Meeting #14 Wednesday July 15, 2026
Regular _X_ Special _____

AGENDA

Evans Town Board, Evans Town Hall, 8787 Erie Road, Angola, New York
www.townofevansny.gov

Item	Description	Disp.
I	Call the Meeting to Order	
II	Pledge of Allegiance	
III	Roll Call	
IV	Approval of the Minutes: June 17, 2026 Regular Town Board Meeting Minutes and July 6, 2026 Special Town Board Meeting Minutes	
V	Communications:	
VI	Public Hearing & Bid Opening: Special Use Permit - Barrett	
VII	Committee & Department Head Reports:	
VIII	Town Clerk's Reports: June 2026 Town Clerk Report $ 52,587.87 Interest $ 3.57 Greenspace Fee $ 700.00 Petty Cash $ 650.00	
IX	Old Business:	
X	Privilege of the Floor:	
XI	Resolutions: 1.) Amend Resolution 2025 -378- Parks and Marina Fees 2026 2.) Amend Resolution 2025-412- Town of Evans 2026 Fee Schedule- Temporary Sign Fee 3.) Appointment of Part Time Seasonal Laborer and Gate Guard -Parks Dept. 4.) Appointment of Part Time Seasonal Lifeguard - Parks Dept. 5.) Approval of Collection Site Recycling Service Agreement with Sunnking - 8752 Delamater Rd 6.) Approve Designation for Shelter Contribution on Dog License Renewal Form 7.) Authorize Supervisor to Enter into Contract with Premcom for Police Server Upgrade 8.) Empire State Development Regional Counsel Capital Fund for Sturgeon Point Marina Phase 1 Improvements Approval 9.) Lake Erie Beach Volunteer Fire Company Elected Membership 10.) NYS Department of Environmental Conservations Water Quality Improvements Program - Sturgeon Point Marina Sanitary Sewer Extension Project Approval 11.) NYS Water Infrastructure Improvement Act - 2026 NYS Water Grant Authorizing and Match 12.) Vacuum Truck in MS4 Areas - Combined Vacuum Truck with Street Sweeper (Town of Evans and Village of Angola) Approval 13.) Approve Lead Agency for SEQR - Minor Subdivision - Dodson 14.) Approve Minor Subdivision- Dodson 15.) Approve Lead Agency for SEQR - Barrett Special Use Permit 16.) Approval of Barrett Special Use Permit	
XII	Licenses: 1.) Brandon Willet d/b/a Subway (Refreshment) 2.) Vincent Cala Jr. d/b/a Cala's Kitchen and Catering (Refreshment, Live Band Commercial) 3.) Graycliff Conservancy - Special Event (Farmer's Market)	
XIII	Audit of Bills:	
XIV	Adjournment to: Wednesday August 5, 2026 at 6:00pm for the Work Session and Regular Meeting immediately to follow.	

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.
Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Get the Agenda and Meeting Packet sent to your email! Subscribe to the Town of Evans Legal Paper: http://www.observertoday.com/store/ (716)366-3000 click Newsletter Signup under the Quick Links

Evans Town Board
At a meeting of the Town Board of the Town of Evans, the following were present:

PRESENT:	John Wilson	Councilman
	Laurie Reitz	Councilman
	Steve Paluch	Councilman
	Jonica DiMartino	Councilman
	Raymond Ashton	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Brittanylee Penberthy	Town Attorney

RESOLUTION 2026 #225 Accept Minutes
Supervisor Ashton and Councilman DiMartino seconded that the reading of the June 3, 2026 Town Board Meeting minutes be dispensed with and accepted as submitted by the Town Clerk.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Wilson	Aye
Councilman Reitz	Aye
Councilman Paluch	Aye
Councilman DiMartino	Aye
Supervisor Ashton	Aye

TOWN OF EVANS
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Evans on June 17, 2026, at 6:10 P.M. in the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 to consider the petition of GPI Engineering, for a Preliminary Plat approval of 52 separate tax parcels located on land known as '0 Commercial Street,' SBL # 235.00-3-26.2.

The full set of plans shall be available for inspection at the Evans Town Hall during normal business hours (Monday, Tuesday, Thursday, Friday 8:00 a.m.-4:00 p.m.; Wednesday 9:00 a.m-5:00 p.m.) and on the Town of Evans website: www.townofevansny.gov/docs/planning-department/commercial-street-subdivision/. If you would like to discuss the plan with the Planning Department, please make an appointment via email or by phone: (716) 549-0945.

Residents are encouraged to attend. Questions and comments may also be forwarded via USPS to the Evans Planning Office at 8787 Erie Road, Angola, NY 14006 or by email to planning@townofevans.org: any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All interested parties and citizens shall have an opportunity to be heard by the Town Board at the Zoom and/or In-Person Public Hearing to be held aforesaid.

Lynn M. Krajacic
Town Clerk, Town of Evans

RESOLUTION 2026 #226 Open the Public Hearing
Supervisor Ashton moved and Councilman Wilson seconded to open the public hearing.

