

Supervisor Sheila M. Meegan called the meeting to order at 3:00 P.M. with 30 seconds of silent prayer followed by the Pledge of Allegiance led by Mitch Martin.

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 Vincent Sorrentino.

14-A MINUTES TO BE APPROVED

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the July 10, 2017 work session.

Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve Minutes #2017-13 of July 10, 2017.

Ayes: All Noes: None Motion Carried

14-B 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 LOCAL LAW NO. 4 – SIGN ORDINANCE" 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

Molly Gaudioso of Steinmetz Consulting Group gave the attached power point presentation and summarized the proposed updates to the sign ordinance. She stated the First Amendment is a big consideration as to what can and cannot be legally regulated. The sign ordinance cannot regulate the content of signs, so sections that were not content neutral were removed. Standards and expectations for signs with regard to the material and maintenance have also been updated.

14-B LEGAL ITEMS

1. (continued)

Code Enforcement Officer John Gullo stated he along with Joe Frontera, Bill Bauer, Amy Kobler, Eugene Hart and John Fenz were part of the committee that reviewed the current ordinance and proposed updates. They received many comments throughout the process and a more user friendly plan was created.

Councilman Hart stated this ordinance clarifies the issues of free speech. Implementation of the new ordinance will also make the town more eye appealing as it falls in line with the Comprehensive Plan and design standards.

Susan Kims questioned how many billboards are currently in town and if they are all located in an M-1 or M-2 zoning district. She further questioned if the existing billboards can be converted to electronic without going before the board.

Code Enforcement Officer John Gullo stated the number of billboards is documented in his office and there may be one or two that were a pre-existing use. Ms. Gaudioso stated if a billboard is outside of an M-1 or M-2 zoning district it cannot be converted without going before the board. It would be a change in the type of sign which would require a permit.

Motion by Supervisor Meegan, seconded by Councilman Hart, to hold the public hearing open until the August 7, 2017 meeting.

Ayes: All

Noes: None

Motion Carried

2. Proofs of publication and posting of legal notice: "OF RECEIPT OF THE INDEPENDENT AUDIT OF THE FISCAL AFFAIRS OF THE TOWN OF WEST SENECA FOR THE PERIOD BEGINNING ON JANUARY 1,2016 AND ENDING ON DECEMBER 31, 2016" in the Town of West Seneca, received and filed.

14-C TABLED ITEMS

1. Town Attorney re Restricted use permit for Jim Collins Heating & Cooling, Inc.

Motion by Councilman Hart, seconded by Supervisor Meegan, to remove this item from the table.

Ayes: All

Noes: None

Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hanley to adopt the following resolution approving a restricted use permit for Jim Collins Heating & Cooling, Inc.:

14-C TABLED ITEMS

1. (continued)

WHEREAS, on August 12, 1991 the Town of West Seneca accepted the Final Environmental Impact Statement for the West Seneca Industrial Park that was prepared by Waste Resource Associates, Inc.; and

WHEREAS, the Town of West Seneca received an application for a restricted use permit from Jim Collins Heating & Cooling, Inc. to develop a 5000 sf one-story heating and cooling supply warehouse facility and paved surface parking lot in the West Seneca Industrial Park; and

WHEREAS, this application was considered by the Industrial Park Review Committee on April 18, 2017 and all conditions of review have been met; and

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 the Final Environmental Impact Statement ("FEIS") for the West Seneca Industrial Park Overlay District and the Short Environmental Assessment Form, analyzing the potential for the project to result in any significant adverse environmental impacts and has otherwise taken a hard look at the potential environmental impacts utilizing the criteria specified in 6 NYCRR 617.7 (c); and

WHEREAS, upon such review the Town Board has not identified any potentially significant adverse environmental impacts associated with the proposed use of the subject property and has determined the project is consistent with the FEIS and no further environmental impact statement is necessary; and

WHEREAS, the Industrial Park Review Committee reviewed the project on April 18, 2017 and the Senior Code Enforcement Officer recommended the restricted use permit be granted; and

WHEREAS, pursuant to Town Code, the Town Board further finds that granting a restricted use permit for the subject property to allow for the project is appropriate for the location and will not adversely affect surrounding properties; now, therefore, be it

RESOLVED, the Town of West Seneca certifies that any environmental impacts resulting from the project are consistent with the provisions of the FEIS and the proposed action is not anticipated to result in any significant negative effect on the environment and a Negative Declaration is hereby issued; and be it further

RESOLVED, the Town Board hereby grants to the applicant a restricted use permit for the Industrial Park Overlay District.

