Agenda

Brad M. Rybczynski Town Clerk

Town Board of the Town of Hamburg

October 6, 2025

1. **Roll Call**

2. **Pledge of Allegiance**

3. **Minutes of Previous Meeting**
   RESOLVED, that the Town Board does hereby approve the minutes of the previous meeting as follows:

   August 4,2025

4. **Agenda Items**

4.1. 2025 Town of Hamburg LWRP SEQR Lead Agency and Public Hearing Resolution

4.2. Schedule 2026 Fire Company Budget Hearing

4.3. Public Hearing-Local Law #7

4.4. SPCA renewal Contract 2025-2026

4.5. Lake Shore Volunteer Fire Company Member Requests

4.6. Big Tree Volunteer Fire Company Member Requests

4.7. POLICE –Budget Amendment

4.8. POLICE – Budget Amendment and Purchase

4.9. Highway Budget Amendment

4.10. Town of Hamburg Refuse District SEQR Resolution

4.11. 2025 - 2026 JCAP Grant

4.12. Assessment Board of Review-Reappointment of Robert Hutchison

4.13. Youth, Recreation, & Senior Services P.A.F.

4.14. Traffic Safety Advisory Board-Camp Rd & Howard

4.15. Schedule 2026 Budget Hearing

4.16. B&G PAF

4.17. Retainment of Outside Legal Counsel

4.18. Approve the engagement of EBC HR Services

4.19. Resolution for the Establishment of the Town of Hamburg Refuse and Recycling District

5. Public Comment

6. Meeting is adjourned by Supervisor

4.1. 2025 Town of Hamburg LWRP SEQR Lead Agency and Public Hearing Resolution

WHEREAS, the Town Board of the Town of Hamburg adopted a Local Waterfront Revitalization Program (LWRP) on March 23, 1987; and

WHEREAS, the Town of Hamburg adopted an amendment to this LWRP on May 23, 2011; and

WHEREAS, conditions and land use along the Town's waterfront area have changed since the adoption of this program, warranting the need to update the LWRP to better address existing conditions and reflect the Town's current vision for this area; and

WHEREAS, the Town of Hamburg retained Wendel to prepare an amendment to the 2012 LWRP; and

WHEREAS, Wendel, working with the Hamburg Shoreline Revitalization Committee and Hamburg LWRP Committee, completed a draft amendment to the LWRP in accordance with the guidelines of the New York State Department of State and the requirements of New York State Executive Law 42; and

WHEREAS, the draft amendment has been reviewed by the New York State Department of State and found to be acceptable for review by other approval agencies and the public; and

WHEREAS, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law, the Town Board would like to conduct a coordinated environmental review of the draft LWRP amendment.

NOW, THEREFORE BE IT RESOLVED, that the Hamburg Town Board commence the SEQR review process for this action by circulating a lead agency notification letter, a copy of the SEQR Full Environmental Assessment Form, and a link to the draft LWRP document to all involved agencies.

BE IT FURTHER RESOLVED, that the Town Board authorizes Wendel to initiate the coordinated review process, as well as the required § 239-m County Referral, and conduct the required mailings.

BE IT FINALLY RESOLVED, that the Town Board set a public hearing for October 20, 2025 at 7:00 pm, for discussion regarding the acceptance and adoption of the LWRP amendment, at which all interested persons may be heard.

ATTACHMENTS:

2025 Hamburg LWRP FEAF Part 1.pdf

Instructions for Completing Part 1

Part 1 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 1 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 applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: 2025 Hamburg Local Waterfront Revitalization Program (LWRP) Adoption		
Project Location (describe, and attach a general location map): Town of Hamburg		
Brief Description of Proposed Action (include purpose or need): The adoption of the new 2025 Hamburg Local Waterfront Revitalization Program (LWRP) Plan (see draft LWRP).		
Name of Applicant/Sponsor: Hamburg Town Board	Telephone: 716-649-6111 E-Mail: supervisor@townofhamburgny.gov	
Address: 6100 South Park Avenue		
City/PO: Hamburg	State: NY	Zip Code: 14075
Project Contact (if not same as sponsor; give name and title/role): Joshua Rogers, Wendel	Telephone: 716-688-0766 E-Mail: jrogers@wendelcompanies.com	
Address: 375 Essjay Road, Suite 200		
City/PO: Williamsville	State: NY	Zip Code: 14221
Property Owner (if not same as sponsor): NA	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No	Adoption of LWRP	2026
b. City, Town or Village Planning Board or Commission ☐Yes ☑No		
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☑No		
e. County agencies ☑Yes ☐No	County 239m referral	10/6/25
f. Regional agencies ☐Yes ☑No		
g. State agencies ☑Yes ☐No	Department of State (DOS)	2026
h. Federal agencies ☐Yes ☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☑Yes ☐No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes ☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☑Yes ☐No

C. Planning and Zoning

C.1. Planning and zoning actions.

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? ☑Yes ☐No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

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? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes ☐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?) ☑Yes ☐No

If Yes, identify the plan(s):

See LWRP

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? ☑Yes ☐No

If Yes, identify the plan(s):

Hamburg Green space and Open Space Plan (outdated)

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?
All _____

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? _____

C.4. Existing community services.

a. In what school district is the project site located? Frontier and Hamburg

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

c. Which fire protection and emergency medical services serve the project site?
All Town Fire Companies

d. What parks serve the project site?
The Town contains numerous Town, County and State Parks

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 the 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.

_____

_____

i*v.* 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 the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

iv. Will the 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), what is the 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 a 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 the 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_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (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 truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

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 ½ 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 the 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 the 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 the 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

If Yes:

i. Species and listing (endangered or threatened): _____

_____

_____

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

If Yes:

i. Species and listing: _____

_____

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 the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. 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? ☐ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. 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? ☐ Yes ☐ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ 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 Joshua Rogers Date 10/6/25

Signature  Title Town Planner

PRINT FORM

4.2. Schedule 2026 Fire Company Budget Hearing

BE IT RESOLVED THAT the Town Clerk be authorized to advertise for a public hearing to review the requests of the various volunteer fire companies and fire protection districts for the 2026 contracts with the Town. The public hearing will be scheduled for October 20, 2025 at 7:00 p.m. local time.

4.3. Public Hearing-Local Law #7

BE IT RESOLVED that the Town Clerk be authorized to advertise for a public hearing on Proposed Local Law #7, 2025. The proposed local law seeks to override the tax levy limit established in General Municipal Law §3-c. The hearing is to be scheduled for October 20, 2025 at 7:00 p.m. local time.

4.4. SPCA renewal Contract 2025-2026

WHEREAS, the Town of Hamburg and the SPCA serving Erie County desire to enter into a contract that provides for the SPCA to assist the Town by putting unclaimed strays up for adoption or by humanely euthanizing dogs brought to the SPCA by the Town's dog control officer, after the statutory holding period as per New York State Agricultural and Markets Law. The seized dogs may be offered for adoption according to New York State Agricultural and Markets Law, Article 7 and Article 26 and the shelter policy or humanely euthanizing dogs which are brought to the SPCA by the Town's dog control officer.

WHEREAS, the term of this agreement shall commence on November 1, 2025, and shall be automatically and continuously renewed for a succeeding year until the Town or the SPCA provides written notice to the other, at least thirty (30) days prior to the commencement of the succeeding year, of its desire to terminate this Agreement.

WHEREAS, the Town agrees to pay the SPCA the following fees for services rendered pursuant to this Agreement per dog:

- An adoption fee of Seventy-Five ($75.00) Dollars per dog.
- A euthanasia fee of Eighty ($80.00) Dollars per dog.
- A crematory and disposal fee of Eighty ($80.00) per dog.
- Rabies vaccination fee of Ten ($10.00) Dollars

NOW THEREFORE BE IT RESOLVED that the Town enters into this agreement with the SPCA and Supervisor Rybczynski is authorized to sign the agreement on behalf of the Town of Hamburg.

