

APPENDIX F PUBLIC INFORMATION MEETINGS AND PUBLIC HEARINGS

**TOWN OF EVANS
LOCAL WATERFRONT
REVITALIZATION PROGRAM**

HELP US PLAN FOR YOUR FUTURE

Economic Development
Flooding and Erosion
Public Access

Water Quality
Community Character
Visitorship/Tourism



Water and Sewer Services
Parks and Recreation

Scenic Resources

PUBLIC INFORMATION MEETING
MAY 12, 2009 at 7:00 PM
AT LAKESHORE HIGH SCHOOL
MEDIA CENTER

*COME AND PROVIDE YOUR INPUT TO
HELP GUIDE THE FUTURE OF THE WATERFRONT*

Town of Evans
Local Waterfront Revitalization Program (LWRP)
Public Information Meeting
Lake Shore High School Media Center
Tuesday, May 12, 2009 • 7 p.m.

Welcome & Introduction: Sandra Brant, Director of Planning

- Brief history
- Purpose and importance of the LWRP
- Introduction of Wendy Salvati

Presentation: Wendy Salvati, Planning Consultant

- Current LWRP on record is from 1986; over 20 years old.
- Waterfront Advisory Committee introduced –
 - Fran Pordum, TOE Supervisor (not present)
 - Russ Manguso, TOE Parks (not present)
 - Maureen Andrews, TOE Parks
 - William Houston, TOE Economic Development Board
 - James Manning, TOE Recreation Advisory Board
 - David Sippel, TOE Sturgeon Point Advisory Board
 - Joseph Mackenburg, TOE Conservation Advisory Board
 - Donald Maglich, TOE Citizen Representative
 - Valeria Ivan, NYSDOS (not present)
 - Rachael Chrostowski, ECDEP Planner
 - Thomas Dearing, ECDEP (not present)
 - Andy Giarrizzo, NYSHPO (not present)
 - Steven Doleski, NYSDEC – Outside Resource (not present)
- Committee split boundary into 3 areas.
- Modified boundary 3 – now begins at Lake Shore Road vs Rt. 5. It was felt that inland should be governed by the Town's Comprehensive Plan.
- Meeting is to hear public input on LWRP only; let's be tolerant of each other's opinions.
- What is your vision?

Open Floor to Public

- Wendt & Bennett Beaches underutilized – where do they fit into the plan?
- Where is there a copy of the Town's existing LWRP? *Planning Office.*
- Does this have anything to do with the Horizon plan?
- When was the last time the Federal Wetlands were updated?
- When will we see the new LWRP?
- Are we making a plan to make a plan or will it be utilized? What are we doing?
- Can we make sure this document doesn't just sit for another 20 years?
- Make sure plan allows for things to happen.
- What, if anything, was accomplished with the old LWRP?
- It is difficult to comment when old LWRP isn't available.
- Too much money is spent on plans that are not utilized.
- Open Wendt Beach.
- We need to bring people to our beaches? The Town has two great parks.
- Town doesn't own the beaches, the County does.

- Can the Town negotiate with the County to lease these parks and be good stewards?
- Drive-In is mentioned in the Comprehensive Plan, yet it is gone.
- Grandview Bay has a problem with beach access.
- The Town should develop an Advisory Committee that incorporates representatives from all the different regions.
- If someone is on an Advisory Committee would they then be on the Development team?
- Is there any undeveloped land on the lakefront?
- Concerns about condominiums or other tall building blocking lake views.
- Guidelines should be set forth for scenic views.
- Should identify scenic areas.
- Maintenance of beaches should be included in the LWRP and assistance provided by the Town:
 - Town should stop refuse and burning on the beaches
 - More refuse can are needed & need to be emptied more than once a year.
- Town should look into possible low-cost maintenance help:
 - Ameri-Corps
 - School Community Service
 - Prison Inmates
- Sand dunes should be preserved – no building done on them.
- More strict building codes should be explored – size, height etc. of buildings in lake area.
- The Town has a unique opportunity for students, with AJS being near the water – it should be encouraged.
- Erosion areas were defined:
 - Highland, Tyler Road – drainage issues
 - Point Breeze Drive – drainage/flooding
 - End of Beach Road - flooding
 - Wendt Beach – shoreline erosion.
- Continue to pursue the Hike/Bike path. *Gifford provided and update and explained set-backs.*
- Should the community get involved to help facilitate the movement of the Hike/Bike path – letters?
- Many residents are concerned about the quaintness of the community.
- Town support for different community group activities should be encouraged.
- Beautiful beaches and Parks – promote tourism.
- LWRP should support business; places to eat, sleep and shop. Give people a reason to stay here.
- There should be more boat launches, not just Sturgeon Point and Point Breeze to support tourism
 - Fishing tournaments
- A boat launch should be available where small boats could be carried into the water.
- Promote craft shows, food festivals etc. in the lake area.
- A right to beach access should be included in LWRP – some people have become territorial.

Conclusion

- You may send additional surveys to the Planning Office; they will be utilized and shared with the Waterfront Advisory Committee.
- Draft will likely not be available until the end of the year.
- Another public meeting will take place.

LWRA ACTIVE HOMEOWNERS ASSOCIATIONS

Grandview Bay Community Association

Roat Acres Community Association

Seymour Terrace Community Association

Shore Meadows Community Association

LWRA BUSINESS COMMUNITY

Castaways Waterfront Bar & Grill – Lake Erie Beach Community

Just Pizza – Lake Erie Beach Community

Mickey Rat's/Captain Kidd's – Grandview Bay Community

Pat's Pizzeria – Lake Erie Beach Community

Point Breeze Campground – Lake Erie Beach Community

Scott Brown, Attorney – Lake Erie Beach Community

South Shore Beach Inn – Grandview Bay Community

Stroh's Tavern – Lake Erie Beach Community

October 28, 2009

Grandview Bay Community Association
Mr. Ben Little, President
P.O. Box 207
Angola, NY 14006

Dear Mr. Little,

The Town of Evans is in the process of updating the Local Waterfront Revitalization Program (LWRP), which was originally prepared and adopted in 1986. The LWRP is essentially a comprehensive Plan that addresses the use, protection and enjoyment of the waterfront. (We have attached some brief information about the LWRP; the existing document can be viewed at the Town Planning Office).