Ayes: All

Noes: None

Motion Carried

14-C TABLED ITEMS

- 2 Recreation Supervisor re Agreement with South Buffalo Rugby
- Remained on the table.

14-D COMMUNICATIONS

- 1. Supervisor Meegan re Appointment of Melissa Nirelli part-time clerk
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Melissa Nirelli as part-time clerk at a rate of \$14 per hour effective July 18, 2017 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

- 2. Supervisor Meegan re Salary increase for Diane Webber
- Motion by Supervisor Meegan, seconded by Councilman Hart, to change the salary of part-time clerk typist Diane Webber to \$14 per hour effective July 24, 2017 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

- 3. Town Engineer re Sanitary sewer rehabilitation project SEQRA review
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached SEQRA resolution and determination of Type 2 action relative to the sewer rehabilitation to phases 5 through 10 of the town sewer system.

Ayes: All Noes: None Motion Carried
APPENDICES

- 4. Town Engineer re Queens Landing Subdivision – addition of hydrants
- Motion by Supervisor Meegan, seconded by Councilman Hart, to acknowledge on behalf of the fire district addition of eight new hydrants at the proposed Queen’s Landing Subdivision and resolve to pay the hydrant fee that will be charged by Erie County Water Authority (ECWA) in the amount of \$220.09 per hydrant, per year in this ECWA direct service area.

Ayes: All Noes: None Motion Carried

14-D COMMUNICATIONS

5. Highway Sup't. re Purchase of Dirkson Avenue playground equipment

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the purchase of a Tot's Choice 3 Deck System for the Dirkson Avenue playground from Miracle Recreation Equipment at a cost of \$20,679.00, noting pricing for this new playground equipment is based on state bid #030117-LTS and the town has been reimbursed through its insurance carrier so the purchase will incur no cost to taxpayers.

Ayes: All Noes: None Motion Carried

6. Highway Sup't. re Termination of Jason Lons as part-time laborer

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Jason Lons as part-time seasonal laborer effective July 13, 2017 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

7. Town Clerk re Status change for Margaret Pomana & Ellen Zawodzinski to seasonal

Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time clerks Margaret Pomana & Ellen Zawodzinski to part-time seasonal effective August 1 – November 3, 2017 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

14-E REPORTS

- John Gullo, Code Enforcement Officer's building & plumbing reports for June 2017 received and filed.

14-D APPROVAL OF WARRANT

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$184,418.03; Highway Fund - \$23,763.87; Special Districts - \$6,098.52; Capital Fund - \$106,253.65 (vouchers 100264 - 100891) Trust - \$268,634.98 (vouchers 100926 - 100967)

Ayes: All Noes: None Motion Carried

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Hanley, to recess to executive session at 3:30 P.M. to discuss two items of litigation and one contractual matter.

Ayes: All

Noes: None

Motion Carried

The board members returned from executive session at 3:40 P.M.

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate the workers compensation contract with Pomco Services as third party administrator effective August 23, 2017.

Ayes: All

Noes: None

Motion Carried

ISSUES OF THE PUBLIC

SUNSHINE PARK

Arlene Weckel questioned when the town will place a permanent barrier at the new ball diamond at Firemen's Park on East & West Road to protect residents and vehicles from flying balls. Ms. Weckel further asked the Police Department to enforce the speed limits on East & West Road and Angle Road.