The following spoke in favor or opposition:
Ken Zollitsch - GPI/Greenman-Pedersen, Inc. spoke in favor and explained the project
Kathy Gallagher - Opposition
Joe Bonitat - Opposition

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Wilson	Aye
Councilman Reitz	Aye
Councilman Paluch	Aye
Councilman DiMartino	Aye
Supervisor Ashton	Aye

RESOLUTION 2026 #227 Close the Public Hearing
Supervisor Ashton moved and Councilman DiMartino seconded to close the public hearing.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Wilson	Aye
Councilman Reitz	Aye
Councilman Paluch	Aye
Councilman DiMartino	Aye
Supervisor Ashton	Aye

RESOLUTION 2026 #228 Town Clerk's Reports
Supervisor Ashton moved and Councilman DiMartino seconded to accept the reports of the Town Clerk as presented for the month of May 2026:

Town Clerk Report	$40,557.27
Interest	$3.07
Greenspace Fee	$700.00
Petty Cash	$650.00

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Wilson	Aye
Councilman Reitz	Aye
Councilman Paluch	Aye
Councilman DiMartino	Aye
Supervisor Ashton	Aye

RESOLUTION 2026 #229 Authorization to Execute Lineage Agreement - WNY Imaging
Councilman Paluch moved and Councilman Reitz seconded,

WHEREAS, the lease/maintenance agreements between the Town of Evans and WNY Imaging are expiring for four (4) copiers (Building Department, Court Clerk Office, Finance Department and Town Clerk Office); and

WHEREAS, all machines are comparable or superior to the existing machines; and

BE IT RESOLVED, the Town of Evans enter into renewal Lease/Maintenance agreements with WNY Imaging, located at 411 Maryvale Drive, Buffalo, New York 14225 for the period of 60 months at a cost of $470.00 per month for the Town of Evans above referenced copiers; and

FURTHER, BE IT RESOLVED, that Supervisor Ray Ashton is hereby authorized to execute the above referenced agreements, upon the approval of the Town Attorney; and

FURTHER, BE IT RESOLVED, this resolution is resolved nunc pro tunc.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #230 Accept & Approve Bid - Phase 1 Debris Removal/Fernbrook
Supervisor Ashton moved and Councilman DiMartino seconded,

WHEREAS, the Town of Evans Drainage Committee is working with Erie County Soil and Water for phase 1 of debris removal of Fern Brook and;

WHEREAS, Erie County Soil and Water requested bids for the project on May 19th 2026; and

WHEREAS, bids were received and opened on May 26th 2026 at 4pm, in accordance with the Notice to Bidders previously authorized; and

WHEREAS, the lowest bid with all approved documents was submitted with the total cost of the project being $ 29,401.00 by Matt Kolo Excavating of 7631 Zimmerman Rd, Hamburg, NY 14075; and

WHEREAS, Erie County Soil and Water will be paying the contractor initially and will be refunded by the Town of Evans; and

WHEREAS, the Town of Evans Drainage Committee recommends to the Town of Evans Town Board for approve for bid.

NOW, THEREFORE, BE IT RESOLVED, that the aforementioned bid of $29,401.00 by Matt Kolo Excavating of 7631 Zimmerman Rd, Hamburg, NY 14075 be accepted for phase 1 of debris removal of Fern Brook; and

BE IT FUTHER RESOLVED, that reimbursement in the amount of $29,401.00 to Erie County Soil and Water; and

BE IT FURTHER RESOLVED, that the Supervisor Ray Ashton is authorized to execute all bid award and/ or contract documents for such bid award, upon the approval of the Town Attorney.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #231 Adoption of Pro-Housing Communities Pledge
Councilman DiMartino moved and Councilman Reit seconded,

WHEREAS, the Town of Evans believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State's economic growth and community well-being;

WHEREAS, the housing crisis has negative effects at regional and local levels, we believe that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities;

WHEREAS, we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities;

WHEREAS, we believe that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

WHEREAS, we believe that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town of Evans, in order to take positive steps to alleviate the housing crisis, adopts the Pro-Housing Communities pledge, which will have us endeavor to take the following important steps:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

2. Adopting policies that affirmatively further fair housing.

3. Incorporating regional housing needs into planning decisions.

4. Increasing development capacity for residential uses.

5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #232 Advertise Invitation to Bid - Demolitions

Councilman Paluch moved and Councilman DiMartino seconded,

WHEREAS, Chapter 74 ("Buildings, Unsafe") of the Code of the Town of Evans authorizes the Town to address, secure, and remove buildings and structures determined to be unsafe or dangerous; and

WHEREAS, the demolition and removal of unsafe and dangerous buildings is necessary to protect the public health, safety, and welfare of the residents of the Town of Evans; and

WHEREAS, the Town desires to procure the services of a qualified contractor to perform demolition and controlled demolition services, excluding asbestos abatement, on an as-needed basis for a period of three (3) years;

NOW, THEREFORE, BE IT RESOLVED, that the Code Enforcement Office is hereby authorized to prepare an invitation to bid for the demolition, and controlled demolition without asbestos abatement for a period of 3 years; and

BE IT FURTHER RESOLVED, that the bid specifications and related contract documents shall be available through CPL, 726 Exchange Street, Suite 920, Buffalo, New York 14210. Interested bidders may obtain copies of the bid documents by contacting Kelly McConnaughey, Project Representative for CPL; and

BE IT FURTHER RESOLVED, that the Town Clerk shall advertise a notice of invitation to bid; and

BE IT FURTHER RESOLVED, that the bids are due to the Town Clerk's Office by 2:00 pm on July 10th, 2026, at which time the bids will be publicly opened and read aloud; and

BE IT FURTHER RESOLVED, that all costs for said demolition work shall be initially paid for by the Town, and that those specific costs incurred shall be a placed as a lien on the subject parcels; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Town Assessor to institute the appropriate actions against the property owners of the above referenced properties for recovery of costs incurred by the Town in connection with these proceedings as provided by Evans Town Code Section 74-8.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #233 Appointment of Part Time Clerk - Senior Center
Councilman Paluch moved and Councilman DiMartino seconded,

WHEREAS; vacancies exist for a Part Time Clerk located at the Senior Center; and

WHEREAS; the Town posted the position for a Part Time Clerk; and

WHEREAS; interviews were conducted; and

NOW, THEREFORE, BE IT RESOLVED, that Meghan Kelly is hereby appointed as Part Time Clerk for the Town of Evans, effective July 7, 2026, at an hourly rate of $18.60 and working up to a maximum of 19.5 hours per week; and