4.5. Lake Shore Volunteer Fire Company Member Requests

BE IT RESOLVED, that the Hamburg Town Board does hereby approve the request of the Lake Shore Vol. Fire Company to add to the ranks of their membership the following individuals:

Jalil Joseph Robert Crawford
124 Buffalo Street
Gowanda, NY 14070

Deaton M. Grant
4458 Lakeshore Road
Hamburg, NY 14075

ATTACHMENTS:

Lake Shore Vol Fire Co Crawford & Grant.pdf

Lake Shore Volunteer Fire Company, Inc.

September 18, 2025

Hamburg Town Board
S-6100 South Park Avenue
Hamburg, New York 14075

Attn: Brad Rybczynski

At the last regular company meeting of the Lake Shore Volunteer Fire Company Inc. held on Wednesday September 17, 2025, the following applicants were approved for active membership:

Jalil Joseph Robert Crawford
124 Buffalo
Gowanda, NY 14070

Deaton M. Grant
4458 Lakeshore Rd.
Hamburg, NY 14075

Upon your approval, we will commence with the active membership(s).

Thank you for your consideration in this matter.

Sincerely,

Peggie Lipka

Peggie Lipka
Corresponding Secretary
Lake Shore Volunteer Fire Co. Inc.

HAMBURG, NEW YORK
2025 SEP 19 P 1:34
TOWN CLERK'S OFFICE
FILED IN THE

4.6. Big Tree Volunteer Fire Company Member Requests

BE IT RESOLVED, that the Hamburg Town Board does hereby approve the request of the Big Tree Volunteer Firemen's Co. does hereby approve the request of the Big Tree Volunteer Fire Co. to add to the ranks of their membership of the following individuals:

Jillian Ernst
3151 Cambridge Square South
Blasdell, NY 14219

Tonya Lutz
4825 Morgan Parkway
Hamburg, NY 14075

ATTACHMENTS:

Big Tree Vol Fireman Ernst and Lutz.pdf

Big Tree Volunteer Firemen's Co., Inc.

Organized 1936

FILED IN THE
TOWN CLERK'S OFFICE
2025 SEP 25 A 9:23
HAMBURG, NEW YORK

Hamburg Town Board
Hamburg Town Hall
6100 South Park Ave.
Hamburg, New York 14075

September 18, 2025

Dear Board Members,

We respectfully request permission of the Town Board to accept the following applicant into the membership of the Big Tree Volunteer Firemen's Company, Inc. during the year of 2025.

Jillian Ernst
3151 Cambridge Square South
Blasdell, New York 14219

Tonya Lutz
4825 Morgan Parkway
Hamburg, New York 14075

Thank you for your cooperation.

Sincerely,

Carol R. Covert

Carol R. Covert
Secretary

RECEIVED
SEP 25 2025

4112 Big Tree Road • Hamburg, New York 14075 • Phone: 716-824-0264 • Fax: 716-822-1526

4.7. POLICE –Budget Amendment

WHEREAS, the Town of Hamburg Police Department receives distribution payments from a share of assets forfeited from defendants from time to time and,

WHEREAS, these items are not included in the 2025 budget,

NOW, THEREFORE BE IT RESOLVED, that the Town Board approves the receipt of the following monies and approves a budget amendment to the revenue account as follows:

ATTACHMENTS:

Budget Amendment 10-6-2025.pdf

Board Meeting Date: **Monday, October 6, 2025**
Resolution Number:

Recoveries and Sales Budget Adjustment			
Receipt	Revenue Code	Expenditure Code	
Amount	**To Increase**	**To Increase**	**Purpose/Source**
$2,181.11	B4358		Assets Forfeited
$16,333.32	B4358		Assets Forfeited
Total:			
$18,514.43			

4.8. POLICE – Budget Amendment and Purchase

WHEREAS, the Town of Hamburg Police Department SWAT Training Office, located at 2720 Lakeview Road, requires the replacement of its existing windows; and

WHEREAS, three (3) written quotes were received for the removal and replacement of the existing windows as follows:

- Paramount Windows & Doors LLC – **$29,158.00**
- Stellar Roofing and Home – **$34,000.00**
- Renewal by Andersen – **$52,290.00**