To assist with the update of the LWRP, the Town's Waterfront Advisory Committee is seeking public input. We recognize the role of shoreline associations and committees and are interested in meeting with one or two representatives from your organization. The purpose of this meeting is to discuss issues and opportunities that you feel should be considered as part of the planning process for updating the LWRP. We encourage you to collaborate as a group to discuss this project and identify the appropriate parties to represent you at this meeting. If interested, please contact the Town of Evans Planning Office at 549-0945 at your earliest convenience to schedule this meeting. As we are scheduling a number of these stakeholders' meetings, we don't expect the individual meetings to last more than 30 minutes.

Please review the attached materials and consult with your membership to identify what you think is important for achieving a future vision for the waterfront. This vision could be anything from maintaining the existing character and quality of the area to more progressive ideas for change to improve the area. We are providing you this opportunity and hope to gain your insights to make the updated program more representative.

We look forward to speaking with you soon to discuss this matter further and to set up a meeting.

Sincerely,

Sandra L. Brant
Director of Planning

October 28, 2009

Castaways Waterfront Bar & Grill
Mr. William Holland
188 Kennedy Avenue
Angola, NY 14006

Dear Mr. Holland,

The Town of Evans is in the process of updating the Local Waterfront Revitalization Program (LWRP), which was originally prepared and adopted in 1986. The LWRP is essentially a comprehensive Plan that addresses the use, protection and enjoyment of the waterfront. (We have attached some brief information about the LWRP; the existing document can be viewed at the Town Planning Office).

To assist with the update of the LWRP, the Town's Waterfront Advisory Committee is seeking public input. We recognize the role of shoreline associations, committees and waterfront business and are interested in meeting with one or two representatives from your organization. Please review the attached materials to identify what you think is important for achieving a future vision for the waterfront. The purpose of this meeting is to discuss issues and opportunities that you feel should be considered as part of the planning process for updating the LWRP.

By providing you this opportunity, we hope to gain your insights to help make the updated program more representative. If interested in meeting with us, please contact the Town of Evans Planning Office at 549-0945 at your earliest convenience to set up this meeting. As we are scheduling a number of stakeholders' meetings, we don't expect the individual meetings to last more than 30 minutes.

We look forward to speaking with you soon to set up a meeting and discuss this matter further.

Sincerely,

Sandra L. Brant
Director of Planning

**TOWN OF EVANS
LOCAL WATERFRONT
REVITALIZATION PROGRAM**



***2nd PUBLIC
INFORMATION MEETING***
June 3, 2010 at 7:00 PM
**AT THE EVANS MUNICIPAL
CENTER**

***PROVIDE YOUR INPUT ON THE FINDINGS AND
RECOMMENDATIONS FOR THE LWRP***

***For more information go to
www.townofevans.com***

EVANS LOCAL WATERFRONT REVITALIZATION PLAN

PUBLIC INFORMATION MEETING

JUNE 3, 2010 · 7:00 PM · TOWN HALL COURT ROOM

Evans Town Supervisor Fran Pordum and Sandy Brant, Director of Planning, introduced Wendy Salvati from Wendel Duchscherer. Ms. Salvati stated that the last update of the Evans Local Waterfront Revitalization Plan (LWRP) was completed 24 years ago, in 1986, and therefore it is necessary to revise the plan to reflect current conditions in the waterfront area. The Town recognizes the importance of public participation in updating this plan.

In 2009, a committee was formed to work on the update of the LWRP, in accordance with state guidelines and regulations. The first public information meeting on the update process was held in May 2009, where the committee heard many helpful comments that were incorporated into the draft plan.

Since the first public information meeting, the committee has reviewed and refined the State Coastal Management Program. The committee identified proposed actions, goals, and objectives of the LWRP. The Boundary that was established in 1986 remains nearly the same, with the addition of areas along significant stream corridors (Eighteen Mile Creek and Big Sister Creek) in the Town. An inventory and analysis of current conditions was done, which will be available on the Town's website in draft format. Once finalized, this will be updated on the website as well. The committee also reviewed the state's coastal management policies, as well as additional sub-policies that were added in 1986. The out-of-date policies were removed or revised, and new information was added. These policies are the backbone of the LWRP document. The draft LWRP also contains a description of proposed land and water uses, as well as proposed projects. This section is important because it identifies areas within the Local Waterfront Revitalization Area (LWRA) where the policies can be implemented and will help to secure funding. The Implementation Actions section includes the legal items that need to be amended (i.e. zoning code, local laws), and describes other studies that are being done. The LWRP will also contain a list of agencies that are affected by the LWRP, and a description of public involvement in the LWRP update process. Once the Department of State approves the draft plan, it can be shared with the public, for review and comment.

Ms. Marie O'Connor stated that at the first public information meeting, the public suggested that the committee reach out to local stakeholder groups to obtain their input on the LWRP. Ms. O'Connor inquired if this was done. Ms. Salvati stated that the committee contacted homeowners associations and businesses in the LWRA by mail, providing opportunities for these stakeholders to voice their opinions and concerns regarding the LWRP update. The committee did not receive a response from any of the groups or businesses that were contacted.

Ms. Salvati reviewed the *Inventory and Analysis of Existing Conditions* document that was distributed, and requested feedback on any item that was included, and asked for any additional comments that may have been overlooked.

Ms. Carol Matson noted that the 7th bullet in the *Assets and Opportunities* section stated that there is capacity at the Erie County wastewater treatment plant to accommodate future development in the LWRA, but the bullet does not acknowledge the overflow problems during storm events. Ms. Salvati explained that the issue is described in the *Issues and Concerns* section of the document, and must be addressed by the County. The DEC is already attempting to mitigate the impact of increased stormwater infiltration into the sewer system by requiring mitigation as a trade-off for adding to sewer capacity.

Ms. O'Connor also mentioned that she is concerned about pungent odors emanating from the wastewater treatment plant.

Mr. Bob Palmer stated that along Big Sister Creek all possible access points have been explored and the dredger is available if needed. He also stated that the hike and bike trail is great, and Purvis Landing would be a great location for a car top launch. Mr. Palmer believes that horse stables at Wendt Beach are an inappropriate use, the

resultant horse feces on the beach is undesirable, and there are other plenty of other locations within the Town for equestrian uses. Mr. Palmer would also like for Wendt Mansion to be open to the public. Ms. Salvati stated that other similar places, like the Glen Iris Inn in Letchworth State Park, the facilities are leased, and the renter maintains and operates the facility and the proceeds are given to the County.

Mr. David Stout has concerns about the height of manhole covers. Many of them are significantly lower than the pavement surface.

Ms. O'Connor stated that she disagrees with the 10th bullet in the *Assets and Opportunities* section that states the banks of the stream corridors within the LWRA have not been impacted by development. She believes that there has been a great deal of development impact to Delaware Creek. This has increased stormwater flow, and erosion. She stated that this applies to the area where Fern Brook meets Waterman Road.