FURTHER, BE IT RESOLVED; a copy of this resolution will be given to Human Resources.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #234 Appointment of Veterans Committee Member
Councilman Wilson moved and Councilman DiMartino seconded,

WHEREAS, there is a vacancy on the Town of Evans Veterans Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board hereby appoints Matthew Rzepka as a committee member to the Town of Evans Veterans Committee, effective immediately.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #235 Declare Lead Agency - Minor Subdivision - Schneider
Supervisor Ashton moved and Councilman Reitz seconded,

WHEREAS, John Schneider has applied for a Minor Subdivision application brought before the Town Board for approval to subdivide a 66.13 ± acre parcel to create 4 parcels, and

WHEREAS, minor Subdivision are unlisted SEQR actions, and

WHEREAS, the Town Board of the Town of Evans desires to be the Lead Agency for the SEQR process, and

WHEREAS, the Town has completed a Short Environmental Assessment Form for this action, and

WHEREAS, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Schneider Minor Subdivision, and

WHEREAS, it has been determined that the subdivision of these properties will not result in any significant environmental impacts regarding the SEQR process.

NOW THEREFORE BE IT RESOLVED, that the Town of Evans shall be Lead Agency for the SEQR process for the above mentioned minor Subdivision; and

RESOLVED, that the Town Board of the Town of Evans considers the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the Schneider Minor Subdivision.

a division of SBL# 237.00-4-17.11, dividing a 66.13± acre parcel to create four parcels:

1. a 25.37± acre parcel with 153.78± feet of frontage on New Jerusalem Rd., and
2. an 8.01± acre parcel with 474.90± feet of frontage on New Jerusalem Rd. and 485.22± feet on Carpenter Rd., and
3. a 7.99± acre parcel with 606.92± feet of frontage on Carpenter Rd., and
4. a 24.76± acre parcel with 926.96± feet of frontage on Carpenter Rd.

Petitioner: John Schneider, 1528 Wisconsin Road, Derby, NY 14047

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #236 Approval of Minor Subdivision - Schneider
Councilman DiMartino moved and Councilman Reitz seconded,

WHEREAS, the proposed Subdivision were referred to the Erie County Department of Environment and Planning for a 239M Review as required; they stated the proposed actions have been reviewed and determined to be of local concern, and

WHEREAS, the proposed subdivision was also referred to the Erie County Agriculture and Farmland Protection Board for review of the Agricultural Data Statement in which no comment was offered, and

WHEREAS, notification was mailed to all addresses occurring on property within an agricultural district containing a farm operation, or on property within 500 feet of an active farm operation with no comments being received, and

WHEREAS, the Town of Evans Minor Subdivision Review Committee has completed a review and recommended approval with conditions, and

WHEREAS, the Evans Town Board, as Lead Agency, issued a negative declaration regarding the SEQR process.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby considers the findings of the Town of Evans Minor Subdivision Review Committee and conditionally approves the John Schneider Minor Subdivision,

a division of SBL# 237.00-4-17.11, dividing a 66.13± acre parcel to create four parcels:

1. a 25.37± acre parcel with 153.78± feet of frontage on New Jerusalem Rd., and

2. an 8.01± acre parcel with 474.90± feet of frontage on New Jerusalem Rd. and 485.22± feet on Carpenter Rd., and

3. a 7.99± acre parcel with 606.92± feet of frontage on Carpenter Rd., and

4. a 24.76± acre parcel with 926.96± feet of frontage on Carpenter Rd.

and that the approval is conditional upon the following:

receipt of approval for area and buildable lot variances from the Zoning Board of Appeals regarding the newly created 25.37± acre parcel.

Petitioner: John Schneider, 1528 Wisconsin Road, Derby, NY 14047

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #237 Change Order #1 - Muddy Creek Restoration & Erosion Control
Councilman Reitz moved and Councilman Paluch seconded,

WHEREAS; the Town of Evans has been awarded funding in the combined amount of $918,624 from the Environmental Protection Agency's Great Lakes Restoration Initiative and FEMA Hazard Mitigation grants Program for erosion control, flood mitigation, coastal resilience habitat restoration and water quality improvements along Muddy Creek; and

WHEREAS; CPL as the Town's municipal engineering firm has provided design, engineer and permitting services for the project totaling $147,794 in fees with approximately 95% federal funds and 5% Town funds; and

WHEREAS; CPL has now incurred unanticipated costs associated with producing a Hec-Ras Hydraulic Model as being required by NYSDEC for environmental permitting; and

WHEREAS; the creation of the Muddy Creek Hec-Ras Hydraulic Model will provided a continued benefit to the Town on future projects throughout the Muddy Creek watershed; and

WHEREAS: CPL has provided the attached proposed Fee Amendment dated May 19, 2026 in the amount of $40,000 for creation of the Muddy Creek Hec-Ras Model.

NOW, THEREFORE, BE IT RESOLVED, that CPL's Change Order Request #1 for the Muddy Creek Hec-Ras Model in the amount of $40,000 is hereby approved.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #238 Elected Membership - Lake Erie Beach Volunteer Fire Company
Councilman Paluch moved and Councilman Reitz seconded,

WHEREAS, the Lake Erie Beach Volunteer Fire Company, Inc. has accepted applications for new candidates for membership; and

WHEREAS, each candidate was interviewed thoroughly and found to meet or exceed the qualifications; and

WHEREAS, the following candidate was elected into membership of the Lake Erie Beach Volunteer Fire Company, Inc. during the June 4, 2026 General Membership Meeting;

NOW, THEREFORE, BE IT RESOLVED, based on the above, the Evans Town Board hereby approves the following member elected into membership to the Lake Erie Beach Volunteer Fire Company, Inc.;

Falicia Streebel

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #239 Waiver of Additional Service Fees - July 3, 2026 at Lake Erie Beach
Councilman Wilson moved and Councilman DiMartino seconded,