Highway Sup't. Matthew English stated he contacted Tim Little of the Youth Baseball Association who stated only small children are supposed to be playing on the new diamond. Mr. English suggested that residents contact the Police Department if they see someone other than small children playing on that field. Town workers have also been instructed to remove individuals that should not be on the diamond and signs have been posted that a permit is required to use the diamond.

Supervisor Meegan stated the diamond was designed and installed by Local 17 with the idea that it would be for younger kids to play on.

Councilman Hart suggested changing the design to put home plate at the other side.

Councilman Hanley stated board members will work with Mr. English to attempt to resolve this issue.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

CHRISTMAS IN JULY

Senior Recreation Therapist of Senior Services Mary Josefiak stated the senior center will be hosting Christmas in July on Tuesday, July 25th at the facility.

WEST SENECA TOWN OFFICES
1250 Union Road
West Seneca, NY 14224

TOWN BOARD PROCEEDINGS
Minutes #2017-14
July 24, 2017
Page seven . . .

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

MOVIE IN THE PARK

Recreation Supervisor Lauren Masset announced the following Movie in the Park events: "Moana" on August 25th and "Sing" on September 1st.

EMPLOYMENT OPPORTUNITIES

Recreation Supervisor Lauren Masset stated the Recreation Department is accepting applications for rink guards and family swim lifeguards.

CYC/GAELIC GAMES

Councilman Hart stated the Continental Youth Championship Gaelic Games will be held July 27th – 30th at the soccer park. There will be no parking in the immediate area; a shuttle bus will be available at West Senior High School to transfer people to the soccer park.

CELEBRATE SUMMER

Councilman Hanley stated the Lion's Club is hosting "Celebrate Summer," a free concert at the Band Shell on Thursday, July 27th.

WEST SENECA FARMERS MARKET

Supervisor Meegan stated the Farmers Market will be hosting another Kids Day on Thursday, August 24th.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 4:00 P.M.

Ayes: All

Noes: None

Motion Carried


JACQUELINE A FELSER, TOWN CLERK



West Seneca Sign Code Update | BOARD MEETING JULY 24, 2017



Agenda

- SIGNAGE 101 -
A Little Background



- ARTICLE IIIA -
Your Current Code



- DRAFT CODE -
Review of Draft



- Signage 101 -
A Little Background

SPEECH

*
CONDITIONS

First Amendment

Court chooses analysis based on the manner of regulations:

- Content-Neutral
- Content-Based

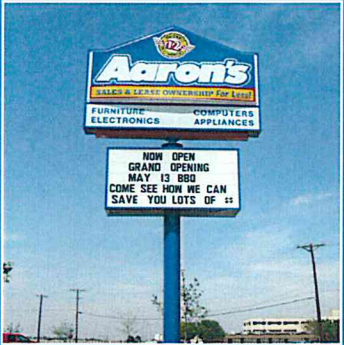
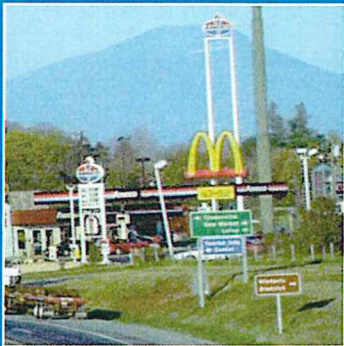
“Congress shall make *no law* respecting an establishment of religion, or prohibiting the free exercise thereof; or *abridging the freedom of speech*, or of the press; or the right of the people peacefully to assemble, and to petition the Government for a redress of grievances.”