Ms. O'Connor also stated that the 12th bullet indicates that failing septic systems were a source of pollution, but recent studies have not substantiated this claim.

Ms. O'Connor is concerned that the fresh water feed breaks numerous times per year. This feed is the one that supplies the Angola District. These are the oldest pipes in the area.

Mr. Paul McNaughton asked, with regard to inflow and infiltration, if the storm sewer was connected to the sanitary sewer. Ms. Salvati explained that it was not, and that stormwater manages to get into the sanitary sewer system from improper connections from some homes' roof drainage into the sanitary sewer system, and by other means.

Ms. Salvati reviewed the maps that were distributed. These maps indicate which properties are included in the LWRA, and also points out key features and land uses. No one in attendance commented on the maps.

Ms. Salvati reviewed the hand out of proposed Town projects and studies.

The first project discussed was Sturgeon Point Bluffs and Marina Improvements. Mr. Ed Conboy inquired whether a survey had been done for the area behind the marina by the bluffs. A Town Board member in attendance stated that the town had hired Manguso and Wendel.

Ms. Matson stated that consideration should be given to the location of the Erie County Outfall when discussing expansion of the marina. Sand deposition and dredging must also be considered here, because the marina's location on a point results in excessive amounts of sand. It must also be noted that sand movement can negatively affect the bluffs. Digging to make the marina deeper could be problematic and Ms. Matson is unsure of how that would be done. Ms. Matson also has concerns about the safety of swimmers to the west of the marina is unsafe due to the crosscurrent. Ms. Salvati asked Ms. Matson if she would support the enlargement of the marina if it were feasible. Ms. Matson stated that it would be expensive to engineer and maintain, and she wonders if the money could be recouped. Right now, repair should be a priority, as rocks are falling in now. Ms. Matson later indicated that the nesting schedules and behaviors of the cliff swallows should be considered when changes are made to the sand around the marina.

The second project discussed was the Evans Multi-Use Trail. Mr. Conboy stated that he supports the trail, as long as it is designed properly by engineers, and placed on the correct side of the road.

Ms. Salvati discussed the proposed improvements to the terminus of Wendt Road. Mr. Conboy asked if the right-of-way was large enough for what is proposed. Ms. Salvati said that the parks superintendent stated that there should be sufficient space for a few parking spaces.

The proposed improvements to Purvis Landing were reviewed. Mr. Conboy stated that this is similar to what is proposed for the terminus of Wendt Road, and is more accessible, but parking at Purvis Landing is insufficient. Ms.

Salvati says that improvements to this site are feasible. Ms. O'Connor stated that the proposed improvements were once in place at Purvis Landing, but maintenance is cost prohibitive, which is why the improvements were removed and the area was set up as it is today. Ms. O'Connor also stated that the proposed boardwalk structure that would improve handicap accessibility would not be well supported by the small parking area. A handicap accessible van or vehicle would not be able to park here. Ms. Salvati stated that the committee will consider this and remove recommendations that are not feasible.

With regard to the proposed improvements to mitigate flooding at Fern Brook, a town resident in attendance inquired where the handicap accessible dock would go. Ms. Salvati stated that the parks superintendent has identified an area where the dock would be appropriate.

Ms. Brant explained that the feasibility and appropriateness of all proposed projects will be explored if funding for such projects becomes available.

Mr. Conboy inquired about proposed beach cleanup. Ms. Salvati said that Lake Erie Beach and the Town Park are cleaned. Mr. Palmer asked about the disposal of the materials that were collected from the beach, and if this would be considered composting or solid waste disposal. Ms. Salvati stated that if beach cleanup projects were implemented, those details would be explored at that time.

Mr. McNaughton suggested that providing cleanup of the old bits of concrete that are strewn about the beach would be helpful, as many residents are not aware of proper disposal avenues for that sort of material. He believes this would significantly improve the quality of the beaches.

Mr. Ed Schneider suggested that the Town Park may be appropriate for a car top launch facility.

Ms. Salvati described the proposed local laws and amendments necessary to implement the LWRP. A town resident in attendance requested that parks should be zoned as "parks" (not recreational facilities). He feels that this vague language is problematic and results in the sale of parks, etc.

Ms. O'Connor requested clarification in the zoning designations of Public Facility (PF) and Recreational Facility (RF) zoning. Ms. Salvati and Ms. Brant described each zone and suggested that further information on each zone is available in the zoning code.

A town resident in attendance asked if anything is being done upstream of Big Sister Creek to prevent infiltration. Ms. Salvati stated that she is not sure, but identifying this as an additional action necessary to implement the LWRP, will make it possible to securing funding for these improvements.

A discussion was held about the current ownership of the former Angola Water Treatment Plant. Residents in attendance asked if it would be easier to revitalize if it were owned publicly. Ms. Salvati said that if the property were owned privately, revitalization can take place using private funding, and the property will be back on the tax rolls.

Mr. Stout stated that he disagrees with the County Parks Master Plan's suggestion of moving the ingress/egress point to Bennett Beach Park.

Ms. Salvati explained the upcoming steps in the LWRP update process: The comments obtained at the public information meeting will be addressed. The draft of the LWRP document will be sent to the Department of State for approval. The town will then adopt the plan, and a 60-day review by other agencies will take place. The State Environmental Quality Review (SEQR) will commence and will run concurrently with the 60-day review, and a public hearing will be held (at which point the public will have the opportunity to review and comment on the full draft of the document). Once these review periods are complete, any comments received will be addressed, the document will be revised, the Town will adopt the LWRP. Lastly, the LWRP will be sent to the Department of State for approval, and the National Oceanic and Atmospheric Administration (NOAA) for certification.