WHEREAS, Evans Community Events, Inc. is hosting the July 3rd Fireworks Event (to be held on July 3, 2026) at Lake Erie Beach Park; and

WHEREAS, Evans Community Events, Inc. has submitted the Special Event Application and all applicable paperwork; and

WHEREAS, all applicable Town of Evans' departments have review and submitted the additional services fees in conjunction with the above referenced event; and

WHEREAS, Evans Community Events, Inc. has submitted a request to waive the additional service Code Enforcement/Fire Marshall fee of $120.00 (site plan and fire safety inspections) and additional service Police Department fees of $1,980.00 (Public safety, crowd and traffic control) and Parks Department fees of $315.30 plus any repairs that may need to be done after the event, cost to be determined (total of waivers, not including repairs, totals $2,415.30); and

WHEREAS, in addition, Evans Community Events, Inc. has submitted a request for the Town of Evans to assist with the cost of portable bathrooms;

NOW, BE IT RESOLVED, the Town Board does hereby grant a waiver of the Code Enforcement/Fire Marshall fee of $120.00 (site plan and fire safety inspections) and additional service Police Department fees of $1,980.00 (Public safety, crowd and traffic control) and Parks Department fees of $315.30 plus any repairs that may need to be done after the event, cost to be determined (total of waivers, not including repairs, totals $2,415.30), as submitted by the applicable Town Departments, for the July 3, 2026 event; and

FURTHER, BE IT RESOLVED, the Town of Evans will pay $1,000 towards the cost of the portable bathrooms; and

FURTHER BE IT RESOLVED, a copy of this resolution be given to the appropriate Town Departments.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #240 SEQR Negative Declaration Approval - Commercial Street Subdivision

Supervisor Ashton moved and Councilman Wilson seconded,

WHEREAS, GPI Engineering on behalf of Regency Builders, LLC ("the Applicant") has requested Preliminary Plat Approval for the proposed Commercial Street Major Subdivision ("the Project"); and

WHEREAS, the Project involves the creation and development of 52 residential lots and supporting infrastructure on the 23.76± acre parcel located at 0 Commercial Street (SBL# 235.00-3-26.2); and

WHEREAS, the Evans Town Board declared intent to serve as SEQR Lead Agency on the Project at their March 18, 2026 meeting and initiated a 30-day coordinated review with involved agencies; and

WHEREAS, per Section 178-6.b of the Town Code pertaining to procedures for obtaining subdivision approval, the Planning Board carefully reviewed the Preliminary Plat for compliance with SEQR requirements and made their recommendation to the Town Board; and

WHEREAS, the Town Board has reviewed the proposed Project and considered the criteria for Determination of Significance listed in the SEQR regulations, and has found that the proposed action is not anticipated to result in any significant adverse impacts on the environment; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Town Board of the Town of Evans issues a negative declaration in accordance with SEQR requirements for the Commercial Street Major Subdivision located at 0 Commercial Street (SBL# 235.00-3-26.2); and

BE IT FURTHER RESOLVED, that a copy of this resolution is sent to the Planning Office.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Wilson	Aye
Councilman Reitz	Aye
Councilman Paluch	Aye
Councilman DiMartino	Aye
Supervisor Ashton	Aye

RESOLUTION 2026 #241 Preliminary PLAT Approval - Commercial Street Subdivision

Councilman Paluch moved and Councilman Reitz seconded,

WHEREAS, GPI Engineering on behalf of Regency Builders, LLC ("the Applicant") has requested Preliminary Plat Approval for the proposed Commercial Street Major Subdivision ("the Project"); and

WHEREAS, the Project involves the creation and development of 52 residential lots and supporting infrastructure on the 23.76± acre parcel located within the Residential Two Family (R-2) zoning district at 0 Commercial Street (SBL# 235.00-3-26.2); and

WHEREAS, the Applicant is also seeking Cluster Development designation per the regulations set forth in Section 200-59 of the Evans Town Code; and

WHEREAS, the Applicant has adjusted the plans and addressed comments provided by the Town during the coordinated review period; and

WHEREAS, the Planning Board has unanimously recommended to approve the Preliminary Plat based on the following reasons:

· The Project in accordance with the Town's zoning regulations.
· The Project will constitute the use of underutilized property.
· The project will provide a new source of housing in the Town.

WHEREAS, the Town Board has held a public hearing on the preliminary Plat on June 17, 2026,

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby approves the Preliminary Plat for the Commercial Street Major Subdivision with the following conditions:

· The Applicant shall address comments provided in the Town Engineer's review dated May 8, 2026.

· The Applicant shall continue coordination with USACE to determine the jurisdiction of any federal wetlands that may be present on the site. Once determined, any and all required permits from USACE will be presented to the Planning Department prior to commencing work on the site.

· The Applicant shall receive all necessary approvals regarding the Downstream Sewer Capacity Analysis that was submitted to the Erie County Division of Sewerage Management for approval.

· The applicant shall coordinate with Village of Angola and Department of Health to conform the new water distribution system with all applicable details, specifications, standards and requirements.

· The Applicant shall continue to work with the Town Engineer and Planning Director to achieve Final Plat approval by the Evans Town Board.