Signage 101

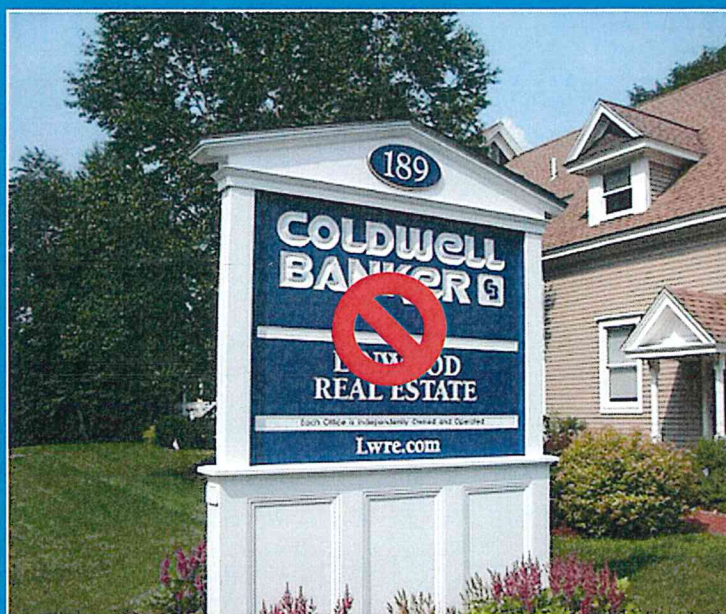
Can Legally Regulate:

- Size
- Number per use/structure
- Height
- Location
- “Physical” or design characteristics



Signage 101

- Should avoid regulating the CONTENT of signs
- Regulations that define signs by the message they display may be legally suspect



*The General Rule Is...
if you need to read a sign to determine applicable
regulations, it is not content neutral.*



Signage 101

Content Based – “Category”

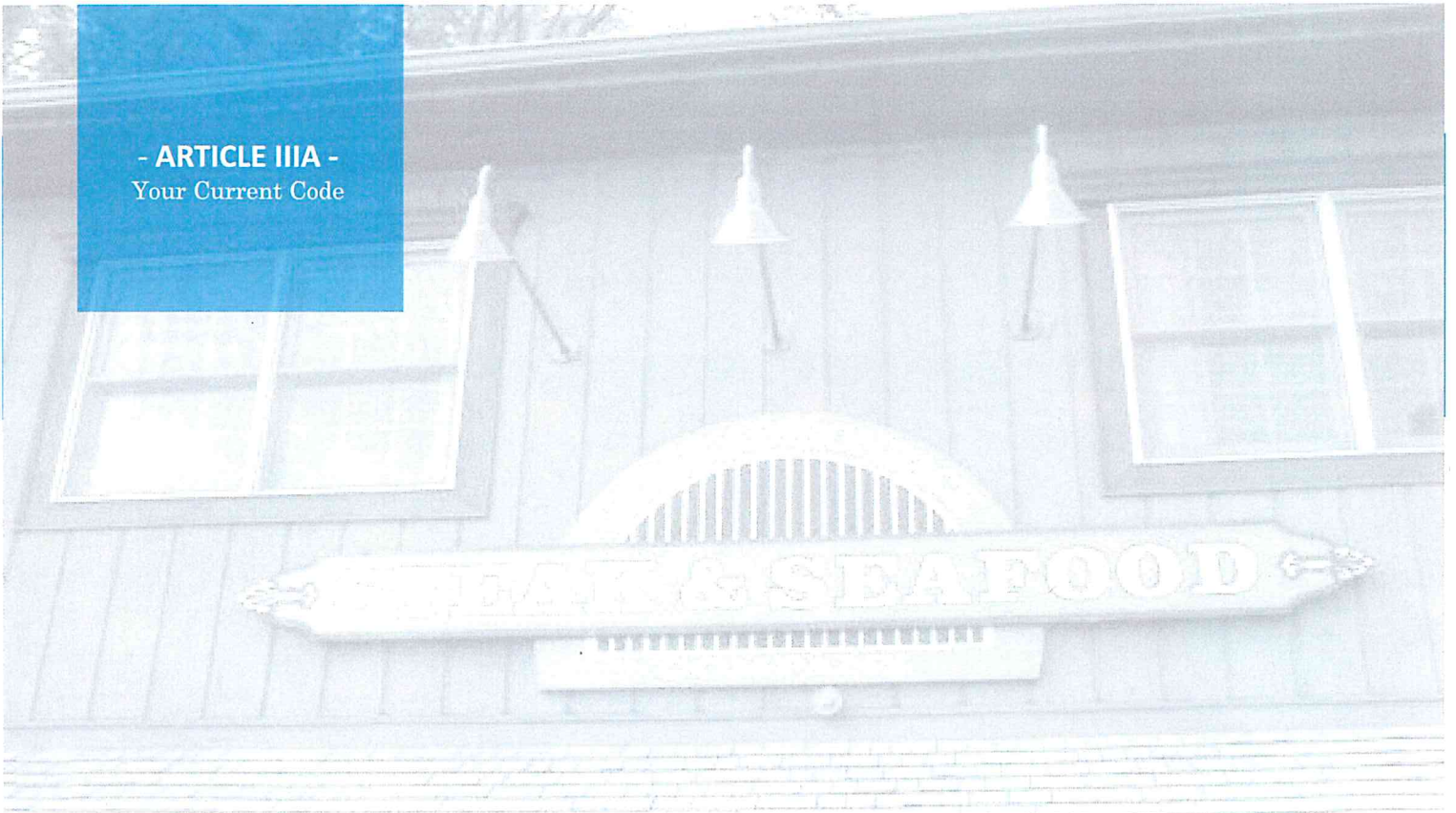
- Identification Signs
- Business Signs
- Advertising Signs
- Informational Signs
- Real Estate Signs
- Etc.