Town of Evans

LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)
PUBLIC MEETING

THURSDAY, JUNE 3RD - 7 PM - TOWN HALL COURT ROOM

Name	Address
Bill Houts	11 Glen Ave Angola NY 14006
S. J. Steenberg	190 Dawn Ave Angola, N.Y. 14006
Michael Steenberg	190 Dawn Ave Angola, N.Y. 14006
DAVID SIPPEL	368 LAKESIDE 14006
BOB & JUDY PALMER	1180 EDEN EVANS GRDS EDEN 14057
JERRY RUHL	607 LARKIN ROAD, DERBY 14047
Ed Conway Jr	8168 Hillside St. Evans 14006
DON MABLICH	874 SURGEON PT. RD.
Maryann Conrad	1201 Peppertree Dr. Derby
WAGNE FRACCICA	9759 Redwing St. Angola N.Y. 14006
FRS	9770 LSR " 14005
Marie O'Connor	8818 Lake Shore Rd Angola NY
Art O'Leary	Coast St Angola NY
Kathleen Zagutis	7623 Lake Shore Rd. Angola NY
AL Schallma	450 Lakeside Rd
Paul & Nancy McLaughlin	9194 Lakeside Rd.
Ed Schneider 3	

Town of Evans

LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)
PUBLIC MEETING

THURSDAY, JUNE 3RD - 7 PM - TOWN HALL COURT ROOM

Name	Address
E. U. Waddell	600 Wilson Hwy Angel, NY
E. U. Waddell	600 Wilson Hwy
David Stout	354 Lakeside Rd

Town of Evans

**LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)
PUBLIC MEETING**

THURSDAY, JUNE 3RD – 7 PM – TOWN HALL COURT ROOM

Name	Address
M. Alan Seiner	7321 LAKE CREST DR

TOWN OF EVANS
TOWN BOARD PUBLIC HEARINGS ON THE AMENDMENT OF THE
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP) AND
ADOPTION OF THE WATERFRONT CONSISTENCY REVIEW LAW
MARCH 29, 2011

TOWN BOARD MEMBERS PRESENT: Keith Dash, Councilman
Paul Cooper, Councilman
Francis Pordum, Supervisor

ALSO PRESENT: Sandra L. Brant, Director of Planning
Wendy Salvati, Planning Consultant – Wendel Companies
Donald Maglich, Waterfront Advisory Committee member
James Manning, Waterfront Advisory Committee member
Rachel Chrostowski, Waterfront Advisory Committee member
Jonica DiMartino, Town Clerk

Supervisor Pordum opened the meeting at 7:00 P.M. The meeting took place at the Evans Municipal Center, Erie Road, Angola, NY 14006.

Supervisor Pordum: I'd like to welcome everybody and thank you for attending today. We look forward to your comments on the preliminary LWRP and for you to share your thoughts with us. Before we go any further I'd like to call the Public Hearing to order and introduce Sandy Brant who will be taking care of the Public Hearing.

Mrs. Brant: I will ask that the Town Clerk read the legal notice for the LWRP Public Hearing.

Ms. DiMartino: 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 Tuesday, March 29, 2011 at 7pm at the Evans Town Hall, 8787 Erie Road, Angola, NY 14006 to receive public comment on the draft amendment to the Local Waterfront Revitalization Program. A draft copy of the proposed amendment is available on the Town's website: townofevans.org or at the Town Clerk's office and the Planning Office to review or pick-up during normal business hours, Monday-Friday from 8 a.m. to 4 p.m. and Wednesday from 10 a.m. to 6 p.m. 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, Town Clerk.

Mrs. Brant: Thank you. Before we begin the presentation for this evening, I would like to do some introductions. First of all I would like to introduce the Town Board: Supervisor Pordum, Councilman Cooper and Councilman Dash. I would also like to introduce the Waterfront Advisory Committee. This is a committee of people who have worked tirelessly, many hours of reading, a lot of meetings; this has been going on since the summer of 2008. The committee's diligence, their expertise, their knowledge of our community has been very important in our being able to create this document and the Town is very appreciative of their work. Some of them are in attendance this evening: Don Maglich, whose affiliation is as the citizen representative; Jim Manning, his affiliation is with the Recreation Advisory Board; Bill Houston, with the Economic Development Committee, was going to be in attendance, but I don't see him here this evening. The rest of the committee that is not here this

evening is: Joseph Mackenburg with the Conservation Advisory Board; Russ Manguso with the Parks Department and David Sippel with the Sturgeon Point Advisory Board. Also from the agencies that were very helpful to us and they provided many, many hours of their time as well: Thomas Dearing from Erie County Department of Environment and Planning and Rachel Chrostowski, who is here with us this evening and is also with Erie County Department of Environment and Planning. Another gentleman, Andrew Giarrizzo worked with us from the New York State Parks office in Niagara Falls. As an outside resource, Steven Doleski, before he retired, from New York State Department of Environmental Conservation who was always there to answer any questions or thoughts that we may have had that he could provide information for us, and we are grateful for that. We are still working with representatives from the DEC, but it is with different department representatives. Next I would like to introduce Wendy Salvati from Wendel Duchscherer, our Planning Consultant. Wendy also deserves much thanks and much praise for her expertise, her knowledge and all of her assistance throughout this entire process. Again, the Waterfront Committee and the Town is very appreciative of her efforts. Also, we need to thank the Town Board for their support throughout this project, to give us that confidence to keep us moving along in the right direction. As far as meeting format, for everyone's information, the Town Board will not be taking any action on either of these items this evening. The public comment period for each will remain open until May 9, 2011. If you are a speaker, please pay close attention to items 1 through 4 on the hand-out, as we will be following that format closely tonight. With all of this being said, I am going to re-introduce Wendy, who will conduct a short slide presentation.

Ms. Salvati gave a short slide presentation (see attached)

Mrs. Brant: Thank you Wendy. At this time I would like to ask the Town Clerk to please read the Public Hearing notice for the Consistency Review Law and then we can run these hearings concurrently.

Ms. DiMartino: 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 Tuesday, March 29, 2011 at 7:15pm at the Evans Town Hall, 8787 Erie Road, Angola, NY 14006 to consideration the adoption of Proposed Local Law #1 of the year 2011 which would amend/replace Local Law #9 of the year 1986 and any amendments thereto Town Code Chapter 98 commonly known as the Environmental Quality Review. A draft copy of the Proposed Local Law is available on the Town's website: townofevans.org or at the Town Clerk's office and the Planning Office to review or pick-up during normal business hours, Monday-Friday from 8 a.m. to 4 p.m. and Wednesday from 10 a.m. to 6 p.m. 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, Town Clerk.

Mrs. Brant: At this time I am ready to open the public comment period. I will use the sign-in sheet and call each speaker in the order that their name appears on the sheet. Each speaker will then have 3 minutes to speak regarding the Proposed LWRP Amendment. If you wish to address the Proposed Consistency Law as well, then you will be given another 3 minutes. If you can do it all in 3 minutes, that's fine too. Know that we, and by we I mean the Town Board, the Waterfront Advisory Board, Wendy and I, will be listening for valid and substantive comments that will improve our LWRP document and the related Consistency Review Law. At this time I am going to ask Ed Conboy, Jr. to step-up. Please use the microphone and state your name and address for the record.