· Any significant changes made to the Preliminary Plat during the ongoing approval process will be returned to the Planning Board for additional review and consideration for recommendation to the Town Board.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution, as amended, is sent to the Planning Office.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #242 Approve Town Licenses

Councilman Wilson moved and Councilman Reitz seconded,

1) Kelton Enterprises D/B/A Tim Hortons Derby - Refreshment
2) SHD 1968 LLC - The Shore House Bar & Grill - Refreshment, Amusement, Live Band Commercial
3) Michael Connors - Live Band Special Event
4) Chama & John Darcy - Live Band Special Event

RESOLVED, that the aforesaid licenses be granted pertaining to the report of the Chief of Police and the Code Enforcement Officer.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #243 Audit of Bills

Councilman DiMartino moved and Councilman Reitz seconded the properly audited bills be paid out of their respective accounts:

	AUDIT OF BILLS
DATE	6/18/2026
ABSTRACT NO.	12
VOUCHER NO.	19254-19328
CHECK NUMBERS	91428-91494
APPROVED AT	Board Meeting
DATE	6/17/2026
GENERAL	$74,678.10
PART TOWN	$1,268.70
HIGHWAY DB	$55,617.25
WATER	$485.00
CAPITAL PROJECTS	$57,594.07
SPECIAL DISTRICTS	$126,951.23
TOTAL	$316,594.35

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

RESOLUTION 2026 #244 Adjournment

Supervisor Ashton moved and Councilman Reitz seconded to adjourn to Wednesday, July 15, 2026 at 6:00pm for a Work Session and the Regular Meeting to follow.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Wilson	Aye
	Councilman Reitz	Aye
	Councilman Paluch	Aye
	Councilman DiMartino	Aye
	Supervisor Ashton	Aye

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.
Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

These minutes are an unofficial copy unless the original signature of the Town Clerk is affixed below. The original official paper minutes are stored in the Town's vault.

Respectfully Submitted,

Lynn M. Krajacic
Town Clerk

Evans Town Board

At a Special meeting of the Town Board of the Town of Evans, the following were present:

PRESENT:

	John Wilson	Councilman
	Laurie Reitz	Councilman
	Steve Paluch	Councilman
	Raymond Ashton	Supervisor
ALSO PRESENT:	Kristen Bauer	Deputy Town Clerk
ABSENT	Jonica DiMartino	Councilman

RESOLUTION 2026 #245 Authorization to Advertise for Public Hearing - Barrett (SUP)
Councilman Paluch moved and Councilman Wilson seconded,

WHEREAS, in a letter dated June 25, 2026, the Planning Director has requested that the Town Board set a public hearing regarding the petition of William and Gina Barrett for a Special Use Permit for the operation of a health and wellness business to be located at 6975 Sweetland Road, Derby, NY 14047, SBL# 206.00-2-14; and

WHEREAS, the Planning Board unanimously recommended approval of the Special Use Permit at their Planning Board meeting held on June 24, 2026.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Clerk to advertise for a public hearing to be held on July 15 2026 at 6:10pm for the consideration of said special use permit.

AND BE IT FURTHER RESOLVED, that this resolution is approved nunc pro tunc.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Wilson	Aye
Councilman Reitz	Aye
Councilman Paluch	Aye
Councilman DiMartino	Absent
Supervisor Ashton	Aye

RESOLUTION 2026 #246 Audit of Bills
Supervisor Ashton moved and Councilman Reitz seconded that all properly audited bills be paid out of their respective accounts as follows:

AUDIT OF BILLS

DATE	7/7/2026
ABSTRACT NO.	13 & 13a
VOUCHER NO.	19330-19428
CHECK NUMBERS	91495-91572
APPROVED AT	Board Meeting
DATE	7/6/2026
GENERAL	$217,386.82
PART TOWN	$7,169.50
HIGHWAY DB	$27,821.96
WATER	$5,495.25
CAPITAL PROJECTS	$11,821.37
SPECIAL DISTRICTS	$123,244.11
TOTAL	**$392,939.01**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Wilson	Aye
Councilman Reitz	Aye
Councilman Paluch	Aye
Councilman DiMartino	Absent
Supervisor Ashton	Aye

RESOLUTION 2026 #247 Adjournment

Supervisor Ashton moved and Councilman Retiz seconded to adjourn the Special Meeting to Wednesday July 15, 2026 at 6:00pm for a Work Session and Regular Meeting to follow

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Wilson	Aye
Councilman Reitz	Aye
Councilman Paluch	Aye
Councilman DiMartino	Absent
Supervisor Ashton	Aye

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.
Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

These minutes are an unofficial copy unless the original signature of the Town Clerk is affixed below. The original official paper minutes are stored in the Town's vault.

Respectfully Submitted,

Kristen Bauer
Deputy Town Clerk

Lynn M. Krajacic
Town Clerk

P.H.

LEGAL NOTICE
TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a Public Hearing on July 15th, 2026 at 6:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, NY 14006 (with Zoom access listed on the Town website) to consider the petition of William and Gina Barrett for a Special Use Permit for the operation of a Health and Wellness business to be located at 6975 Sweetland Road, Derby, NY 14047, SBL# 206.00-2-14. Questions and comments may be forwarded to the Planning Office by USPS or by email to planning@townofevans.org; any written questions or comments forwarded to the Planning Department will be included in the record of the Public Hearing. All interested parties and citizens shall have an opportunity to be heard by the Town Board at the Public Hearing in-person and/or via Zoom to be held aforesaid.

By Order of the Town Board of the Town of Evans
Lynn M. Krajacic
Town Clerk

TOWN OF EVANS

LYNN M. KRAJACIC, TOWN CLERK

8787 Erie Road • Angola, NY 14006-9600

Telephone (716) 549-8787

July 2, 2026

Raymond Ashton, Supervisor
8787 Erie Road
Angola, New York 14006

Dear Supervisor Ashton,

Per transfer through NBT Bank, $53,291.44 was transferred to the Town of Evans Savings & Green Space account.

This represents the following:

Town Clerk June 1, 2026 - June 30, 2026	$52,587.87
Interest Earned on Checking Account June 1, 2026 - June 30, 2026	$ 3.57
Greenspace Fees/Trust & Agency Account June 1, 2026 - June 30, 2026	$ 700.00
Petty Cash Fund Balance	$ 650.00

These funds were received by me as Town Clerk for the Town of Evans.