Content Neutral – “Type”

- Freestanding Sign
- Wall Sign
- Awning Sign
- Pole Sign
- Etc.



- ARTICLE IIIA -
Your Current Code



Existing Code Observations

- **Lack of content neutrality**
- Limited size/design standards by sign type
- Lack of purpose/intent statements
- No definitions for key sign terms (“face,” “area,” etc.)
- Permit required, but no process sufficiently outlined
- Conflicting regulations/definitions
- Lack of digital signage considerations





Lack of Content Neutrality

§ 120-40.4. Permitted signs.

- A.
- C. "For sale," "for rent" and "sold" signs. One nonilluminated "for sale," "for rent," or "sold" sign not exceeding four square feet may be erected on the premises or property to which it pertains; provided, however, that where a parcel exceeding 10 acres located in a business or industrial zone is for sale, a "for sale" sign not exceeding 20 square feet in area may be erected. "Sold" signs are to be removed within seven days of posting. No permit is required for all such signs.
 - D. Bulletin boards. Church, school or other exterior institutional bulletin boards shall not exceed 25 square feet in area. No permit is required for such signs.
 - E. Awning signs. Advertising containing only the name of the owner or the name of a business, in letters not more than six inches in height, may be placed upon the valance of any awning. The bottom of the valances shall not be less than seven feet above the sidewalk.

Existing District Approach

- Regulations by **District** – Used to inform updated language
- Regulations by **Use** – Were removed
 - Gasoline service stations;
 - Service or loading docks;
 - Special time-and-temperature signs;
 - Special exception uses;
 - Etc.

§ 120-40.6. Signs in residential districts. ✓

Signs in any residential district, as established by this chapter, are established as follows:

~~A~~ Signs to identify residents and permitted uses of one- and two-family dwellings and farms:

- (1) One nonilluminated sign not exceeding three square feet in area indicating the name of the resident and/or identifying a permitted use may be located on the principal building or a separate post support not exceeding four feet in height. No permit shall be required for such signs.

~~B~~ Signs for identification of multiple dwellings or residents of multiple dwellings:

- (1) Dwelling group identification. One sign not exceeding 25 square feet in area may identify a multiple dwelling or dwelling group complex. Such sign may be illuminated by a nonflashing, shielded light directed away from adjacent streets, highways or properties.
- (2) Resident identification. One nonilluminated sign not exceeding two square feet in area may identify the residents of a multiple dwelling. Such sign shall be attached parallel to the multiple dwelling it serves. No permit shall be required for such signs.

~~C~~ Signs for business or professions conducted on the premises in an R-60A District:

- (1) An identification sign not exceeding 10 square feet in area may be permitted. Such sign may be illuminated by a nonflashing indirect source of light.