Edward J. Conboy, Jr., 8168 Hillside Street: Thank you Sandy. I would first like to comment on the LWRP document. Anything that is built should be based on a lot of true facts and go forward.

- There is a statement in Section II, page 26 – Former Angola Water Treatment Plant. The statement reads “the site is owned and operated by the Village of Angola and is now in private ownership.” What kind of statement is this? It is both contradictory and very confusing. How does one define ownership? According to public records, the deed is held by the Village of Angola. At a previous meeting, the consultant was asked who the private owner is. They were informed by public officials in attendance, not to divulge that information. There is a contract for sale on the property; this contract was signed several years ago. The signer of that contract is Paul Erickson. Apparently due to financial situations he could not continue the closer of the deal. In early March, 2010, the Village Board of Angola voted to transfer the interest of Paul Erickson on this contract to a family member. The consultant was informed previously that the former water works was still owned by the Village of Angola. If the consultant has not done her homework, a search of public deeds in County Hall will see a deed recorded July 27, 1911, Liber 1194, page 306, that the Village of Angola owns this property.
- Something that is not in the report; Section II, page 36 Wendt Beach County Park. Wendt Beach is a 170 acre multi-purpose park in Sub-Area II which offers beach related passive activities and active recreational activities. The County charges a nominal fee for usage of this Park or Bennett Beach County Park on the weekends. I remember when the County charged a parking fee for use of the County Parks on weekends, but I cannot remember how many years ago that it was, but it certainly is not today, or in the very recent memory. With errors like this in the report, how can the Town, pay the consultant for doing poor work? How can the Town consider forwarding this to the NYSDOS?

Proposed Local Law No. 1 will replace Local Law No. 9. I would like to take this opportunity to comment on Proposed Local Law No. 1 of 2011. This proposed law was found on the Town of Evans website under Public Notice, Public Hearing to be held tonight: “Authority and Purpose: The purpose of this local law is to provide a framework for the agencies of the Town of Evans (Town) to incorporate the policies and purposes contained in the Town of Evans Local Waterfront Revitalization Program (LWRP). Definitions: A. "Actions" include all the following, except minor actions:”

- This is where the proposed law becomes unacceptable. Up to this point the Proposed Law has words and proposed actions that appear to protect the Environment and assist in implementing the Proposed Local Waterfront Revitalization Program. Unfortunately, the proposed draft Amendment to the LWRP is full of apparent flaws and inconsistencies.

“Minor actions” include the following actions, which are not subject to review under this chapter:” One of the minor actions not subject to review is “interpreting an existing code, rule or regulation;”

- This appears to allow the Town Government to allow everything they do to be outside of the Quality Review. It will allow all actions to be implemented without any Quality Review or a SEQR being conducted. All “actions” will have a Negative Declaration.
- The Town Officials and Employees excel in “interpreting” the Town Code. I own a small house in size, not assessment. A neighbor four lots away owns a large house and large land. This property owner built a garage 24’ x 36’ x 16’. This structure allows the parking of up to three vehicles on the ground level and has an apartment on the second level. According to the Town Building Code, an accessory structure is allowed to be built as long as it is less than 950 square-feet of building area. That is the length times the width horizontally projected. This is defined in the Town Code. When I presented my plans for constructing my accessory building with the same dimensions I was told that I needed to apply for a variance. But I explained to the Code Enforcement Officer that I met the requirements of the Town Code. He said “I know

that is what it says Ed, but that's not the way we interpret it." I asked how did my neighbor manage to receive approval to build the same structure that I wished to. The Code Enforcement Officer asked me "Don't you think he has a lot of money?" I don't know what he meant. Enough said on that.

- Now I present another interpretation by the Town's Code Enforcement Officer. This concerns a business in the Town that is partially owned by former Town Councilwoman, Karen Connors Erickson. I do not know when the Demolition Permit was officially issued for the demolition of the former hot dog stand. I do not know when the Permit was issued for the construction of the present Hot Dog Stand. When applying for a Building Permit most people have to require a building survey.

Mrs. Brant: Mr. Conboy, it's time; if you want to finish your sentence that would be fine. If you like to submit any of that in writing to us; please feel free to give it to us. Or you still have up until the 9th of May if you wish to add to it. Thank you.

Mr. Conboy: Yes, I will. Okay, thanks.

Mrs. Brant: Thank you. Bob Palmer...

Robert Palmer, 1780 Eden-Evans Center Road: Good evening. Several years ago the Federal Government created the Coastal Zoning Management Act of 1972. I have read this document in its entirety and it is very well written. The Town of Evans adopted our Local Waterfront Revitalization Program on December 17, 1986. Prior to the adoption of the Town of Evans LWRP we had five small local boat launches in this Town; Bennett Beach, I've got documentation on that; Wendt Beach, I've got documentation on that; Purvis Landing, Wendt Road and Lake Erie Beach. These are now all closed. Our quality of life has dropped and our population has dropped from 17,594 – I picked up the numbers this morning – to 16,356. That's 1,238 less people, and at the same time our taxes went up accordingly. After almost a quarter of a century we have a new draft LWRP by Wendel. The New York State Department of State with funds provided under Title 11 of the Environmental Protection Act. After carefully reviewing the Town's LWRP of 1986 of which I purchased a copy of from the Town on September 28, 2005, I find the document prepared by the Town of Evans, by the County of Erie Department of Environment and Planning was well written. However, I also found that the Coastal policies were not being followed. As an example: Policy 19B - Improve Access Opportunities at Bennett Beach, Sturgeon Point, Marina, Purvis Landing and Wendt Beach Road. Under Policy 19B it states Evans Town Park serves as a Town Park for the Town and County residents. Purvis Landing boat launch and land provides much needed supplemental capacity for boat launching and it is essential that the public access to these facilities be maintained where adequate and improved where needed. Under Policy 19, 1D a reduction of existing levels of public access that includes, but not limited to, the following: number of parking spaces that the public water related recreational resources of the facility is significantly reduced. Now, my wife and I have enjoyed going to Purvis Landing, just to watch the sunset; we use to enjoy other activities before but as we go through the aging process. Another area where the number of parking spaces is also significantly reduced is over at Lake Erie Beach Park. Boulders have been placed over one half of the parking lot. I have complained about this situation many times before Town Board meetings. We use to enjoy driving to Purvis Landing to enjoy the sunset. Lake Erie Beach on a hot summer day the lawn and parking lot is full. We can no longer enjoy stopping at the local restaurants and shops.

