

Supervisor Sheila M. Meegan called the meeting to order at 7:10 P.M. with 30 seconds of silent prayer followed by the Pledge of Allegiance led by Paula Minklei.

**ROLL CALL:** Present - Sheila M. Meegan Supervisor  
Eugene P. Hart Councilman  
William P. Hanley, Jr. Councilman  
Absent - None

Supervisor Meegan read the Fire Prevention Code instructing the public where to exit in case of a fire or an emergency.

The meeting was dedicated to the memory of Richard Hartman & Tom Maass.

---

#### **15-A MINUTES TO BE APPROVED**

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve Minutes #2017-14 of July 24, 2017.

Ayes: All

Noes: None

Motion Carried

#### **15-B HELD OVER PUBLIC HEARING**

Re: "LOCAL LAW NO. 4 – SIGN ORDINANCE" in the Town of West Seneca.

No comments were received from the public.

Motion by Supervisor Meegan, seconded by Councilman Hart, to close the public hearing.

Ayes: All

Noes: None

Motion Carried

Motion by Councilman Hart, seconded by Supervisor Meegan, to adopt the following resolution:

WHEREAS, the Town Board of the Town of West Seneca, as lead agency acting pursuant to the State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law, has reviewed Part I of the Short Environmental Assessment Form ("EAF") prepared by Steinmetz Planning Group in connection with the proposed Local Law 2017-04: Sign Ordinance ("Local Law 2017-04"), has reviewed the draft completed Part 2 of the EAF analyzing the potential for the Local Law 2017-04 to result in any significant adverse environmental impacts and has otherwise taken a hard look at the potential environmental impacts using the criteria specified in 6 NYCRR 617.7(c); and

**15-B HELD OVER PUBLIC HEARING** (continued)

WHEREAS, upon such review, the Town Board has not identified any potentially significant adverse environmental impacts associated with the proposed Local Law 2017-04, has determined that no Environmental Impact Statement is necessary and that a Negative Declaration is therefore appropriate; now, therefore, be it

RESOLVED, that pursuant to 6 NYCRR 617.7(a), the Town Board does hereby adopt a Negative Declaration as set forth in Part III of the EAF expressly incorporated herein with respect to the Project; and be it further

RESOLVED, the Town Board hereby adopts Local Law 2017-04.

Ayes: All

Noes: None

Motion Carried  
\*APPENDICES\*

**15-C LEGAL ITEMS**

1. Motion by Supervisor Meegan, seconded by Councilman Hart, that proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER A REQUEST FOR A HOME OCCUPANCY PERMIT FOR PROPERTY LOCATED AT 35 WINSPEAR ROAD FOR A PHYSICAL FITNESS TRAINING STUDIO" in the Town of West Seneca, be received and filed.

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hart, to open the public hearing.

Ayes: All

Noes: None

Motion Carried

Jenifer Stanek stated she is a personal trainer at Fitness 19 and would like to offer people individual training in a setting that does not require a gym membership.

No comments were received from the public.

Motion by Supervisor Meegan, seconded by Councilman Hart, to close the public hearing.

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hanley, to grant a home occupancy permit for property located at 35 Winspear Road for a physical fitness training studio.

Ayes: All

Noes: None

Motion Carried



**15-D TABLED ITEMS**

1. (continued)

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the Supervisor to execute the necessary documents to enter into an agreement with South Buffalo Rugby for use of Tim Russert Park, contingent upon review and approval by Town Attorney John Fenz.

Ayes: All

Noes: None

Motion Carried

**15-E COMMUNICATIONS**

1. Town Attorney re Order for sidewalk repair

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached resolution ordering the repair of sidewalks at the addresses therein indicated and apportioning the costs to the adjoining property owners in accordance with Section 200-a of Town Law and Chapter 92 of the Town Code.

Ayes: All

Noes: None

Motion Carried  
\*APPENDICES\*

2. Town Attorney re Conveyance of real property at 1640 East & West Road

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the following resolution accepting conveyance of property from the State of New York:

WHEREAS, the State of New York ("State") is the owner of a parcel of property located at 1640 East & West Road in the Town of West Seneca, County of Erie, consisting of approximately .6 acres, hereinafter referred to as the "Premises;" and

WHEREAS, the State is authorized to convey its right, title and interest in the Premises to the Town of West Seneca pursuant to Section 34 of the Public Lands Law for the purpose set forth in the statute; and

WHEREAS, it is the desire of the Town of West Seneca to apply for a transfer and conveyance of the Premises for the purposes of parks and recreation; and

WHEREAS, the consideration of the transfer and conveyance of the Premises as set forth in Section 34 is One Dollar (\$1.00); now, therefore, it is hereby

RESOLVED, the Supervisor is hereby authorized to apply to the State of New York Office of General Services for the transfer and conveyance of the Premises for the purposes of parks and recreation pursuant to Section 34 of the Public Lands Law; and it is further

**15-E COMMUNICATIONS**

2. (continued)

RESOLVED, the Supervisor is authorized to execute all documents necessary to effectuate said use and transfer and conveyance of the Premises and that such documents shall be subject to review thereof by the Town Attorney as to form and substance; and it is further

RESOLVED, that title shall be transferred after such environmental reviews as may be required by the State Environmental Quality Review Act have been completed; and it is further

RESOLVED, the Supervisor is authorized to execute the necessary transfer documents and the consideration for the conveyance is \$1.00.

On the question, Councilman Hart noted this house is located near Sunshine Park and the house will be taken down to expand the parking lot. He questioned if the house near Firemen's Park will also taken down. Supervisor Meegan stated the process is almost complete on obtaining that parcel to add to the town's park space.

Ayes: All

Noes: None

Motion Carried

3. Town Attorney re Workers  
Comp Agreement with Key  
Insurance

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with Key Insurance & Benefit Services, Inc. to provide the town with services as third party administrator for Worker's Compensation Claims.

Ayes: All

Noes: None

Motion Carried

4. Town Attorney re Café space  
at Community Center &  
Library

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the Town Attorney to prepare and distribute a Request for Expression of Interest for parties to enter into an agreement with the town to provide operations at the Community Center and Library Café Space.

Ayes: All

Noes: None

Motion Carried

**15-E COMMUNICATIONS**

- 5. Senior Code Enforcement Officer re Electronic message board – 1715 Reserve Road

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve an electronic message board on property located at 1715 Reserve Road, noting a variance was approved at the July 26, 2017 Zoning Board of Appeals meeting.

On the question, Councilman Hanley stated the applicant agreed to not advertise tobacco products or adult content. The applicant also agreed to revisit the brightness of the message board in one year provided any complaints are received.

Ayes: All

Noes: None

Motion Carried

- 6. Senior Code Enforcement Officer re Electronic message board – 2305 Union Road

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the use of an electronic message board on property located at 2305 Union Road, noting a variance was approved at the July 26, 2017 Zoning Board of Appeals meeting.