Best Regards,

Lynn Krajacic
Town Clerk

Cc: Finance Dept
Councilman Wilson
Councilman DiMartino
Councilman Paluch
Councilman Reitz

Res 1

RESOLUTION – AMEND RESOLUTION #2025-378 PARKS AND MARINA FEES FOR 2026

BE IT RESOLVED, effective immediately, the Town Board shall amend and approve the pricing for the dry dock fee for Jet Skis; and

FURTHER, BE IT RESOLVED, the fee for a single Jet Ski will be amended to $450; and

FURTHER, BE IT RESOLVED, if an extra Jet Ski is added to the dry dock location an additional $100 fee would be applied.

ROLL CALL VOTE:

Res 2

RESOLUTION – AMEND RESOLUTION #2025-412 TOWN OF EVANS 2026 FEE SCHEDULE

WHEREAS, the Town of Evans approved the fee schedules for the 2026 year per Resolution #2025-412; and

WHEREAS, some of those fees have been updated pursuant to the Temporary Sign fee for 2026;

NOW, THEREFORE, BE IT RESOLVED, effective immediately, the Town of Evans 2026 Fee Schedule will be amended and approved as follows;

Temporary Sign Fee $25.00; and

BE IT FURTHER RESOLVED, this resolution is considered nunc pro tunc.

ROLL CALL VOTE:

Res 3

RESOLUTION – APPOINTMENT OF PART-TIME SEASONAL LABORER/GATE GUARD – (Parks Department)

BE IT RESOLVED, effective June 30, 2026, the following individuals are hereby appointed as a Part Time Seasonal Laborer and Gate Guard for a five (5) month period, working up to 39.5 hours per week, at the hourly rates indicated:

NAME	TITLE	HOURLY RATE
Lynette Ellison	Gate Guard	$16.55
Tristen Norton	Laborer	$18.60; and

FURTHER BE IT RESOLVED, this resolution is considered nunc pro tunc.

ROLL CALL VOTE:

Res 4

RESOLUTION – APPOINTMENT OF PART-TIME SEASONAL LIFEGUARD – (Parks Department)

BE IT RESOLVED, effective July 1, 2026, the following individual are hereby appointed as a Part Time Seasonal Lifeguard for a five (5) month period, working up to 39.5 hours per week, at the hourly rates indicated:

NAME	TITLE	HOURLY RATE
Saniya Seneca	Lifeguard	$18.55; and

FURTHER BE IT RESOLVED, this resolution is considered nunc pro tunc.

ROLL CALL VOTE:

Res 5

RESOLUTION – APPROVAL OF COLLECTION SITE RECYCLING SERVICE AGREEMENT WITH SUNNKING – 8752 DELAMATER ROAD LOCATION

BE IT RESOLVED, that the Evans Town Board does hereby re-enter into a Collection Site Recycling Service Agreement between the Town of Evans and Sunnking pursuant to the electronic waste events for the location at 8752 Delamater Road, Angola, New York 14006; and

BE IT FURTHER RESOLVED, Supervisor Ashton is hereby authorized to sign any and all related documents pursuant to the Collection Site Recycling Service Agreement, upon approval of the Town Attorney.

ROLL CALL VOTE:

Res 6

RESOLUTION – APPROVE DESIGNATION FOR SHELTER CONTRIBUTION ON DOG LICENSE RENEWAL FORM

WHEREAS, the Town of Evans dog license renewal form has a check box for a shelter contribution, which is optional;

BE IT RESOLVED, the Evans Town Board hereby approves the SPCA Serving Erie County as the Town of Evans designation for the optionally contribution.

ROLL CALL VOTE:

Res 7

RESOLUTION – AUTHORIZE SUPERVISOR TO ENTER INTO CONTRACT WITH PREMCOM FOR POLICE SERVER UPGRADE

WHEREAS, there is an immediate need for the server for Town of Evans Police Department to be upgraded, due to the server being outdated; and

WHEREAS, more specifically, current server upgrade will enhance the processing, memory and storage capabilities for the Town of Evans Police Department; and

WHEREAS, a quote from Premcom was obtained, which incorporates the above referenced server upgrade, at a cost of $38,901.00; and

WHEREAS, the Town of Evans IT Consultants recommend entering into a contract with Premcom for the above referenced Police Department server upgrade as the above referenced work in specific to the Town of Evans;

BE IT RESOLVED, that Supervisor Ashton is authorized to execute all necessary contract documents with Premcom, upon the approval of the Town Attorney.

ROLL CALL VOTE:

Res 8

Resolution - Empire State Development Regional Council Capital Fund for Sturgeon Point Marina Phase One Improvements Approval

WHEREAS, the Town Board desires to apply for financial assistance from Empire State Development Regional Council Capital Fund towards implementation of the Sturgeon Point Marina Phase One Improvements project, including for the installation and reconfiguration of new docks and amenities; and

WHEREAS, the requested financial assistance will supplement funding previously awarded for this project from the NYS Department of State Local Waterfront Revitalization Program; and

WHEREAS, the Town Board commits to providing the required local matching funds to ensure the timely implementation of the proposed project.

NOW, THEREFORE, BE IT RESOLVED, that Ray Ashton, as Supervisor of the Town of Evans, is hereby authorized and directed to accept funds from the Empire State Development Regional Council Capital Fund in an amount not to exceed $680,000 or 20% of the total construction cost for the Sturgeon Point Marina Improvements project; and

BE IT FURTHER RESOLVED, that Supervisor Ashton is hereby authorized and directed to file an application to Empire State Development with a total project cost not to exceed $3,400,000; and

BE IT FURTHER RESOLVED, that upon approval of said funding request, Supervisor Ashton is hereby authorized to execute a project agreement and sign all documents.