Mrs. Brant: Mr. Palmer, excuse me, your time is up. Do you also wish to speak on the Consistency Review Law?

Mr. Palmer: I will, but I will do that later. I also have plenty of documentation here about what happened at Purvis Landing. I've got tons of documentation here.

Mrs. Brant: Anything that you would like to share with us, we are willing to accept.

Mr. Palmer: I would like to sit down and talk this over page by page. There are so many areas here; when I look at the sensitive areas. I think somebody better check the Federal and Local Laws.

Mrs. Brant: Would you like to speak on the Consistency Review Law? I would prefer that you do it now if you don't mind.

Mr. Palmer: I am opposed to amending Chapter 98 Environmental Quality Review to Local Law No. 1. For the following reasons:

- Minor Actions Definition A120; interpreting an existing code. The Town currently follows regulations in the LWRP which are more up-to-date than the Town's law.
- Blocking up Purvis Landing by putting grass in the middle, by selling off park land; are we following these rules? I think you should be checking with the public before we take these types of actions and shut-down these facilities.
- After reading the feasibility statement of the Great Lake Environmental and Safety Consultants and archeological files, and I've reviewed all of them - there are hundreds of pages of reference here, I cannot see how we can get a negative SEQR Declaration after reviewing all these papers on this project without any public input, or very little.
- I would also like to add that the Law include the following statement – the sale of any town property between Old Lake Shore Road and the shores of Lake Erie, be it a paper road or otherwise, be strictly prohibited. Thank you!

Mrs. Brant: Thanks Mr. Palmer. Bill Henry...

William Henry, 1456 Pontiac Road: I would like to comment on the LWRP. I actually read part of the document, but actually I found it more refreshing to do my income tax then to go through this document due to its complexity. The one thing I did notice and it really struck me as a real pressing point. You talk about the quality of life in this Town but in this whole document I fail to see anywhere where you addressed renewable energy in regards to the waterfront and in regards to the use in the future. You talk about the quality of life but yet you fail to address this in this whole document. You did reference windmills with the windmill ordinance, which I must admit is one of the most restrictive in New York State, but then it's the Town's prerogative to have such an ordinance. But if you're going to be talking about the future in this Town and your going to be talking about what needs to be done, you need to talk about keeping people here, keeping the quality of life here, including renewable energy. We don't want to see any more coal plants in this area; 49,000 deaths a year because of coal related illnesses, we don't want to see a nuclear plant any where around here, so we're going to have to depend on renewable energy. No where has it been addressed on geothermal for homeowners. No where has it been addressed on biomass; there is nothing in this document that references that. Thank you.

Mrs. Brant: Thank you Mr. Henry. David Stout...

David Stout, 354 Lakeside Rd.: I have a few statements that may, or may not, be applicable to the document because I haven't read it.

- The Town, in order to assure public safety, should assure that all access ways to public beaches are maintained, free of trees and encroachments. Some are in the hands of homeowners associations and such, but I do think the Town needs to be sure that they can get to the beaches and get people out of the water when they are doing things they shouldn't do.

- Solar-electric pole-mounted raised on land along the shoreline must be allowed to insure that global environment is maintained. There has been at least one decision in this Town, made by the Zoning Board, that we should not allow them along the shore in this Town anywhere and that stinks. It doesn't meet the scientific fact that we need to capture free energy and use it instead of bringing stuff up from out of the ground and causing all the problems we are having with such things.
- The boundary of the coastal zone should be updated on the mapping as shown in this document according to the DEC requirements and needs to be enforced. This comes about because several years ago I went to the Zoning Board and was denied without any justification. The state rule still applies, you could be sued by somebody, that didn't happen, but it does need to be updated.

Mrs. Brant: Thank you Mr. Stout. Cheryl St. George...

Cheryl St. George, 6440 Hamilton Dr.: Good evening. My concern is that proper procedures were not followed for the development of LWRP. Most upsetting to me was establishing partnership with the community was not extensively sought. As one of the hundreds of Highland on the Lake property owners, with supposedly beach access and parkland rights written in our deeds, no one in our area has heard much about revitalizing our waterfront within this LWRP, other than a meeting that I came to, but never heard anything else thereafter. I have several questions in regard to the deed of rights and the proposed LWRP. Before I ask, I would like to read aloud, to the members here what NYS recommends that the Board do while developing an effective and meaningful plan. In the New York State DOS LWRP Guide Book, if that doesn't stop people right there from learning more about what to do and getting involved, the Guide Book highly recommends that the Board establishes partnerships and negotiates any points of contention so there is consensus. Establishing partnerships is one of the keys for this plan. From the beginning of this project you should have been selecting stakeholders who can make the visions of the future of the waterfront a reality. By bringing people together you can create a vision that captures the ideas and interests of a broad constituency of those concerned with the future of the waterfront. I'm going to skip through a lot of this because I didn't realize that we had only 3 minutes – some democracy. You need to form partnerships if you're pursuing goals that will affect other people and organizations. In my neighborhood we are being affected by this. You want a strong coalition that shows our interests are in agreement. I think by the number of people present it is not showing that we are agreeing with this plan. If a small group of concerned citizens with diverse perspectives can agree on the benefits of water revitalization, then a whole community can agree. It does state here, for success in this, you should connect with partnerships along the side of government officials that people, such as property owners in the surrounding areas, residents in the surrounding areas, community and neighborhood groups, non-profits with a stake in the community in the waterfront. Particular attention should be paid to maintaining a strong relationship with neighborhood leaders and community stakeholders.

Mrs. Brant: Ms. St. George, it's time, if you wish to share that with us you may. Please finish up.

Ms. St. George: I would like to finish with a couple of questions please. I'll be quick. I did not realize that we would only be given 3 minutes, if I would have I would have prepared for this a lot different.

Mrs. Brant: You are welcome to give the information to us in writing.

Ms. St. George: But the people here should hear this. Here are my quick questions:

- What regular updates and opportunities to review the plan did you offer? How many workshops, informational meetings, and newsletters did you use to incorporate outreach to

the community? There was a big lacking of outreach. Throwing it on the website and not advertising it is not outreach.

- Why isn't the public access point in Highland inventoried on this proposed LWRP?
- Who from the Highland area is a representative on the LWRP Committee? If there isn't anyone from that area, why isn't there?
- Will the board schedule a meeting just for the Highland residents to share their ideas and have our voices heard before finalizing this proposal?
- Why any public meeting wasn't held in our local area to discuss this waterfront issue, including taking the stairs from the Highland public beach access, that by the way were removed, dismantled without notification or permission from these owners? By the way, who removed these stairs and why? Why were the owners not given an option to repair the stairs before they were torn down and can we rebuild now that the structure is gone? Thank you.