Ayes: All

Noes: None

Motion Carried

- 7. Senior Code Enforcement Officer re Rezoning request – 172 Westminster Road

Motion by Supervisor Meegan, seconded by Councilman Hanley, to refer to the Planning Board the rezoning request for 172 Westminster Road.

Ayes: All

Noes: None

Motion Carried

- 8. Senior Recreation Therapist of Sr. Services re Appointment of Jennifer Stanek as Fitness Instructor

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Jennifer Stanek as part-time Fitness Instructor at the West Seneca Senior Center fitness center at a rate of \$15 per hour effective August 7, 2017 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

**15-F REPORTS**

- Jacqueline A Felser, Town Clerk’s report for July 2017 received and filed.
- John Gullo, Code Enforcement Officer’s building & plumbing reports for July 2017 received and filed.

**15-G APPROVAL OF WARRANT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$370,323.01; Highway Fund - \$63,319.55; Special Districts - \$13,578.69; Capital Fund - \$26,524.36 (vouchers 100638 - 101154) Trust - \$300,754.22 (vouchers 100711 - 101196)

Ayes: All

Noes: None

Motion Carried

**ISSUES OF THE PUBLIC**

**PRESENTATION BY FORENSIC ARCHITECT ON BURCHFIELD CENTER**

Kenneth Pearl, a forensic architect with Building Science Services, LLC gave a power point presentation on his findings at the Burchfield Center.

Town Attorney John Fenz stated initially the town went to its insurance carriers and they sent an adjuster and engineer to look at the building. The insurance company disclaimed liability due to their belief the defect progressed over time. The Town Board then asked that he move forward with litigation as there is a statute of limitations to deal with. The town retained outside counsel and they have pulled a provision from the NYS Civil Practice Law and Rules that can hold design professionals accountable for alleged design defects. Notice is being served upon the design professionals that executed the drawings alleging the defects are a result of defective design and this sets up a 90-day period where the design professionals will notify their insurance carrier and attorneys. After that period has lapsed, the town can assert affirmative claims and civil litigation alleging the design defects.

Supervisor Meegan stated this is now a legal matter and because the Burchfield Center is evidence, the town is restricted as to what it can remediate.

Paula Minklei questioned if the mold can be remediated and if the building can be repaired in stages. Supervisor Meegan responded the mold can be remediated and Mr. Fenz advised that he cannot give a time frame for repair of the building because the evidence needs to be preserved and civil litigation is not a means of instant gratification.

Dolores Stefanacci, a former employee at the Burchfield Center, commented on problems she experienced at the building.

**ISSUES OF THE PUBLIC**

**PRESENTATION BY FORENSIC ARCHITECT ON BURCHFIELD CENTER** (continued)

Ray Nalewajek questioned if the report from Building Science Service is public record. Mr. Fenz advised the report is not public record at this time. The board had requested an expert to prepare a report in anticipation of litigation and after conferring with outside counsel, they feel the points from the report that have been provided to the public are sufficient. Mr. Nalewajek further questioned if a more specific resolution to remediate the problems is based in the \$900,000 budget. Mr. Fenz responded the notice of claim has both numbers that have been provided by the forensic architect.

**TIM RUSSERT PARK IMPROVEMENTS**

Mary Lou Dietrich stated over two years ago she circulated a petition for improvements at Tim Russert Park and believes the park would benefit from a basketball court. She requested grant money from Senator Gallivan and further asked for support from the Town Board for the basketball court.

Linda Toy questioned the status of improvements at Tim Russert Park.

Supervisor Meegan responded the town has not received the grant money yet and noted it takes time to receive the funding.

**WALKWAY OF FREEDOM**

James Manley, Chairman of West Seneca Veterans Committee, stated he had discussed the Walkway of Freedom with Councilman Hart and was informed that landscaping may not be done until 2019. Mr. Manley requested that the landscaping be done in 2018 upon completion of the Community Center and Library so the Veterans Committee can replace the bricks in the walkway and enable them to sell additional bricks.

**FIREMAN'S PARK BALL DIAMOND**

Arlene Weckel requested an update on the situation with the ball diamond near East & West Road at Firemen's Park and Supervisor Meegan referred Ms. Weckel to Highway Sup't. Matthew English who is working on a resolution to the problem.



**PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS**

**WNY CHILDREN'S PSYCHIATRIC CENTER**

Senior Recreation Therapist of Senior Services Mary Josefiak announced the WNY Children's Psychiatric Center will hold a fundraiser Sunday, August 13<sup>th</sup>, noon to 4:30 P.M. at the senior center to raise funds for costs involved in the fight to keep the center in West Seneca.

**MOVIE IN THE PARK**

Recreation Supervisor Lauren Masset announced Movie in the Park events, "Moana" on August 25<sup>th</sup> and "Sing" on September 1<sup>st</sup> at dusk.

**CYC GAELIC GAMES**

Councilman Hanley commented on the success of the CYC Gaelic Games with 2,200 athletes playing over 550 games at the soccer complex. He expressed his thanks to Highway Sup't. Matthew English and his crews for their work and stated many compliments were received on the upkeep and condition of the soccer complex.

**ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 8:20 P.M.

Ayes: All

Noes: None

Motion Carried

  
\_\_\_\_\_  
JACQUELINE A FELSER, TOWN CLERK



# TOWN OF WEST SENECA

## ARTICLE IIIA | SIGN REGULATIONS

### TABLE OF CONTENTS

120-40.1	PURPOSE AND INTENT .....	2
120-40.2	SIGN PERMIT REQUIRED .....	2
120-40.3	MEASUREMENT .....	3
120-40.4	REGULATIONS APPLICABLE TO ALL SIGNS .....	3
120-40.5	SIGNS AUTHORIZED WITHOUT A PERMIT .....	5
120-40.6	PROHIBITED SIGNS .....	7
120-40.7	TEMPORARY SIGN REQUIREMENTS .....	8
120-40.8	SIGN PROVISIONS BY ZONING DISTRICT .....	8
120-40.9	ELECTRONIC CHANGEABLE COPY SIGN REGULATIONS .....	9
120-40.10	BILLBOARDS .....	9
120-40.11	NONCONFORMING SIGNS .....	10

## **120-40.1 PURPOSE AND INTENT**

---

- A. Purpose.** The primary purpose of these sign regulations for the Town of West Seneca is to permit the erection and display of signage within the Town, while protecting public health, safety and general welfare. All signs and sign systems are subject to the regulations that follow in this Article.
- B. Objectives.** These regulations also serve to achieve the following objectives:
1. Ensure right to free speech as protected under the Constitution;
  2. Protect property values, create a more attractive economic and business climate, and protect the physical appearance of the community;
  3. Provide structures and uses with effective means of identification while reducing visual clutter through the prevention of excessive and confusing sign displays;
  4. Reduce traffic conflicts or hazards by minimizing visual distractions or obstacles in or visible from the public rights-of-way;
  5. Minimize the adverse effect of signs on nearby public and private property;
  6. Avoid personal injury and property damage from unsafe or confusing signs; and
  7. Establish a clear and impartial process for those seeking to install signs.
- C. Applicability.** The regulations of this Article shall govern and control the erection, enlargement, expansion, renovation, operation, maintenance, relocation and removal of all signs within the Town visible from any street, sidewalk, public right-of-way, or public space.