ROLL CALL VOTE:

Res 9

RESOLUTION – LAKE ERIE BEACH VOLUNTEER FIRE COMPANY, INC. ELECTED MEMBERSHIP

WHEREAS, the Lake Erie Beach Volunteer Fire Company, Inc. has accepted applications for new candidates for membership; and

WHEREAS, each candidate was interviewed thoroughly and found to meet or exceed the qualifications; and

WHEREAS, the following candidate was elected into membership of the Lake Erie Beach Volunteer Fire Company, Inc. during the July 2, 2026 General Membership Meeting;

NOW, THEREFORE, BE IT RESOLVED, based on the above, the Evans Town Board hereby approves the following member elected into membership to the Lake Erie Beach Volunteer Fire Company, Inc.;

Mariah Emhof

ROLL CALL VOTE

Res 10

Resolution – NYS Department of Environmental Conservation's Water Quality Improvements Program – Sturgeon Point Marina Sanitary Sewer Extension Project Approval

WHEREAS, the Town Board desires to apply for financial assistance from the NYS Department of Environmental Conservation Water Quality Improvements Program to extend sanitary sewer infrastructure along Sturgeon Point Road to its terminus at Sturgeon Point Marina; and

WHEREAS, Lu Engineers and Fisher Associates ("the consultants") conducted a hydraulic study with preliminary design as part of the Sturgeon Point Marina Master Plan ; and

WHEREAS, the consultants have also provided a total project cost estimate of $3,291,836; and

WHEREAS, the Town Board commits to providing the required local matching funds to ensure the timely implementation of the proposed project.

NOW, THEREFORE, BE IT RESOLVED, that Ray Ashton, as Supervisor of the Town of Evans, is hereby authorized and directed to accept funds from the NYS Department of Environmental Conservation in an amount not to exceed $2,468,877 for the Sturgeon Point Marina Sanitary Sewer Extension; and

BE IT FURTHER RESOLVED, that upon approval of the application for financial assistance that the Town make available $822,959 in matching funds to satisfy the requirements of the funding program; and

BE IT FURTHER RESOLVED, that Supervisor Ashton is hereby authorized and directed to file an application to the NYS Department of Environmental Conservation with a total project not to exceed $3,291,836; and

BE IT FURTHER RESOLVED, that upon approval of said funding request, Supervisor Ashton is hereby authorized to execute a project agreement and sign all documents with the NYS Department of Environmental Conservation for the Sturgeon Point Marina Sanitary Sewer Extension Project.

ROLL CALL VOTE:

Res 11

Resolution – NYS Water Infrastructure Improvement Act – 2026 NYS Water Grant Authorizing and Match

WHEREAS, the Town of Evans, after thorough consideration of the various aspects of the problem and review of available data, has hereby determined that certain work, as described in its NYS Drinking Water Infrastructure Grant Program application and attachments, to address the repair and maintenance of the Water System Improvements - Phase 1A, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project and address said compliance requirements; and

WHEREAS, the NYS Environmental Facilities Corporation (EFC) authorizes State assistance to municipalities for drinking water quality improvement projects by means of a contract, and the Town of Evans deems it to be in the public interest and benefit under this law to enter into a contract therewith.

NOW, THEREFORE, BE IT RESOLVED BY the Evans Town Board, that:

1. Ray Ashton, Supervisor, or his representative or successor in office, is the representative authorized to act on behalf of the Evans Town Board in all matters related to State assistance under the New York State Environmental Facilities Corporation (EFC) and/or any applicable State grant provisions.

2. Deputy Supervisor, or his representative, is also authorized to make an application in the amount of $5,500,000.00 which the Town is requesting $3,850,000 of the total project cost in grant funding;

3. The Town of Evans Town Board agrees to fund its portion of the cost of the Project, of $1,650,000 by way of a General Obligation Bond or a series of Bond Anticipation Notes, and that funds will be made available to initiate the Project efforts within 12 months of written approval of its application by the NYS Department of Health and the New York State Environmental Facilities Corporation authority;

4. The one certified copy of this Resolution be prepared and sent to the Albany office of the NYS Environmental Facilities Corporation; and

5. This Resolution takes effect immediately.

ROLL CALL VOTE:

Res 12

RESOLUTION -Vacuum Trucks in MS4 Areas - Combined Vacuum Truck with Street Sweeper (Town of Evans and Village of Angola) Approval

WHEREAS, the Town Board of the Town of Evans desires to partner with the Village of Angola to acquire funds to purchase a combination Vacuum Truck with Street Sweeper for the regular cleaning and maintenance of streets and stormwater catch basins throughout the Town and Village; and

WHEREAS, the Town of Evans wishes to desires to serve as a co-applicant on for financial assistance from the NYS Department of Environmental Conservation's (NYSDEC) Water Quality Improvement Program for Vacuum Trucks in Municipal Separate Storm Sewer System (MS4) Areas for the purchase of a combined Vacuum Truck with Street Sweeper; and

WHEREAS, the Town of Evans Town Board commits to partnering with the Village of Angola to provide the required 12.5% local matching funds totaling $46,532.50 for the cost of the Sweeper/Vacuum truck and its local match, in accordance with the grant programs requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes to pay the 12.5% match totaling $46,532.50 for the cost of the Sweeper/Vacuum truck, subject to the award of the grant; and

BE IT, FURTHER, RESOLVED, that Supervisor Ray Ashton is hereby authorized to execute any and all necessary documents to effectuate the intent of this resolution, including terms and agreements with the Village of Angola.