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the lowest responsible quote from **Paramount Windows & Doors LLC** in the amount of **$29,158.00** for the replacement of the windows at the SWAT Training Office; and

WHEREAS, the Town of Hamburg Police Department periodically receives distribution payments from a share of assets forfeited from defendants; and

WHEREAS, these funds were not included as anticipated revenue in the 2025 adopted budget;

NOW, BE IT FURTHER RESOLVED, that the Town Board hereby authorizes a budget amendment to transfer available funds in **B000.0000.4358.0519 (Asset Forfeiture)** to to B000.3120.0303.0519 (Police Department Permanent Improvements) in the amount of $29,158.00 to cover the cost of the window replacement.

4.9. Highway Budget Amendment

WHEREAS, The Highway Dept. has received funds from residents for installation of drainage pipe that has exceeded the amount budgeted for 2025 by $1,230.00.

THEREFORE, BE IT RESOLVED, that the Town Board approve that the funds exceeding the budgeted amount will be deposited into Revenue Account DB.2770.7 and transferred to DB.5110.474.

BE IT FURTHER RESOLVED, that the Expense Account DB.5110.474 be increased by $1,230.00.

4.10. Town of Hamburg Refuse District SEQR Resolution

WHEREAS, the Town of Hamburg (the "Town") currently does not provide refuse and recycling collection services, and residents are required to individually contract with various private vendors for refuse and recycling pickup; and

WHEREAS, these collection operations result in inconsistent service levels and differing pricing across households; and

WHEREAS, the Town Board of the Town of Hamburg (the "Town Board") proposes to form a Town of Hamburg Refuse and Recycling District to improve the consistency, efficiency, and affordability of refuse and recycling services for eligible parcels within the Town (the "Project"); and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act - SEQR) of the Environmental Conservation Law, the Town Board has determined that funding and implementing the Project is an Unlisted Action; and

WHEREAS, the Town Board has prepared a FEAF (Parts 1, 2, and 3) and received input from the public and its consultants, and has taken a hard look at the social, economic, and environmental impacts of the Project in this area; and

WHEREAS, the findings of this review indicate that the Project will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public; and

WHEREAS, the Hamburg Town Board conducted a public hearing on October 6, 2025, where it received comments on the Project from the public; and

WHEREAS, the Town Board has reviewed the Project in accordance with the Town's Local Waterfront Revitalization Program ("LWRP") and has completed a Waterfront Assessment Form (WAF) for a Coastal Consistency determination and referred the Project to the LWRP committee, who recommended consistency.

NOW, THEREFORE BE IT RESOLVED, that the Hamburg Town Board has determined that

funding and implementing the Project is consistent with the Town's Local Waterfront Revitalization Program, and will not result in any significant adverse impacts on the environment, including natural, archeological or historic resources, and a Negative Declaration is hereby issued, based on the reasons as set forth in the Environmental Assessment Form and attachments; and

BE IT FINALLY RESOLVED, that the Town Board authorizes the Town Supervisor to sign the Environmental Assessment Form, which will act as the SEQR Negative Declaration, and authorizes the placement of these documents in the Town's files.

ATTACHMENTS:

RefuseDistrictFEAF Part 1.pdf
RefuseFEAF Part 2.pdf
RefuseFEAF Part 3.pdf
Refuse and Recycling District WAF 9-25-25.pdf