## **120-40.2 SIGN PERMIT REQUIRED**

---

Except as hereinafter provided, no person shall erect, alter, construct, relocate or cause to be erected, altered, constructed or relocated any sign without first having obtained a sign permit from the Code Enforcement Officer.

- A. Application Requirements.** The following information shall be provided to the Code Enforcement Officer for a sign permit application:
1. Name, address, contact information, and signature of the applicant.
  2. Name, address, and signature of the building and/or property owner (if not the applicant).
  3. Dimensions and drawings indicating the size, shape, construct, materials, and layout of the sign(s).
  4. Site plan and elevations indicating the proposed location and size of the sign(s) to scale.
  5. Any additional site and/or sign information as requested by the Code Enforcement Officer.
- B. Situations Not Requiring a Sign Permit.** The following situations shall not require the issuance of a sign permit provided such maintenance, changes, or alterations do not in any way alter the physical size, design, or nature of the sign.
1. The repainting, repairing, changing of parts, and maintenance of signs.
  2. A change in the message of a sign.
  3. Repainting of supports and sign area.

- C. **Planning Board Review.** New developments subject to review and approval by the Planning Board, at the request of the applicant, may have proposed signage reviewed and approved as part of the special permit or site plan review process. In the event of such review, all required sign permit application materials shall be provided to the Planning Board as part of the complete application.
- D. **Alteration.** Any sign for which a permit has been issued shall not be modified, relocated, altered, or replaced, unless an amended or new sign permit is obtained from the Code Enforcement Officer.
- E. **Expiration.** A sign permit shall expire if the sign for which the permit has been issued is not fully constructed within one hundred eighty (180) days from the date of issuance of the sign permit.
- F. **Revocation.** The Code Enforcement Officer or designee may, at any time for a violation of this regulation, issue a notice of violation. A written notice of the violation including all reasons for the violation shall be mailed to the property and/or building owner. Said violation must be corrected within 30 days of the date of notice, otherwise the sign permit shall be revoked and the sign in question shall be required to be removed.

**120-40.3 MEASUREMENT**



**Figure 1: Letters & Sign Boards**  
The area of signs made up of individual copy shall be measured by the largest shape or combination of shapes that encompass it (above). While signs on sign boards or shall be measured by the entire backdrop or structure (below).

**A. Sign Area.**

- 1. Single Sign Face. The area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle, or geometric combination thereof that will encompass the extreme limits of the writing, representation, emblem, graphic, and/or other display, together with any material, backdrop, or structure on which it is placed (see Figure 1).
- 2. Multi-Faced Signs. In the case of a multi-faced sign only one side of the sign is considered in determining sign area if the sides of the sign are back-to-back or diverge at an angle of forty-five (45) degrees or less.
- 3. Structural Support Not Included. The supporting structure or bracing of a sign shall not be computed as part of the sign area, unless such supporting structure or bracing is made a part of the message with the inclusion of any text or graphics. If such is the case, a combination of regular geometric shapes which can encompass the area of said text or graphics shall be included as part of the total sign area computation.

**B. Sign Height.**



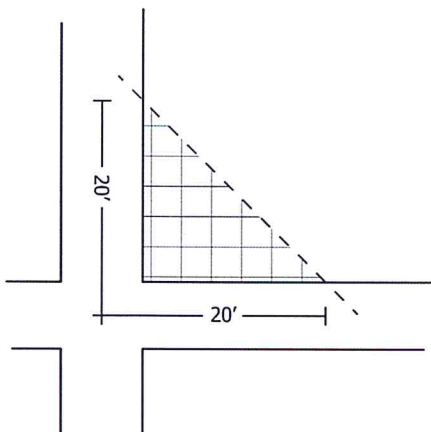
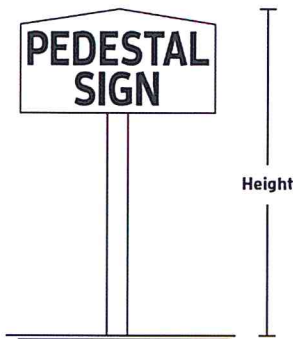
- 1. Freestanding Sign. The height of a freestanding sign shall be calculated by measuring the vertical distance between the top part of such sign or its structure, whichever is highest, to the elevation of the ground directly beneath the center of the sign (see Figure 2).
- 2. Other Signs. The height of an awning, projecting, suspended, wall, or window sign shall be determined by measuring the vertical distance between the top part of the sign face or structure, whichever is highest, to the bottommost edge of the sign face (see Figure 1).
- 3. Structural Support Included. Any material whose major function is to provide structural support for a sign shall be considered part of the sign for purposes of determining sign height.

**120-40.4 REGULATIONS APPLICABLE TO ALL SIGNS**



**Figure 2: Freestanding Sign Height**

The height of freestanding ground (above) or pedestal (below) sign shall include the distance from the topmost edge of the sign to the elevation of the ground beneath it.



**Figure 3: Clear Sight Triangle**

No sign higher than three feet shall be placed within the designated clear sight triangle.

**A. Safety Provisions.** All signs shall be designed, constructed, and located in accordance with the following criteria to protect the general health, safety, and welfare of the public.

1. No sign shall be erected in such a manner as to obstruct free egress from a window, door or fire escape or to become a menace to life, health or property.
2. No sign shall be erected at or near any intersection of streets, alleys, or railways in a manner that obstructs free and clear vision for pedestrians, bicyclists, and motorists.
3. No sign shall be of a shape or color that may be confused with any authorized traffic control device.
4. No rotating beam, beacon, or flashing illumination resembling an emergency light shall be used with any sign display.
5. The erection of any sign and its supports, including any wiring and/or electrical components utilized therein, shall be consistent with the general accepted standards and practices of the NYS Building Code.
6. The erection of any sign, its supports, wiring, or other structural and/or electrical elements may be subject to inspection and approval by the Code Enforcement Officer.

**B. Design and Construction.** All signs shall be designed and constructed in accordance with the following criteria:

1. All signs shall be constructed of permanent, weather resistant, and durable materials, except for banners, flags, temporary signs, and window signs otherwise in conformance with this Article.
2. Where applicable, signs shall be supported by sign structures that are designed to resist wind pressures, dead loads, and lateral loads in accordance with the appropriate provisions of the NYS Building Code. All sign supports shall be reviewed as part of the sign design.
3. All sign lettering shall be permanently affixed to the sign. Manual changeable copy signs shall be enclosed and locked. Electronic changeable copy signs are subject to the regulations set forth in Section 120-40.9.
4. No permanent sign may be constructed of untreated or unpainted wood, sandblasted metal, or other unfinished material.