ROLL CALL VOTE:

Res 13

Resolution – Approve Lead Agency for SEQR – Minor Subdivision - Dodson

Submitted for the July 15, 2026 Town Board meeting:

WHEREAS, MaryJo Dodson has applied for a Minor Subdivision application brought before the Town Board for approval to subdivide a 33.97± acre parcel to create 2 parcels, and

WHEREAS, minor subdivisions are unlisted SEQR actions, and

WHEREAS, the Town Board of the Town of Evans desires to be the Lead Agency for the SEQR process, and

WHEREAS, the Town has completed a Short Environmental Assessment Form for this action, and

WHEREAS, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Mary Jo Dodson Minor Subdivisions, and

WHEREAS, it has been determined that the subdivision of these properties will not result in any significant environmental impacts regarding the SEQR process.

NOW THEREFORE BE IT RESOLVED, that the Town of Evans shall be Lead Agency for the SEQR process for the above mentioned minor subdivisions; and

RESOLVED, that the Town Board of the Town of Evans considers the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the Dodson Minor Subdivisions.

a division of SBL# 253.00-3-25.2, dividing a 33.97± acre parcel to create two parcels:

1. a 10.78± acre parcel to be annexed to 1846 Cain Rd., SBL # 253.00-3-27.2 with 20± feet of frontage on Cain Rd., and
2. a 23.18± acre parcel to be annexed to 1824 Cain Rd., SBL # 253.00-3-25.1 with 531.92± feet of frontage on Cain Rd.

Petitioner: Mary Jo Dodson, 1824 Cain Road, North Collins, NY 14111

ROLL CALL VOTE:

Res 14

Resolution – Approve Minor Subdivision - Dodson

Submitted for the July 15, 2026 Town Board meeting:

WHEREAS, the proposed subdivisions were referred to the Erie County Department of Environment and Planning for a 239M Review as required; they stated the proposed actions have been reviewed and determined to be of local concern, and

WHEREAS, the proposed subdivision was also referred to the Erie County Agriculture and Farmland Protection Board for review of the Agricultural Data Statement in which no comment was offered, and

WHEREAS, notification was mailed to all addresses occurring on property within an agricultural district containing a farm operation, or on property within 500 feet of an active farm operation with no comments being received, and

WHEREAS, the Town of Evans Minor Subdivision Review Committee has completed a review and recommended approval, and

WHEREAS, the Evans Town Board, as Lead Agency, issued a negative declaration regarding the SEQR process.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby considers the findings of the Town of Evans Minor Subdivision Review Committee and approves the Mary Jo Dodson Minor Subdivisions,

a division of SBL# 253.00-3-25.2, dividing a 33.97± acre parcel to create two parcels:

1. a 10.78± acre parcel to be annexed to 1846 Cain Rd., SBL # 253.00-3-27.2 with 20± feet of frontage on Cain Rd., and
2. a 23.18± acre parcel to be annexed to 1824 Cain Rd., SBL # 253.00-3-25.1 with 531.92± feet of frontage on Cain Rd.

Petitioner: Mary Jo Dodson, 1824 Cain Road, North Collins, NY 14111

ROLL CALL VOTE:

Res 15

RESOLUTION – Lead Agency for SEQR - Barrett Special Use Permit

Submitted for the July 15, 2026 Town Board meeting

WHEREAS, the Evans Planning Board unanimously recommended approval of the William and Gina Barrett Special Use Permit for the operation of a Health and Wellness business to be located at 6975 Sweetland Road, Derby, NY 14047, SBL# 206.00-2-14, and

WHEREAS, the Evans Town Board desires to be Lead Agency for the SEQR process regarding Special Use Permit, and

WHEREAS, the Town Board of the Town of Evans has reviewed the Environmental Assessment Form for this property and has determined that the amendment will not result in any significant impacts to the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans shall be the Lead Agency for the SEQR process for the Barrett Special Use Permit; and

RESOLVED, that the Town Board of the Town of Evans issues a negative declaration in accordance with the SEQR requirements for the Barrett Special Use Permit for the operation of a Health and Wellness business to be located at 6975 Sweetland Road, Derby, NY 14047, SBL# 206.00-2-14.

ROLL CALL VOTE:

RES 16

RESOLUTION – Approval of Barrett Special Use Permit

Submitted for the July 15, 2026 Town Board meeting

WHEREAS, William and Gina Barrett have requested a Special Use Permit for the operation of a Health and Wellness business to be located at 6975 Sweetland Road, Derby, NY 14047, SBL# 206.00-2-14, and

WHEREAS, the Town Board of the Town of Evans has held a public hearing on July 15, 2026 for consideration of said Special Use Permit, and

WHEREAS, the Town of Evans Planning Board has recommended the issuance of a Special Use Permit of said property based on the following reasons:

- The action is not expected to result in any significant adverse impacts, and

WHEREAS, the Planning Board would also like to recommend that the following conditions be placed on the approval of this action:

1. Indoor and outdoor programming related to the occupant's health and wellness instructional business shall be limited to quiet educational and therapeutic activities, including yoga, meditation, art, writing, and business classes.
2. The total number of guests on site shall be limited to fifteen at any time based on the occupancy load of 25% of the total ground floor area of the principal structure.
3. All programming shall be limited to one additional staff member and/or instructor at any time.
4. Formal indoor and outdoor programming affiliated with the business (not including normal leisure) shall be limited to the hours of 6:00 A.M. to 10:00 P.M.
5. Vehicle parking shall be contained to the area located on the property as identified in the submitted site plan. Any updates to this area shall be done in coordination with the Code Enforcement Officer to ensure compliance with all regulations.
6. All required fire and safety measures per Building Code must be implemented to the satisfaction of the Code Enforcement Officer.
7. Any alterations to the approved site plan, facilities, or the affiliated programming shall be reviewed by the Planning Director and Code Enforcement Officer to determine if additional Planning Board and Town Board approvals shall be required.

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit to William and Gina Barrett for the operation of a Health and Wellness business to be located at 6975 Sweetland Road, Derby, NY 14047, SBL# 206.00-2-14, with the above noted conditions.

ROLL CALL VOTE: