14006</i>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>Dividing a 10.64 +/- acre parcel to create a 6.50 +/- acre parcel and a 4.14 +/- acre parcel.</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>10.64</i> acres Ultimately <i>10.64</i> 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 type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input checked="" type="checkbox"/> Other Describe: <i>vacant land</i>	
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: <i>SALLY FITE</i>	Date: <i>5-16-13</i>
Signature: <i>Sally Fite</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—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 Board of 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. Brant, Director of
 Signature of Preparer (if different from responsible officer)

6-5-13
 Date

Planning

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>Susan Schmitt</i>	2. PROJECT NAME <i>FurryKids Kennel and Daycare SUP</i>
3. PROJECT LOCATION: <i>8061 Southwestern Blvd</i> 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>8061 Southwestern Blvd</i> Located between intersections of <i>Angola NY 14006</i> <i>RT 20 + Versailles + RT 20 + Sturgeon Point</i>	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>Existing building to be used for Dog Boarding / Daycare / Training</i>	
7. AMOUNT OF LAND AFFECTED: Initially <i>less than 1</i> acres Ultimately <i>less than 1</i> 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 type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input checked="" type="checkbox"/> Other - <i>vacant</i> Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: <i>Special Use permit from Town of Evans</i>	
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(s) name and permit/approvals:	
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>Susan Schmitt</i>	Date: <i>3/25/13</i>
Signature: <i>Susan Schmitt</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 Board of Town of Evans
Name of Lead Agency

6-5-13
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)