**C. Location.** All signs shall be so located in accordance with the following standards:

1. Signs shall not be erected within nor project into any public right-of-way, unless otherwise specified within this Article. Signs must be located on private property and comply with the dimensional and setback requirements herein.
2. Off-premise signs are prohibited, except for billboards as regulated in Section 120-40.10. All signs, except temporary signs, shall be located on the site being promoted, identified, or advertised.
3. All signs, unless otherwise noted within this Article, are to be setback at least five (5) feet from any property line.

**D. Visibility at Intersections.** No sign or any part of a sign exceeding three feet in height, other than a supporting pole or brace no greater than 18 inches in width or diameter, shall be located within the designated clear sight triangle of any intersecting streets. The clear sight triangle shall be defined by the center lines of the intersecting streets measured 20 feet outward from the point of intersection of said center lines along such center lines (see Figure 3).

**E. Illumination.** All signs shall be illuminated in accordance with the following standards:

1. Light sources for illuminated signs shall not be of such brightness as to constitute a hazard to pedestrians or motorists and shall be shielded so as not to cast an illumination of more than two (2) foot-candles on adjacent nonresidential properties or more than one-tenth (0.1) foot-candle on adjacent residential properties.
2. Uplighting, or the illumination of signs from a light source below that of the sign face, shall be permitted for ground signs only.
3. Intermittent illumination or illumination which involves movement or causes the illusion of movement resulting from the arrangement of lighting, is prohibited, except as regulated for electronic changeable copy signs (Section 120-40.9).

**F. Maintenance and Repair.** All signs shall be maintained in safe and good structural condition, in compliance with all applicable building and electrical codes, and in conformance with this Article at all times. Such maintenance includes replacement of all defective bulbs, parts, materials, painting, repainting, cleaning, replacement of copy, and other acts required for maintenance of such sign. If any sign does not comply with these standards, the Code Enforcement Officer may require its removal.

**G. Public Property.** Signs shall not be posted on public property or within a public right-of-way, unless otherwise stated in this Article or approved by the Code Enforcement Officer.

**H. Obsolete Signs.** Any sign that no longer advertises or identifies the current or permitted use of the property must be removed within thirty (30) days after written notification from the Code Enforcement Officer.

**I. Removal of Signs.**

1. Where required by this Article, the removal of signs shall be the sole responsibility of the sign owner and/or sign permit holder. If said sign is not removed within 30 days of the date of written notice by the Code Enforcement Officer, the Code Enforcement Officer or their designee is authorized to affect its removal.
2. The Code Enforcement Officer may remove any temporary sign or sign not requiring a permit that is found to be in violation of this Article. The property and/or sign owner shall subsequently be given written notice of such sign removal. If the sign is not claimed within 10 days of the written notice, the Code Enforcement Officer may dispose of said sign.
3. Any costs incurred for the removal of a sign shall be fully reimbursed to the Town of West Seneca by the sign owner and/or sign permit holder. Such costs may be placed on the tax roll for collection by the Town.

## **120-40.5 SIGNS AUTHORIZED WITHOUT A PERMIT**

The following types of signs may be erected in the Town without obtaining a sign permit. Although permits are not required for these signs, they shall conform to all other requirements of this Article or may be subject to removal by the Code Enforcement Officer per Section 120-40.4(I).

- A. Directional Signs.** Signs that provide direction to pedestrians, bicyclists, or motorists shall not require a sign permit provided the following conditions are met. Such signs may include, but are not limited to signs providing direction to parking, restrooms, walkways, entrances, or exits.
1. Directional signs shall be located entirely on the property to which they pertain and shall not contain a commercial message (e.g. business name).
  2. The total of directional signs on any one property shall not exceed an area of six (6) square feet in a residential district, or 16 square feet in a nonresidential district.
  1. Directional signs shall not exceed four (4) feet in height.
  2. Directional signs shall not be illuminated.
  3. Directional signs may not extend above the first floor of any given structure or project beyond property lines.
  4. Directional signs shall be setback at least a five (5) feet from all property lines.
  5. Directional signs shall not impede the traffic or visibility of pedestrians, bicyclists, or motorists.
- B. Signs on Gasoline Pumps.** Signs attached to a gasoline pump shall not require a permit provided they do not exceed six (6) square feet in area.
- C. Governmental Signs.** Any official sign, public notice, or warning sign supported by federal, state or local law, including but not limited to signs erected and maintained pursuant to and in discharge of any government functions. (Example: NYS inspection station or authorized repair shop identification). There are no size requirements or time limits for governmental signs.
- D. Historical Signs.** Signs such as cornerstones, commemorative tablets, and historical markers, provided that said signs are less than six (6) square feet in area and not illuminated.
- E. Home Occupation Signs.** Any home occupation permitted by the Town may have one sign without a permit provided it does not exceed six (6) square feet in area and four (4) feet in height. The sign shall not be illuminated.
- F. Internal Signs.** Signs within a building not legible from the public right-of-way or adjacent lots, or any sign within an enclosed outdoor space, such as an athletic field, where such sign is not legible beyond the property lines.
- G. Lawn Signs.** A single lawn sign shall be allowed on any lot without a permit provided it is in conformance with the regulations below.
1. The sign does not exceed three (3) feet in height and six (6) square feet in area.
  2. The sign is not displayed for more than 30 days in a 90-day period.
  3. The sign is not illuminated.
  4. The sign maintains at least a five (5) foot setback from all property lines.
  5. The sign does not impede the traffic or visibility of pedestrians, bicyclists, or motorists.
- H. Noncommercial Signs on a Residential Property.** Any sign on a residential property that does not contain a commercial message shall not require the issuance of a sign permit, provided such sign is in conformance with the following:
1. There shall be no more than one (1) sign per dwelling unit.
  2. A sign shall not exceed three (3) feet in height and six (6) feet in area.

3. The total square footage of all signs on a single lot shall not exceed 12 square feet.
4. The sign is not illuminated.
5. The sign maintains at least a five (5) foot setback from all property lines.
6. The sign does not impede traffic or visibility of pedestrians, bicyclists, or motorists.
7. The sign is not attached to any permanent building or structure.

**I. Sandwich Board Signs.** Sandwich board signs shall not require a permit provided the following conditions are met:

1. There is no more than one (1) sign per lot.
2. The sign is not illuminated.
3. The sign does not exceed six (6) square feet in area.
4. The sign does not exceed (6) feet in height.
5. The sign does not impede pedestrian or motorist traffic or safety.
6. The sign is brought in each day at the close of business.

