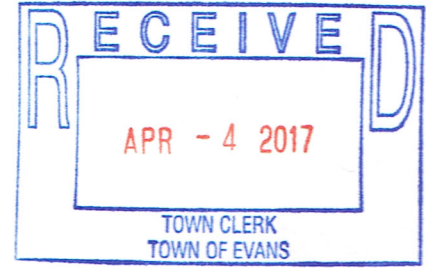


Edward G. Schneider III
9575 Redwing Street
Angola, New York 14006
(716) 549-7283



Tuesday, April 4, 2017

Supervisor Mary Hosler
Councilman Dennis Feldmann
Councilwoman Jeanne Macko
8787 Erie Road
Angola, NY 14006

Members of the Evans Town Board:

1. I am still awaiting instructions as to how to make letters like this one included as a communication to the town board on the town board meeting agenda and/or part of the official public record when a letter is given to the town board at a meeting.
2. Regarding Resolution #6 on the 4-5-2017 agenda to re-zone three properties on Route 5.
 - a. My question:
 - i. If a published legal notice is required by law to advertise a public hearing to re-zone the three parcels on Route 5;
 1. See Attachments #1, #2 and #3.
 - ii. If residents are afforded an opportunity to voice their opinions at a public hearing;
 1. Regarding the 0.8 acre of unalienated parkland once part of the deed description of Lake Erie Beach Park sold improperly without being alienated by the NYS Legislature in 1998;
 - a. Why was there not a published legal notice to schedule a public hearing to re-zone this parcel?
 - b. Why was the public hearing held at an un-advertised meeting of the Town of Evans Zoning Board of Appeals and not a public Town Board meeting?
 - iii. When Keith Dash was supervisor, the same parcel was re-zoned as part of the Lake Erie Beach Overlay District then called a "mapping error" and re-designated as recreational facility or RF. (See Attachment #4)
 1. The town used a law that allows the zoning of a smaller parcel to be re-zoned as the larger parcel.
 - a. Given that both parcels were 0.8 acres, how was it determined which parcel was the larger parcel?

Should you have any questions regarding this letter, please do not hesitate to contact me by email or by calling 549-7283.

I look forward to the Town Board's written reply.

Very truly yours,

Edward G. Schneider III

ATTACHMENT #1

From 1-15-2017 Agenda Packet - Page #2

XI	Resolutions: 6.) Advertise for Public Hearing for Proposed Local Law #3 - Rezoning of 3 Properties on Rt 5	1-15-2017
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ATTACHMENT #2

From 1-15-2017 Agenda Packet - Page #23

RESOLUTION – PROPOSED LOCAL LAW #3 OF 2017

WHEREAS, in a letter dated February 16, 2017, the Planning Office has requested that the Town Board set a public hearing regarding the petition of the Town of Evans Planning Board, to recommend a corrective action for the purpose of rezoning the properties located at 8996 Erie Road (SBL# 235.00-2-8) and 0 Erie Road (SBL# 235.00-2-9) from Rural Residential (RR) to General Business (GB); and 0 Erie Road (SBL# 235.00-2-3.11) from Residential Two-Family (R-2) to General Business (GB).

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to post and publish the needed legal notice for a public hearing to be held Wednesday, April 5, 2017 at 7:10 p.m. in the Evans Town Hall for consideration of Proposed Local Law #3 of 2017 regarding revisions to Town Code Chapter 200: Zoning.

ROLL CALL VOTE:

DERBY DELI

Phone: 549-0945

**TOWN OF EVANS
PLANNING BOARD AGENDA**

Wednesday, March 22, 2017 at 7:00 pm

Meeting will take place at the
EVANS MUNICIPAL CENTER
8787 Erie Road, Angola, NY 14006

1. Tower Special Permit and Site Plan Review – for a 145' cellular telecommunication tower, plus a 4' lightning rod, to be located at 7929 Dennis Rd., Angola, NY (Robert & Linda McFarland property), SBL# 220.00-2-11.21. Petitioner: Bell Atlantic Mobile Systems of Allentown, Inc., d/b/a Verizon Wireless, One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920.
2. Rezone – Corrective action for the purpose of rezoning properties located at 8996 Erie Road (SBL# 235.00-2-9) and 0 Erie Road (SBL# 235.00-2-8) from Rural Residential (RR) to General Business (GB); and 0 Erie Road (SBL# 235.00-2-3.11) from Residential Two-Family (R-2) to General Business (GB). Petitioner: Town of Evans Planning Board, 8787 Erie Road, Angola, NY 14006.
3. Any other matters that may properly come before the Board.

Further information regarding agenda items is available from the Planning Office,
8787 Erie Road, Angola, NY 14006
Phone: 549-0945

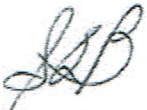
ATTACHMENT #4

Memorandum

To: Ed Schneider
From: Sandra L. Brant, Director of Planning
Date: July 29, 2012
Re: Evans Zoning Map – Wojda Property

At the request of Diana Cafferty, enclosed please find a copy of the portion of the Town of Evans zoning map correcting the Wojda property mapping error.

Sincerely,



Sandra L. Brant

cc: Keith E. Dash, Supervisor
Code Enforcement Office