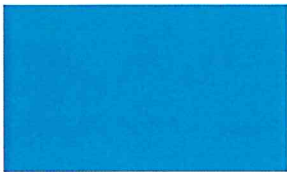
Building on District & Sign Type

- Section 120-40.7 Signs in business or industrial districts.

- Building Face Signs
- Freestanding Signs
- Pedestal Signs
- Temporary Signs

FREESTANDING SIGN — A sign supported by a post or posts permanently placed in the ground and not exceeding 12 feet in overall height.

PEDESTAL SIGN — A sign not attached to any building or structure, supported by one or two pedestals permanently placed in the ground and with a clear unobstructed area of at least eight feet in height from the ground to the bottom of the sign, except for the pedestal or pedestals, which shall not exceed seven feet six inches in horizontal dimensions in any direction. The overall height shall not exceed 25 feet.



Goals of Sign Regulation Update

- Improve level of content neutrality
- Create user-friendly, easy to read format
- Clarify sign permit application process
- Build on existing “district based” & sign type regulations
- Incorporate sign condition & design considerations
- Address electronic changeable copy signs
- Improve enforceability/removal of nonconforming signs

- DRAFT CODE -
Review of Draft

DRINK

Coca-Cola

TRADE MARK REG. U.S. PAT. OFF.



JULY 24, 2017 25



Contents

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



Purpose & 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.



Sign Permit Process

- Through Code Enforcement Officer
- Planning Board may review signs as part of Special Permit and/or Site Plan Review process, if desired
- Situations not requiring a sign permit:
 - Section 120-40.5 (Signs Authorized without a Permit)
 - Repainting, repairing, maintenance, etc.
 - Change in the message
 - Repainting of supports/sign area



Regulations Applicable to All Signs

- Safety Provisions
- Design & Construction Standards
- Location
- Visibility at Intersections
- Illumination
- Maintenance & Repair
- Obsolete Signs
- Removal of Signs

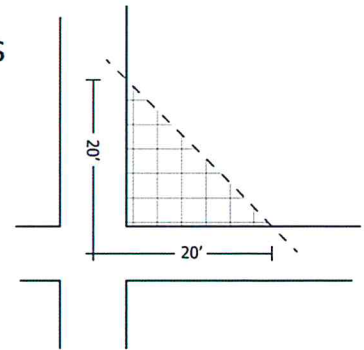


Figure 3: Clear Sight Triangle
No sign higher than three feet shall be placed within the designated clear sight triangle.

Signs Authorized without a Permit

- Directional Signs
- Gasoline Pumps
- Governmental Signs
- Historical Signs
- Home Occupation Signs
- Internal Signs
- Lawn Signs
- Noncommercial Signs on Residential Property
- Sandwich Board Signs



Similar Time, Place & Manner Restrictions:

- 3 feet in height
- 6 square feet in area
- 30 days for in any 90-day period
- 5 foot setback



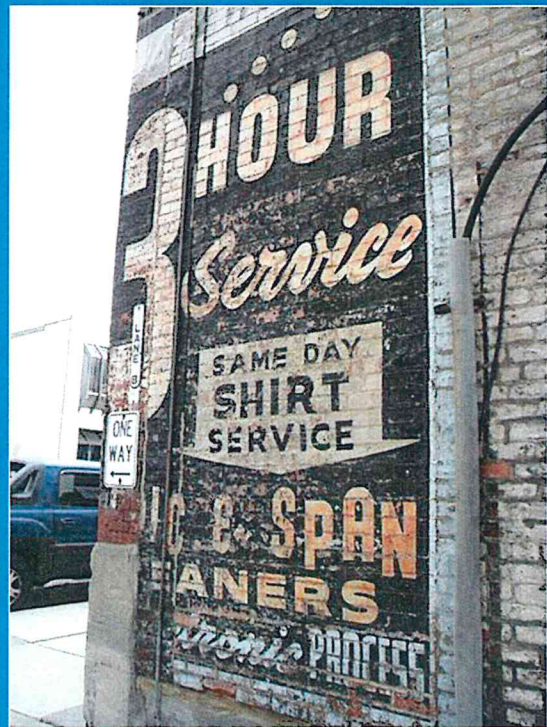
Temporary Signs

- Permit required
- 1 per lot or use
- Requirements:
 - Max 4 feet in height
 - Max 16 square feet in residential district; 32 square feet in nonresidential
 - Max 30 days in any 90-day time period
 - No illumination
 - Min 5 foot setback