**120-40.6 PROHIBITED SIGNS**

---

The following signs are prohibited within the Town:

- A. Signs for which no sign permit was issued or for which a sign permit has been revoked.
- B. Signs that are not properly maintained, considered structurally unsound, hazardous, or otherwise unsafe. The Town reserves the right to remove any sign considered to be a danger to the public health, safety, or welfare without notice to be held for a period of ten (10) days. If the sign is not claimed within that time, it shall be discarded.
- C. Signs that contain words or pictures of an obscene or pornographic nature.
- D. Signs that emit audible sounds, odor, or visible matter.
- E. Signs placed on a curb, sidewalk, hydrant, utility pole, trees or other objects located on or over any public street unless otherwise permitted. The Town reserves the right to remove any sign placed on public property without notice to be held for a period of ten (10) days. If the sign is not claimed within that time, it shall be discarded.
- F. Signs that may be confused with a traffic control sign, signal or device or the light of an emergency or road equipment vehicle or hide from view any traffic or street sign, signal, or device.
- G. Signs that flash, blink, rotate, or revolve, or utilize unshielded lighting devices or reflectors to outline or provide the background of a sign.
- H. Signs that are animated or utilize full motion or video technology.
- I. Signs that are mounted on wheels or mounted on any structure on wheels.
- J. Signs with mirrors or any other reflective material.
- K. Portable signs that are permanently displayed.



- L. Banners, pennants, windblown or inflated signs that are permanently displayed.
- M. Roof signs, obsolete signs, and off-premise signs, except for billboards as provided for in Section 120-40.10.
- N. Signs painted directly on an exterior wall.

### **120-40.7 TEMPORARY SIGN REQUIREMENTS**

---

- A. **Permit Required.** Temporary signs, as defined in Section 120-40.13, shall require the issuance of a sign permit by the Code Enforcement Office. No more than one (1) temporary sign may be permitted per lot or use at any given time. Temporary signs shall be permitted in all zoning districts.
- B. **Requirements.** Any proposed temporary sign shall conform to the following:
  - 1. Such sign shall not exceed four (4) feet in height and 32 square feet in area in any nonresidential district.
  - 2. Such sign shall not exceed four (4) feet in height and 16 square feet in area in any residential district.
  - 3. Such sign shall not be displayed for more than 30 days in a 90-day period.
  - 4. Such sign shall not be illuminated.
  - 5. Such sign shall not extend above the first floor of any given building and do not project beyond property lines.
  - 6. Such sign shall maintain at least five (5) foot setback from all property lines.
  - 7. Such sign shall not impede the traffic or visibility of pedestrians, bicyclists, or motorists.
- C. **Banners or Pennants.** For the purposes of this Article, banners or pennants shall be permitted as temporary signs. No banner shall be displayed over any sidewalk, Town street or highway except upon approval by the Town Board. A public liability bond or policy in the sum of at least \$50,000 shall be furnished for each banner which extends across a sidewalk, street or highway.

### **120-40.8 SIGN PROVISIONS BY ZONING DISTRICT**

---

- A. **Residential Districts.**
  - 1. No lot or use shall have more than one sign type, as provided for in Section 120-40.12.
  - 2. The illumination of signs in residential districts is prohibited.
  - 3. The use of electronic changeable copy in residential districts is prohibited.
- B. **Nonresidential Districts.**
  - 1. No use or lot shall have more than two sign types, as provided for in Section 120-40.12.
  - 2. Where multiple operations or uses are located on a single lot, such as, but not limited to, industrial centers, business parks, or shopping plazas, each use shall be permitted two signs of any type in addition to one freestanding sign for the lot.
  - 3. Window signs shall not be included in the count of total allotted signage for any lot or use.

## 120-40.9 ELECTRONIC CHANGEABLE COPY SIGN REGULATIONS



**Figure 4: Digital Signs**

Electronic changeable copy may only be used for up to 75% of the face of any sign.

The use of electronic changeable copy within a sign, in whole or in part, is permitted in any district other than a residential district. Any use of electronic changeable copy shall be in accordance with the following:

- A. Electronic changeable copy shall not be utilized in any wall sign, suspended sign, awning sign, or window sign.
- B. The area of electronic changeable copy shall not exceed 75% of the area of the face of the sign to which it is attached (see Figure 4), except for digital billboards as provided for in Section 120-40.10.
- C. Signs with electronic changeable copy shall display static messages with no animation, no effects simulating animation, and no video.
- D. Any change in electronic copy shall occur no more than once every 30 seconds. Each transition shall be accomplished immediately with no fade, scroll, travel, flash, spin, revolve, shake or include any other type of movement or motion.
- E. Electronic changeable copy signs shall be shut off at the close of business.
- F. Signs with electronic changeable copy shall be equipped with photosensitive equipment that is programmed to automatically adjust the brightness and contrast of the sign in direct relation to the ambient outdoor illumination. Maximum brightness levels for electronic changeable copy signs shall not exceed a limit of 465 lumens per square foot in the daytime and 26 lumens per square foot after sundown. The brightness levels shall be measured from a distance of no more than five (5) feet from the sign face.
- G. Signs shall be programmed or set in such a manner that the display will turn dark and emit no light in case of malfunction.
- H. No signs with electronic changeable copy shall be located within 500 feet of a residentially zoned property as measured in a straight line from the location of the sign to the nearest residential property line.

## 120-40.10 BILLBOARDS

### A. Size Requirements.

1. No billboard shall exceed a height of 35 feet above ground level as measured from the elevation of the ground at the center of the sign to the topmost edge of the sign face.
2. The maximum sign area for any one billboard shall be 380 square feet inclusive of any border and trim, but excluding the base or pedestal.
3. For the purposes of this Article, a back-to-back billboard shall be considered one sign area.

### B. Location.

1. Billboards shall only be permitted within the M-1 and M-2 Zoning Districts of the Town.
2. No billboard shall be erected in the Union Road Corridor as defined by Section 120-70 of this Chapter.

3. No billboard shall be located within 500 feet of a residential district or the property line of any public or private school.
4. No billboard shall be located within 1,250 feet of any other billboard as measured from the center of each sign.
5. Billboards shall observe the same required setback for buildings within the zoning district it is located, or 15 feet, whichever is greatest.
6. Billboards attached to a building shall be only upon the front or face and must be constructed and maintained flat or parallel to the building wall to which they are attached and shall not extend more than 12 inches from such exterior wall.
7. No billboard shall be erected in such a manner as to block the view, from the road or street, of any existing business sign, logo sign, or residential or nonresidential structure.

**C. Appearance and Design.**

1. The general ground area surrounding any billboard must be kept free and clear of weeds, debris, trash and other refuse.
2. Billboards may utilize electronic changeable copy and/or video technology provided the minimum duration of a message is at least 8 seconds. All transitions of messages and/or graphics shall occur instantaneously with no movement or flashing.
3. No billboard structure or sign face shall move, flash, or emit noise. No display lighting shall cause distraction, confusion, nuisance or hazard to traffic or aircraft.
4. Digital billboards with electronic changeable copy and/or video technology shall be equipped with photosensitive equipment that is programmed to automatically adjust the brightness and contrast of the sign in direct relation to the ambient outdoor illumination. Maximum brightness levels for billboards shall not exceed a limit of 465 lumens per square foot in the daytime and 26 lumens per square foot after sundown as measured from the edge of the nearest public street or roadway.
5. Billboards shall be programmed or set in such a manner that the display will turn dark and emit no light in case of malfunction.
6. No billboard shall be constructed which resembles any official marker erected by any governmental agency or which by reason of position, shape, or color conflicts with or obscures the proper functioning of any traffic sign or signal.