Mrs. Brant: Thank you. Sharen Trembath...

Sharen Trembath, 415 Alfred Avenue: That was great, what she said. I have a couple of questions. The last time we came to one of these things you had panels that kind of told the future and what was happening. I was kind of disappointed because I thought people could see what was happening. What happened to them?

Mrs. Brant: I normally would not answer questions during a public hearing, but I will because it is a process question. Please understand, those were public information meetings, all that information is disseminated through the draft LWRP now. This is not a public information type meeting any more; we are taking comments.

Ms. Trembath: Okay.

- In the past thirty years we've had three occurrences of people wanting to build dumps in the Town of Evans, and I wish there was something in here that would prevent that in the future which also affects the coast as it leaches into the water. I think we should have some comment about no dumps in the future because that's going to come back again.
- I am very concerned about the parks. I think that Wendt Park is being privatized again and we fought very hard a few years ago and I was really surprised to see this in there and I don't understand it. I really tried to figure it out and I hope someone can explain to me what's going to happen with the future of Wendt Park since the Town adamantly told me that the Town had nothing to do with the County Park and now all of a sudden it looks like they are."

Mrs. Brant: Thank you. Ms. O'Connor...

Marie O'Connor, 8818 Lake Shore Road:

Having the documents available for review on the website since February certainly doesn't seem long enough and definitely 3 minutes doesn't seem long enough to comment on it.

- My family has been a part of the lakefront community here in Angola for over 90 years and has experienced the beauty in living along the shores of Lake Erie. For the past thirty years, especially in the last 15 years, we have observed and experienced the ever-growing impact of additional run-off due to development. The detrimental impact to the environment has been a growing saturation of the soil in the area along with escalating flash flood erosion. The affects to individuals to maintain and protect their property has become increasingly costly with little long lasting affect. I myself have been expressing these concerns for better than 25 years. The

irony of all of this is, although it is on paper, it does not appear that we have been in conformity with state and federal regulations, because this condition continues to worsen.

- To move forward without evaluating and remedying the past to a reasonable degree would continue to negatively impact this valuable area. One of two aspects of this affect have to do with the following reasons:
 1. The continual negative declarations for uphill projects issued by the Town; declarations that lack foundation basis and ignore the area residents concerns and valuable input. These declarations deny the evaluation of the true impact on the environment. I think one of these examples is the Lake Erie Beach Plan. It would have been wonderful to have something like this for that particular plan which we were not given an opportunity to comment on in a formal setting like this.
 2. The second is the lack of any Town drainage plans. I may be shooting myself in the foot, because I encourage evaluation that would establish a system that has already allowed, and I mean allowed, exacerbated run-off conditions. I'd rather propose that a drainage map system be established with remediation conformance as part of its development. How can a negative declaration be given when the drainage cannot be assessed? Additionally, I see in the Revitalization Plan, there are some terms which include the manufacturing of Town Parks and subdivisions that exist and also that would be expanded. These are in terms and I have not yet found where they are in the document itself because of its enormity, but this brings up concerns to me because this action would legitimize the negative impacts severely felt.
 3. I have been called a Lorax in the past; I've been called a tree-hugger. The Lorax I welcome, but now I feel like Horton Hears a Hoot.

Regarding the proposed Consistency Review Law: I have to say that in the SEQR, and looking at the SEQR Review process online and included in the Revitalization Plan, the SEQR law just kind of showed all the documentation of it, however I find it very confusing as a person in public who is concerned and has expressed input in my concerns in the value of this Town. It seems to be lacking the clarity of what declares a negative or positive declaration. When I go to the DEC SEQR website some of the lists of components that should be given SEQR review status are now listed differently as non-actions, although they involve land use plans. Again, the Lake Erie Beach Revitalization Plan speaks to, and is dove-tailed into this Lake Erie Beach Revitalization Plan. There are concerns that the plans were given a negative declaration and there are a number of concerns in there that were dove-tailed and be supported by the Lake Erie Beach Revitalization Plan, that would include Federal Wetlands, asphaltting trails along creek beds that substantially impact the environment along those trails, that would substantially impact the drainage within those filled-in wetlands areas with no mediation of drainage beyond those developments.

- I would like to have included, in whatever law that this is going to be replacing what we currently have, the delineation of what would warrant, we've gotten the form, but when I look at that form I cannot understand why it is a negative declaration and why other things have been declared a negative declaration. I agree totally with Ed and Bob. I totally agree with Mrs. St. George about some of her concerns and it has been very frustrating experience to bring concerns regarding the privacy and value of life. Also, with the Lake Erie Beach, again, negative declaration when were talking about asphalt and going through private property and not even allowing privacy fencing or shrubbery to be added. Again, the public hasn't really

had a chance so it would be good to have clarity in either the Lake Erie Beach Revitalization Plan or especially in any kind of law.

Mrs. Brant: Thank you. Mr. Schneider....

Ed Schneider, 9575 Redwing Street: Could you answer a few procedural questions before I get my 3 minutes?

Mrs. Brant: Why don't you do your 3 minutes and make your statements and we'll decide what we are going to answer, because at this point I want to give other people in this room an opportunity to speak.

Mr. Schneider: Aren't I the last one on the list?

Mrs. Brant: No you are not.

Mr. Schneider: Ok.

- Last week I met with Doctor Doug Perrelli at U.B. Archeology, he was surprised that there are all these studies, even relative to the Jeff White studies, and he was kind of surprised that all of his studies weren't included on Bennett Beach as part of your work here. *(CD presented to Town)*
- Lake Erie Beach Park: You don't have the name of that Park spelled right. I don't really care for anything you've got in the plan.
 - 1987 Version of the LWRP, you list the park as 5.3 acres, the current proposed plan is 5.3 acres, but on the maps of the Park in the concept plan .6 acres is missing. Can you explain to me where the .6 acres went? I know you're not answering question.

Mrs. Brant: No, but if you give us the information we will check into it.