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 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 1 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 applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Town of Hamburg Refuse and Recycling District Formation		
Project Location (describe, and attach a general location map): Town of Hamburg		
Brief Description of Proposed Action (include purpose or need): Formation of the Town of Hamburg Refuse and Recycling District (see attached Map, Plan and Report)		
Name of Applicant/Sponsor: Town of Hamburg Town Board	Telephone: 716-649-6111 E-Mail: supervisor@townofhamburgny.gov	
Address: 6100 South Park Avenue		
City/PO: Hamburg	State: NY	Zip Code: 14075
Project Contact (if not same as sponsor; give name and title/role): Same	Telephone: 716-688-0766 E-Mail: jrogers@wendelcompanies.com	
Address: 375 Essjay Road, Suite 200		
City/PO: Williamsville	State: NY	Zip Code: 14221
Property Owner (if not same as sponsor): Not Applicable	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☑Yes ☐No or Village Board of Trustees	Hamburg Town Board - Formation of District	2026
b. City, Town or Village ☐Yes ☐No Planning Board or Commission		
c. City, Town or ☐Yes ☐No Village Zoning Board of Appeals		
d. Other local agencies ☐Yes ☐No		
e. County agencies ☐Yes ☐No	County 239m referral	10/6/25
f. Regional agencies ☐Yes ☐No		
g. State agencies ☐Yes ☐No	Department of State (DOS)	2026
h. Federal agencies ☐Yes ☐No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☑Yes ☐No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes ☐No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

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? ☑Yes ☐No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

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? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes ☑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?) ☑Yes ☐No

If Yes, identify the plan(s):

The Town of Hamburg includes a BOA, Greenway and other Planning districts

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? ☑Yes ☐No

If Yes, identify the plan(s):

The Town has an Open Space and Greenspace Plan (outdated)

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?
Entire Town - all zoning districts

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? _____

C.4. Existing community services.

a. In what school district is the project site located? All Town School Districts

b. What police or other public protection forces serve the project site?
Town of Hamburg Police, Erie County and NYS

c. Which fire protection and emergency medical services serve the project site?
All Town fire and emergency service providers

d. What parks serve the project site?
All Town, County and NYS parks within the Town

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 the 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? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☐No

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.

_____

_____

i*v.* 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 the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

iv. Will the 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), what is the 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 a 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 the 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_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (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 truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

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 ½ 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 the 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 the 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 the 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

If Yes:

i. Species and listing (endangered or threatened): _____

_____

_____

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

If Yes:

i. Species and listing: _____

_____

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 the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. 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? ☐ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. 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? ☐ Yes ☐ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ 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 Cathy Rybczynski Date 10/6/25

Signature _____ Title Supervisor

PRINT FORM

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.

1. Impact on Land
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)
If "Yes", answer questions a - j. If "No", move on to Section 2.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____ _____		☐	☐

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	□	□
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	□	□
c. Other impacts: _____ _____		□	□

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	□	□
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	□	□
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	□	□
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	□	□
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	□	□
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	□	□
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	□	□
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	□	□
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	□	□
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	□	□
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	□	□

l. Other impacts: _____ _____		□	□

4. Impact on groundwater

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. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	□	□
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	□	□
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	□	□
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	□	□
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	□	□
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	□	□
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	□	□
h. Other impacts: _____ _____		□	□

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	□	□
b. The proposed action may result in development within a 100 year floodplain.	E2j	□	□
c. The proposed action may result in development within a 500 year floodplain.	E2k	□	□
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	□	□
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	□	□
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	□	□

g. Other impacts: _____ _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
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_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
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	☐	☐
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	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☑ NO ☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
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	☐	☐
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	☐	☐
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	☐	☐
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	☐	☐

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	□	□
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	□	□
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	□	□
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	□	□
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	□	□
j. Other impacts: _____ _____		□	□

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	**No, or small impact may occur**	**Moderate to large impact may occur**
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	□	□
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	□	□
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	□	□
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	□	□
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	□	□
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	□	□
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	□	□
h. Other impacts: _____		□	□

9. Impact on Aesthetic Resources

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.)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
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	 ☐ ☐	 ☐ ☐
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	 ☐ ☐	 ☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☐	☐
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	☐	☐
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	☐	☐

d. Other impacts: _____ _____		□	□
e. If any of the above (a-d) are answered "Moderate to large impact may occur", 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	□	□
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	□	□
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	□	□

11. Impact on Open Space and Recreation

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.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
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	□	□
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	□	□
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	□	□
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	□	□
e. Other impacts: _____ _____		□	□

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
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	□	□
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	□	□
c. Other impacts: _____ _____		□	□

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 - f. 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	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____ _____		☐	☐

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	☐	☐
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	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
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	☐	☐
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	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

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.) ☑ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
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	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
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	☐	☐
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	☐	☐
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	☐	☐
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	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
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	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. ☑ NO ☐ YES

(See Part 1. C.1, C.2. and C.3.)