**120-40.11 NONCONFORMING SIGNS**

---

- A. Compliance.** All nonconforming signs shall be removed or brought into compliance within three years of the adoption date of this Article.
- B. Discontinuance.** Any nonconforming sign that is removed from its position or siting and not replaced in-kind within 30 days shall be presumed to be abandoned and discontinued and may not be restored or re-erected except in compliance with this Article.
- C. Alteration.** No nonconforming sign may be altered in any way that would increase its nonconformity with the regulations of this Article, including but not limited to area, height, setback, and illumination.

**Repair.** Nothing herein shall be deemed to prevent maintaining a nonconforming sign in good repair and safe condition.

**120-40.12 REGULATIONS BY SIGN TYPE**

The following tables outline the requirements for various sign types that may be proposed for installation within the Town. The tables permit each type of sign by the zone in which it is located. For the purposes of this Article, the Union Road Corridor shall be considered a "zone" as defined by Section 120-70 of this Chapter.

**A. Ground Signs.**

**GROUND SIGN:** A sign not attached to any building or structure, which may be supported by one or two columns or posts provided the distance between the ground and bottommost edge of the sign is no greater than three (3) feet.

ZONE	Residential Districts	Commercial Districts	Manufacturing Districts	Union Road Corridor
Maximum #	1 per lot	1 per lot	1 per lot	1 per lot
Maximum Area	8 square feet	32 square feet	32 square feet	32 square feet with 10 foot setback; OR 24 square feet
Maximum Height <sup>1</sup>	3 feet	15 feet	15 feet	15 feet
Minimum Setback <sup>2</sup>	5 feet	10 feet	10 feet	0 feet; 10 feet for larger sign area
Illumination	Not Permitted	Permitted	Permitted	Permitted

NOTES:

(1) Measured from the elevation of the ground at the center of the sign to the topmost edge of the sign.

(2) Measured from the nearest edge of the sign to the front or side lot line.



**B. Pedestal Signs.**

**PEDESTAL SIGN: A sign not attached to any building or structure supported by one or two columns or posts with a distance exceeding seven (7) feet from the ground and the bottommost edge of the sign.**

ZONE	Residential Districts	Commercial Districts	Manufacturing Districts	Union Road Corridor
Maximum #	Not Permitted	1 per lot	1 per lot	Not Permitted
Maximum Area	-	40 square feet	40 square feet	-
Maximum Height <sup>1</sup>	-	25 feet	25 feet	-
Minimum Setback <sup>2</sup>	-	10 feet	10 feet	-
Illumination	-	Permitted	Permitted	-

NOTES:

- (1) Measured from the elevation of the ground at the center of the sign to the topmost edge of the sign.
- (2) Measured from the nearest edge of the sign to the front or side lot line.



C. Wall Signs.

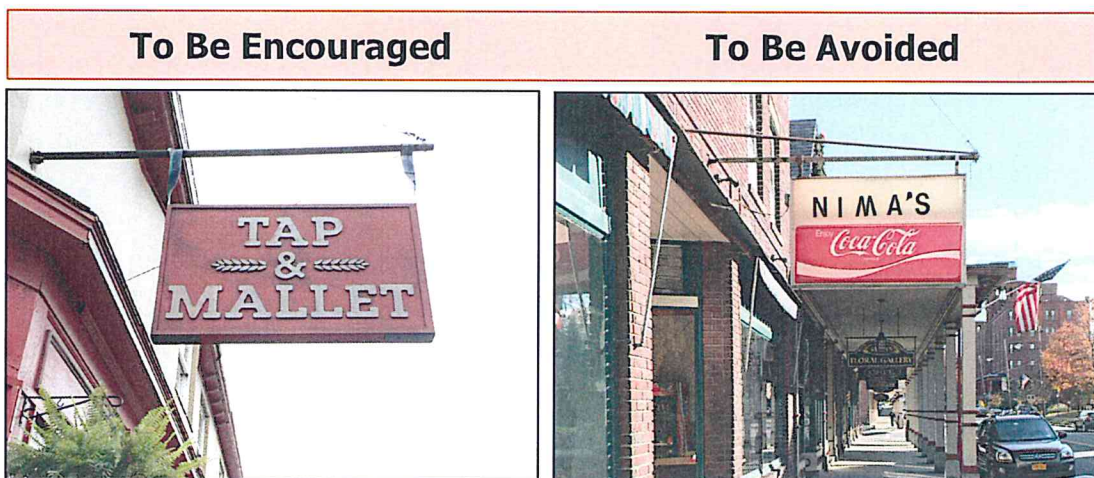
WALL SIGN: Any sign fastened to a building or structure that does not project more than 12 inches from the façade.				
ZONE	Residential Districts	Commercial Districts	Manufacturing Districts	Union Road Corridor
Maximum #	1 per structure	1 per façade	1 per façade	1 per façade
Maximum Area	6 square feet	10% of the façade	10% of the façade	10% of the façade
Maximum Height	2 feet	5 feet	5 feet	5 feet
Illumination	Not Permitted	Permitted	Permitted	Permitted



**D. Projecting Signs.**

<b>PROJECTING SIGN: A sign wholly or partly dependent upon a building or structure for support which projects more than 12 inches, but less than 40 inches from the façade.</b>				
<b>ZONE</b>	<b>Residential Districts</b>	<b>Commercial Districts</b>	<b>Manufacturing Districts</b>	<b>Union Road Corridor</b>
<b>Maximum #</b>	Not Permitted	1 per use	1 per use	1 per use
<b>Maximum Area</b>	-	8 square feet	8 square feet	8 square feet
<b>Maximum Height</b>	-	3 feet	3 feet	3 feet
<b>Minimum Clearance<sup>1</sup></b>	-	9 feet	9 feet	9 feet
<b>Illumination</b>	-	External Only	External Only	Not Permitted

NOTES:  
 (1) Measured from the elevation of the ground directly beneath the center of the sign to the bottommost edge of the sign.



**E. Suspended Signs.**

<b>SUSPENDED SIGN: A sign attached to and supported by the underside of a horizontal plane.</b>				
<b>ZONE</b>	<b>Residential Districts</b>	<b>Commercial Districts</b>	<b>Manufacturing Districts</b>	<b>Union Road Corridor</b>
<b>Maximum #</b>	Not Permitted	1 per use	1 per use	1 per use
<b>Maximum Area</b>	-	8 square feet	8 square feet	8 square feet
<b>Maximum Height</b>	-	3 feet	3 feet	3 feet
<b>Minimum Clearance<sup>1</sup></b>	-	9 feet	9 feet	9 feet
<b>Illumination</b>	-	External Only	External Only	Not Permitted

NOTES:  
 (1) Measured from the elevation of the ground directly beneath the center of the sign to the bottommost edge of the sign.