Mr. Schneider:

- In the LWRP it mentions that the Park is free and open to the public because it was public money through Horizon. Because of all the deed restrictions this should be included in the final version - free access of use for the enjoyment of the general public that would include the beach as well as everything.
- The Town also put deed restrictions on the property, so there is no reason why it should have been illegally sold to Ted Nowak.
- Every map that has zoning on it, every map that has streets on it, there is something wrong with it. Some of them show all the parks zoned as Recreation and some of them have them as Business. You should go through all your maps and correct them. You actually have streets going through houses that don't exist. The street in front of Mr. Mauer's house doesn't even exist on any of your documentation on here. It shows an attempt by the Town to justify selling more of the Park off.
- I have letters from three different people trying to buy the Park. There's a hand-written note from Wayne Conrad himself recommending it be sold to three different property owners. You haven't addressed the attempts of these people to buy off the park and justify doing it.
- The boundary maps – everything is wrong. You didn't include anybody from Lake Erie Beach in the process.
- This is a copy of the 100 some pages that I sent to the Secretary of State because I think you are trying to sell off the park again.

Mrs. Brant: Let's get them into the record.

Mr. Schneider: My first question:

1. What happens to all the comments? Does this go into the State?

Mrs. Brant: Yes.

Mr. Schneider: What about the printed documentation? Do you summarize that, or do you include it as is?

Mrs. Salvati: It will be included as is.

Mr. Schneider: Another thing is:

- There are all these private access points along the lake and nothings inventoried.
- The Lake Erie Beach Plans show your allowing wetlands to be logged and you've got that scheduled for residential development. I pointed that out at the last meeting; I don't know how you can be developing wetlands, nothings changed since that meeting.

Mrs. Brant: Thank you for your comments. All of this is staying with us Mr. Schneider?

Mr. Schneider: Yes.

Mrs. Brant: Ok, thank you. John McKendry...

John McKendry, 5545 Truscatera, Lakeview: I'm going to concede most of my time to Jim Bucki.

- My concern is over the Meadowood site at Lake Erie Beach in the reports of the archeological survey to be submitted by Mr. Bucki. This Meadowood site, the report I don't think addresses quite properly, is tied in with the Meadowood culture; a 2300 year old site from Grand Island all the way to Saginaw Bay, Michigan. I'm involved in the one in the Town of Hanover on Beebe Road behind Burger King, which mirrors the site here. Extensive artifacts have been found at Buffalo Beach that Jim will report on. I think we have to be very careful because of the sensitivity of this site as it ties into the one in Hanover. Those are my comments. I will concede the rest of my time to Jim because he has the report.

Jim Bucki, 6850 Minuteman Trail: The Bennett Beach site is a site that has been near and dear to me since 1991, which is a site that I feel I discovered.

- The site is very rich in archeological resources; more than anybody realizes. Especially more than this report states; there is over 100 pages here of artifacts that I've recovered at site; literally thousands.
- This site here, the map of pending changes, will interfere pretty much with locations and sites; artifacts have been found throughout the whole site. If you put a shovel in here, there is no place that you will not come up with archeological resources that go back to up to 3,300 years ago when pottery first was developed. I have artifacts in my collection that neither the Buffalo Museum of Science, nor the Rochester Museum has.
- Some artifacts, found by the front of the building that use to be near the house by myself and Dr. Michael Richard Grant, PhD of archeology of Harvard University, has been kept under wraps. In a letter from Dr. Grant it states: "Dear Jim, I no longer have the artifacts or the report." I won't read the whole letter, I'll keep it short. "Many of the artifacts have been given to Mickey Taylor, he has them for safe keeping. Certainly, I would be happy to write a statement about the buried archeological zone that lies near the house that once stood upon the site. There is an abundance of Fire Cracked Rock, charcoal rich soil and cremated (*inaudible*). I still believe that it makes a crematory deposit of the Meadowood Archeological Culture. It most surely is an archeological site and cremated human remains are likely to upon it and should never be bulldozed. As I recall, there is also some debris immediately adjacent... (*inaudible*), and meadowood points associated with the area."
- That site, and every indication of every change that you are going to do there, you are going to need extensive archeological oversight before you can put a shovel in the ground. In front of the wall, there are fire pits that were there 2,700 years ago. There are artifacts there that you

can see; you can just pick them up off the ground. The site is rich and that really is all I have to say.

- You may have this Archeological Survey book, there are over 100 pages of Bennett Beach and it includes all my findings. I also brought some artifacts and I will set them up so people in this area can see them.

Mrs. Brant: That is great. Thank you so much. At this point I have two more signatures on the sheet, but I cannot read the name. It was someone at 334 North Main.

Jill Barrett: That is us and we don't wish to speak.

Mrs. Brant: Thanks. Is there anyone else who wishes to speak before we close the hearing? Supervisor Pordum may I please have a motion from the Board to close the LWRP Public Hearing.

Supervisor Pordum: Motion to close.

Councilman Cooper: I'll second.

All in favor. Carried.

Mrs. Brant: I also will need a motion to close the Consistency Review Law Hearing.

Supervisor Pordum: So moved.

Councilman Cooper: I'll second.

All in favor. Carried.

Mrs. Brant: In conclusion, I'd like to thank everyone for attending this evening and for all of your comments.

Mrs. Salvati: I'd like to just say something. The comments that were made in respect to the Consistency Review Law, regarding the review of minor actions; that has been changed. I apologize, I'm not sure how it happened, but the document that is posted on the website may be incorrect. The document does not exclude the review of minor actions. I will get the correct document to Mrs. Brant so it can be posted on the website tomorrow. And I also wanted to say thank you for the additional information on the archeology. Since we posted the LWRP on the website, we have actually been working on adding some additional information in Section IV and Section V that further highlights the importance of the area at Bennett Beach and the need for acknowledging and recognizing the archeological resources that exist there. We had acquired information from the late Bruce Kershner and more information in this regard will be included in the document.

Mrs. St. George: *(most inaudible)*...how are people in the community going to be made aware of the 60-day review window?

Mrs. Brant: It is on the website. It has been there.

Mrs. St. George: How are you going to advertise it? Couldn't you put something in the Penny Saver?

Mrs. Brant: We will take that into consideration.

Councilman Cooper: The reporter from the Hamburg Sun is here; will it be in the Hamburg Sun?

Brian Campbell, Hamburg Sun: Yes

Mrs. Brant: Reminder again, the comment period is still open until May 9, 2011, for both the LWRP and the Consistency Review Law. This final document has been available since the middle of February and it will stay on the site until May 9, as I said. Please send your further information to us in the Town Planning Office, I will make sure that the Town Board is aware of it and we will continue to improve our document. At this time I will need a motion from the Town Board to adjourn the meeting.

Supervisor Pordum: I'll make that motion.

Councilman Cooper: I'll second it.

All in favor. Carried.

Mrs. Brant: Again, thank you all for coming and good evening.

Respectfully submitted by:

Debra L. Wilson
Planning Secretary