Prohibited Signs

- Obscene signs
- Audible, odorous, etc. signs
- Signs resembling traffic signs
- Flashing, blinking, mirrored signs etc.
- Video technology signs
- Signs on wheels & temporary signs used permanently
- Obsolete & off-premise signs
- Signs painted on wall



Digital Signs

- Not in residential district or within 500 feet
- Not in wall, suspended, awning, or window sign
- Up to 75% of sign face
- Change in copy shall be instantaneous and no more than every 30 seconds
- Shall “go dark” upon malfunction
- Billboards exempt



Billboards

- Generally same as existing
- Not permitted in Union Road Corridor area (see Section 120-70, Design Standards)
- Addition of digital technology considerations





Ground Signs

~ Sign area restrictions are generally the same as existing code. ~

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 Height¹	3 feet	15 feet	15 feet	15 feet
Minimum Setback²	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.



Pedestal Signs

~ Sign area restrictions are generally the same as existing code. ~

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 ¹	-	25 feet	25 feet	-
Minimum Setback ²	-	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.



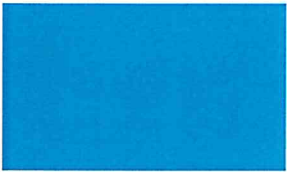


Wall Signs

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 facade	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


~ Current size restriction is 20% of wall area. ~



Additional Sign Tables

- Projecting Signs
- Awning Signs
- Suspended Signs
- Window Signs

Sign area restrictions are generally the same as existing code.

To Be Encouraged	To Be Avoided
	



Questions?

TOWN OF WEST SENECA TOWN BOARD SEQRA DETERMINATION FOR Phases 5 through 10 SANITARY SEWER IMPROVEMENTS

WHEREAS, the Town of West Seneca Town Board (the "Board") has considered the impact to the environment of following Scope of Work to be completed:

1. Phase 5 through 10 Sanitary Sewer Improvements

- Work to be completed on the Town Sewer System in the Town of West Seneca;
- Work includes, but not limited to rehabilitation of existing sewer main and appurtenances in the phase 5 through 10 areas of Town as outlined in the December 2010 Sanitary Sewer Evaluation Study completed by Stearns and Wheeler and amended by Addendum #1 dated June 30, 2011 and Addendum #2 dated 6/22/17;

WHEREAS, the Board has reviewed the Scope of Work set forth above as one Proposed Action, and has further consulted with its Engineer and legal counsel with respect to the potential for environmental impacts resulting from the Proposed Action,

WHEREAS, the Board has reviewed the Proposed Action with respect to the Type II criteria set forth in 6 NYCRR. Part 617 of the Environmental Conservation Law, Article 8 ("SEQRA") and concluded that the project involves:

- Maintenance or reconstruction involving no substantial changes in an existing facility, structure or infrastructure (6 NYCRR §617.5(c)(1));
- Replacement, rehabilitation or reconstruction of infrastructure or facility, in kind, on the same site, including upgrading sewer and sewer infrastructure,

THEREFORE, BE IT RESOLVED, by the Board as follows:

1. The Proposed Action, individually and cumulatively, does not constitute substantial changes to the existing facilities or infrastructure and involves routine activities required for proper operation and maintenance of the Town Sewer System, and, therefore, does not exceed the thresholds for a Type II Action established under 6 N.Y.C.R.R. Part 617.
2. The Board hereby determines the Proposed Action is a Type II action in accordance with SEQRA regulations.
3. No further review of the Proposed Action is required under SEQRA.
4. This resolution shall be effective immediately.