F. Awning Signs.

**AWNING SIGN:** A sign that is part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor area.

ZONE	Residential Districts	Commercial Districts	Manufacturing Districts	Union Road Corridor
Maximum #	Not Permitted	1 per awning	1 per awning	1 per awning
Maximum Height <sup>1</sup>	-	18 inches	18 inches	12 inches
Illumination	-	Backlit Only	Backlit Only	Backlit Only

NOTE:

(1) As measured by the height of any shape fully encompassing all graphics and/or type. Said sign shall only be permitted on the bottommost edge of the canvas, fabric, or other material to which it is applied.





**G. Window Signs.**

<b>WINDOW SIGN: A sign which is applied or attached to the exterior or interior of a window or is installed inside of a window within 12 inches of the window through which it can be seen.</b>				
<b>ZONE</b>	<b>Residential Districts</b>	<b>Commercial Districts</b>	<b>Manufacturing Districts</b>	<b>Union Road Corridor</b>
<b>Maximum #<sup>1</sup></b>	-	None	None	None
<b>Maximum Area</b>	-	Up to 100% of the window area	Up to 100% of the window area	Up to 20% of the window area
<b>Illumination</b>	-	Not Permitted	Not Permitted	Not Permitted

NOTE:  
 (1) Window signs shall not be included in the count of total allotted signage for any lot or use.



## 120-40.13 DEFINITIONS

---

The following terms and definitions shall apply to this Article for the purposes of administration and enforcement. All other terms shall be interpreted as defined by Article IX (Definitions) of this Chapter.

**COMMERCIAL MESSAGE** — Any message where the primary purpose of which is the commercial advertisement or promotion of a commercial product, event, or service (including content on an Internet website operated for a commercial purpose).

**SIGN** — Any object, device, display or structure, or part thereof, situated outdoors that is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including but not limited to words, letters, figures, designs, symbols, fixtures, colors, illumination or project images. "Signs" shall also include all sign structures. A sign for the purposes of this Chapter does not include the following:

1. A flag or emblem of any nation, organization of nations, state or city, or any fraternal, religious or civic organization;
2. Merchandise, pictures or models of products or services incorporated in a window display;
3. Official notices issued by any court or public office or officer in the performance of a public or official duty;
4. Traffic control signs as defined in the NYS Vehicle and Traffic Law; and
5. Works of art, including murals, that do not contain any commercial message, logo, graphic, or trademark.

**SIGN TYPE** — The design and/or structure of a sign as identified below.

1. SANDWICH BOARD SIGN — A freestanding sign that is comprised of two sign faces diverging at a 45 degree angle from their adjoined edge.
2. AWNING SIGN — A sign that is part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor area.
3. BANNER — A temporary sign composed of lightweight canvas-like material, which can be attached to a structure or suspended by attachment at each end.
4. BILLBOARD — An off-premise sign designed to be viewed from streets, roads, and/or highways and meeting industry standards for design and construction.
5. DIRECTIONAL SIGN — Any sign that is designed and erected for the purpose of traffic or pedestrian direction or control. Such a sign shall not carry a commercial message.
6. FREESTANDING SIGN — A sign not attached to, dependent upon, or supported by a building, including ground signs, pedestal signs, and portable signs.
7. GROUND SIGN — A sign not attached to any building or structure, which may be supported by one or two columns or posts provided the distance between the ground and bottommost edge of the sign is no greater than three (3) feet.
8. LAWN SIGN — A sign not exceeding three (3) feet in height and six (6) feet in area constructed of materials not intended for permanent installation that are attached to a single or multiple posts for support and stuck into the ground. The height of a lawn sign shall include any posts or supports. Political campaigns, garage sales, and charitable events, for example, are often advertised with lawn signs.
9. MARQUEE SIGN — A permanent sign that extends from and across part or all of a building edifice and is constructed of durable materials including metal, glass or plastic and upon which a changeable message may be placed.
10. OFF-PREMISE SIGN — A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than where such sign is located. This shall not include billboards.
11. ROOF SIGN — Any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.
12. PEDESTAL SIGN — A sign not attached to any building or structure and is supported by one or two columns or posts with a distance exceeding seven (7) feet between the ground and the bottommost edge of the sign.
13. PROJECTING SIGN — A sign wholly or partly dependent upon a building or structure for support which projects more than 12 inches, but less than 40 inches from the façade.
14. SUSPENDED SIGN — A sign attached to and supported by the underside of a horizontal plane.
15. TEMPORARY SIGN — A sign which is not intended to be used for a period of time exceeding 30 days and is not attached to a building, structure, or ground in a permanent manner. Such signs usually being constructed of poster board, cardboard, masonite, plywood, or plastic material and mounted to wood, metal, wire or rope frames or supports.
16. WALL SIGN — Any sign fastened to a building or structure that does not project more than 12 inches from the façade.

17. WINDOW SIGN — A sign which is applied or attached to the exterior or interior of a window or is installed inside of a window within 12 inches of the window through which it can be seen.

*Full Environmental Assessment Form  
Part I - Project and Setting*

**Instructions for Completing Part I**

**Part I is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part I is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project: Amend the Town's existing code language regulating signs and billboards (Article IIIA, contained in Chapter 120-40).		
Project Location (describe, and attach a general location map): Town of West Seneca (Town Office's are located at 1250 Union Road, West Seneca, NY 14224)		
Brief Description of Proposed Action (include purpose or need): The action includes revisions to the permit procedures, standards, and guidelines that regulate signs and billboards in the Town's current zoning ordinance. These include revisions to the current definitions of the various sign types permitted in the Town in an effort to ensure a "content neutral" approach to sign regulation. According to the code amendment one of the objectives is to, "Protect property values, create a more attractive economic and business climate, and protect the physical appearance of the community." The proposed code amendment regulates signage by zoning district rather than sign category and utilizes information tables and graphic examples to make the regulations easier to understand.  This amendment is part of a series of actions that the Town undertaking to implement the recommendations contained in their adopted 2016 Comprehensive Plan Update.		
Name of Applicant/Sponsor: Town of West Seneca (Sheila Meegan, Supervisor)		Telephone: 716-674-5600 E-Mail: smeegan@twsny.org
Address: 1250 Union Road		
City/PO: West Seneca	State: New York	Zip Code: 14224
Project Contact (if not same as sponsor; give name and title/role): Eugene Hart, Town Councilman		Telephone: 716-235-6511 E-Mail: ehart@TWSNY.ORG
Address: 1250 Union Road		
City/PO: West Seneca	State: New York	Zip Code: 14224
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

<b>B. Government Approvals Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board Adoption	Adoption is anticipated in August or September of 2017
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	A referral to County Planning	Projected submission will be in August of 2017
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes,		
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> <li>• If Yes, complete sections C, F and G.</li> <li>• If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
_____	
_____	
_____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s):	
In 1999, the Town of West Seneca Municipal Open Space & Greenway Protection Report was completed. West Seneca is located in Erie County. Erie County completed an Agricultural & Farmland Protection Plan in 2012.	
_____	
_____	

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No

If Yes, what is the zoning classification(s) including any applicable overlay district?

The existing zoning classifications within the Town include: C-1, C-2, M-1, M-2, R-50, R-60A, R-65, R-65A, R-75, R-75A, R-90, R-90A, & R-100A

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No

If Yes,

i. What is the proposed new zoning for the site? The underlying zoning districts will remain unchanged.

**C.4. Existing community services.**

a. In what school district is the project site located? A majority of the Town is part of the West Seneca Central School District. A portion of the southeast corner of the Town is within the Orchard Park School District

b. What police or other public protection forces serve the project site?

West Seneca Police Department

c. Which fire protection and emergency medical services serve the project site?

There are six fire districts in the Town and ambulance services are provided by Rural/Metro Medical Services

d. What parks serve the project site?

Parks - Black Bridge, Carriage, Children's Memorial, Fireman's, Fisher Road, Harlem Road, Indian Church Road, Mill Road, Sunshine, Switzer, Tim Russert, & Veterans Memorial. Playgrounds - Dirkson, Dorrance, & Westgate. Other - Soccer Complex, Burchfield Nature Center.

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres

b. Total acreage to be physically disturbed? \_\_\_\_\_ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will proposed action be constructed in multiple phases?  Yes  No

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_
- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

*i.* Total number of structures \_\_\_\_\_

*ii.* Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

*iii.* Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

*i.* Purpose of the impoundment: \_\_\_\_\_

*ii.* If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

*iii.* If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

*iv.* Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

*v.* Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

*vi.* Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

*i.* What is the purpose of the excavation or dredging? \_\_\_\_\_

*ii.* How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

*iii.* Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

*iv.* Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

*v.* What is the total area to be dredged or excavated? \_\_\_\_\_ acres

*vi.* What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

*vii.* What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

*viii.* Will the excavation require blasting?  Yes  No

*ix.* Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

*i.* Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No  
If Yes, describe: \_\_\_\_\_

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_  
\_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No  
If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No  
If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No  
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No  
If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_  
\_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No  
If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No



• Do existing sewer lines serve the project site?  Yes  No  
 • Will line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
     \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
     \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

• If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

• Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No  
 If Yes:  
 i. Estimate methane generation in tons/year (metric): \_\_\_\_\_  
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No  
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No  
 If Yes:  
 i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.  
 ii. For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_  
 iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_  
 iv. Does the proposed action include any shared use parking?  Yes  No  
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

---

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No  
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No  
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No  
 If Yes:  
 i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_  
 iii. Will the proposed action require a new, or an upgrade to, an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.  
 i. During Construction:  
 • Monday - Friday: \_\_\_\_\_  
 • Saturday: \_\_\_\_\_  
 • Sunday: \_\_\_\_\_  
 • Holidays: \_\_\_\_\_  
 ii. During Operations:  
 • Monday - Friday: \_\_\_\_\_  
 • Saturday: \_\_\_\_\_  
 • Sunday: \_\_\_\_\_  
 • Holidays: \_\_\_\_\_

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration: \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

n.. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally describe proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
\_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
\_\_\_\_\_  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained: \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

---

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100 year Floodplain?  Yes  No

k. Is the project site in the 500 year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_  
 \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Sheila M. Meegan Date 8-7-2017

Signature  Title Supervisor



**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**  
The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)  NO  YES  
*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**  
The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)  NO  YES  
*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

l. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. <span style="float: right;"><input checked="" type="checkbox"/> NO      <input type="checkbox"/> YES</span> (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. <span style="float: right;"><input checked="" type="checkbox"/> NO      <input type="checkbox"/> YES</span> (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

<b>6. Impacts on Air</b> The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> )	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> )	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>7. Impact on Plants and Animals</b> The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>		

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b>			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b>			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**13. Impact on Transportation**  
 The proposed action may result in a change to existing transportation systems.  NO  YES  
 (See Part 1. D.2.j)  
*If "Yes", answer questions a - g. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**  
 The proposed action may cause an increase in the use of any form of energy.  NO  YES  
 (See Part 1. D.2.k)  
*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

**15. Impact on Noise, Odor, and Light**  
 The proposed action may result in an increase in noise, odors, or outdoor lighting.  NO  YES  
 (See Part 1. D.2.m., n., and o.)  
*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>



d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>16. Impact on Human Health</b> The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

WHEREAS, Chapter 92 of the Code of the Town of West Seneca sets forth the specifications for the construction of sidewalks in the Town of West Seneca, and

WHEREAS, Section 200-a of the Town Law of the State of New York authorizes a Town Board to adopt a local law to apportion the expense of building, relaying and repairing sidewalks, and

WHEREAS, this Town Board, by Local Law No. 8 of the Year 2016, adopted provisions to apportion the cost of relaying or repairing sidewalks in the Town to the adjacent property owners, and

WHEREAS, the Senior Code Enforcement Officer has supplied this Town Board with the attached list of sidewalks in the Town which are in need of repair or replacement,

NOW, THEREFORE, BE IT ORDERED, that the owners of properties on the attached list be and hereby are directed to repair/replace the sidewalks abutting such properties in accordance with the Town's Streets and Sidewalks Law, and

BE IT FURTHER ORDERED, that, should such property choose to not repair/replace their sidewalks, the Town will cause such sidewalks to be repaired/replaced and will assess/charge the property owner the balance over a period of three (3) years on the County/Town tax bill, with interest as authorized by State law, and

BE IT FURTHER ORDERED, that the Town Clerk be and hereby is directed to notify the owners of properties identified on the attached list of the adoption of this Order by publication as set forth in Section 200-a of the Town Law.

1		Address	F
2	67	Bosse	6
3	639	Cindy	6
4	3674	Clinton	8
5	16	Country Ln	
6	106	Creekview	2
7	27	Diane	
8	254	French Lea	6
9	70	French Lea	6
10	183	French Lea	
11	56	French Lea	
12	78	French Lea	
13	189	French Lea	4
14	197	French Lea	
15	112	Kathy	:
16	431	Meadow	
17	89	Organ Crescent	.
18	81	Organ Crescent	:
19	65	Pleasantview	
20	60	Pleasantview	.

5	Pleasantview	6
151	Sharon	6
132	Sharon	
45	Southgate Dr.	
50	St Jude	
225	St Jude	1
97	Tim Tam Terr	8
65	Tim Tam Terr	.
59	Tim Tam Terr	1