**Addendum 2 to the Town of West Seneca Sewer System Infiltration and Inflow Evaluation
(Orchard Park Road replacement, FM-5 lining, adjustment of other phases)
Date: addendum written 6/22/2017**

In July of 2010 The Town of West Seneca completed a review of their Sewer System and their consultant, Stearns and Wheeler submitted a report titled "Sewer System Infiltration and Inflow Evaluation – Town of West Seneca, New York." As part of a Town Energy Performance Contract, phase 1 as described in the above reference report was included. Also included in the Energy Performance contract was the lining of FM-5. FM-5 was categorized as a "Phase 5" of the proposed work from the 2010 report. The Town included it in the EPC in an effort to minimize or eliminate its sanitary sewer overflow number 5 locations (SSO #5). Prior to this work from 2002 up until 2008 the Town rehabilitated sewers located in FM-6. This work almost entirely eliminated the use of SSO#4 and in an effort to eliminate SSO#5 which would save the town overtime costs and operation costs associated with maintaining SSO#5, the Town decided to line and rehabilitate the sewers in FM-5. This work has drastically reduced the use of SSO#5, however it is still used during spring runoff and rains given the high volume of water that is in the towns system causing backups at this location. The FM-5 lining work was started in 2012 and completed in 2013.

In the fall of 2013 several large sinkholes were found along the town's sanitary sewer transmission main located in FM-19 at the corner of Fairfax and Ashmund. The sanitary sewer in this area was inspected by town staff and found to have several deficiencies. FM-19 as a whole was labeled as a phase 8 project, however it was decided by the Town to advance the portion of transmission main along Fairfax Avenue and Orchard Park Road as a replacement project to address the deteriorating pipe conditions. The remainder of the FM-19 rehabilitation remains a phase 8 project. The transmission main project was bid in August of 2014 and completed in August of 2015. As a result of mini system 5 being rehabilitated under the Energy performance contract and essentially becoming part of Phase 1, the Mini System Rankings from the 2010 report have been modified. Following are tables of the mini system rankings from the 2010 report and the revised "phases" that result from the addendum number 2 changes.

Table 1: Original 2010 Mini System Rankings

Mini System Rankings
Original 2010 Report

Flow Meter/Mini System No.	Overall Rank	Sanitary Sewer Length (LF)	Phase	Comment
18	1	60,659	1	
10	2	36,590	2	
15	3	3,158	1	
20	4	52,226	2	
3	5	0	-	Erie County Sewer District
11	6	31,431	3	
8	7	71,032	4	
2	8	35,622	3	
5	9	85,589	5	
17	10	44,842	6	
ECSD#3/ WSSD#12	11	0	6	
13	12	37,811	7	
7	13	43,857	7	
14	14	63,259	8	
9	15	59,237	9	
19	16	32,976	8	
4	17	0	-	Erie County Sewer District
12	18	36,362	9	
16	19	90,739	10	
1	20	0	-	WSSD#1
6	21	0	-	Work Completed by Town prior to 2010

Table 2: Proposed modifications to 2010 Rankings based on changes to date and proposed work going forward

Mini System Rankings

Addendum

#2

Flow Meter/Mini System No.	Overall Rank	Sanitary Sewer Length (LF)	Phase	Comment
18	1	60,659	1	
10	2	36,590	2	
15	3	3,158	1	
20	4	52,226	2	
3	5	0	-	Erie County Sewer District
11	6	31,431	3	
8	7	71,032	4	
2	8	35,622	3	
5	9	85,589	1	Completed with Energy Performance Contract to minimize SSO#5
17	10	44,842	5	
ECSD#3/ WSSD#12	11	0	6	-
13	12	37,811	6	
7	13	43,857	6	
14	14	63,259	7	
9	15	59,237	9	
19	16	32,976	8	
4	17	0	-	Erie County Sewer District
12	18	36,362	8	
16	19	90,739	10	Note, The Leydecker mini system is a portion of FM 16 and was completed in phase 1
1	20	0	-	WSSD#1
6	21	0	-	Work Completed by Town prior to 2010

WHEREAS, the Town Board of the Town of West Seneca, as the 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 the 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

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; and

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