If "Yes", answer questions a - h. If "No", go to Section 18.

	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	☐	☐
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	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
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, Elb	☐	☐
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	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. ☑ NO ☐ YES

(See Part 1. C.2, C.3, D.2, E.3)

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	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	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
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	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

PRINT FULL FORM

Agency Use Only [IfApplicable]

Project : Refuse District

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

No potentially significant environmental impacts were identified as the project involves the formation of a "Refuse and Recycling District" and has no physical impacts that would result in any environmental impacts.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☑ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Attached Map, Plan and Report.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Hamburg Town Board as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Town of Hamburg Refuse and Recycling District Formation

Name of Lead Agency: Hamburg Town Board

Name of Responsible Officer in Lead Agency: Cathy Rybczynski

Title of Responsible Officer: Supervisor

Signature of Responsible Officer in Lead Agency: Date:

Signature of Preparer (if different from Responsible Officer) Date:

For Further Information:

Contact Person:

Address:

Telephone Number:

E-mail:

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

Appendix A – Waterfront Consistency Review Law and Waterfront Assessment Form

Chapter 270. WATERFRONT REVITALIZATION

[HISTORY: Adopted by the Town Board of the Town of Hamburg as indicated in article histories. Amendments noted where applicable.]

Attachments: 270a Waterfront Assessment Form

GENERAL REFERENCES

Beach control — See Ch. 70.
Coastal erosion hazard area — See Ch. 85.
Wetlands protection — See Ch. 272.
Zoning — See Ch. 280.

Article I. Local Waterfront Revitalization Program

[Adopted 5-23-2011 by L.L. No. 9-2011]

§ 270-1. Title.

This article will be known as the "Town of Hamburg Local Waterfront Revitalization Program (LWRP) Consistency Review Law."

§ 270-2. Authority and purpose.

A. This article is adopted under the authority of the Municipal Home Rule Law and the Waterfront Revitalization of Coastal Areas and Inland Waterways Act of the State of New York (Article 42 of the Executive Law).

B. The purpose of this article is to provide a framework for the agencies of the Town of Hamburg (Town) to incorporate the policies and purposes contained in the Town of Hamburg Local Waterfront Revitalization Program (LWRP) when reviewing applications for actions or direct agency actions located within the waterfront area; and to ensure that such actions and direct actions undertaken by Town agencies are consistent with the LWRP policies and purposes.

C. It is the intention of the Town that the preservation, enhancement and utilization of the natural and man-made resources of the waterfront area of the Town occur in a coordinated and comprehensive manner to ensure a proper balance between protection of natural resources and the need to accommodate growth and economic development. Accordingly, this article is intended to achieve such a balance, permitting the beneficial use of waterfront resources while preventing: loss and degradation of living waterfront resources and wildlife; adverse impacts to historic structures; diminution of open space areas or public access to the waterfront; disruption of natural waterfront processes; impairment of scenic, cultural or historical resources; losses due to flooding, erosion and sedimentation; impairment of water quality; or permanent adverse changes to ecological systems.

D. The substantive provisions of this article shall only apply while there is in existence a Town of Hamburg Local Waterfront Revitalization Program that has been adopted in accordance with Article 42 of the Executive Law of the State of New York.

§ 270-3. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ACTION

Includes all the following, except minor actions:

A. Projects or physical activities, such as construction or any other activities that may affect natural, man-made or other resources in the waterfront area or the environment by changing the use, appearance or condition of any resource or structure, that:

(1) Are directly undertaken by an agency; or

(2) Involve funding by an agency; or

(3) Require one or more new or modified approvals, permits, or review from an agency or agencies.

B. Agency planning and policymaking activities that may affect the environment and commit the agency to a definite course of future decisions;

C. Adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect waterfront resources or the environment; and

D. Any combination of the above.

AGENCY

Any board, agency, department, office, other body, or officer of the Town of Hamburg.

CODE ENFORCEMENT OFFICER

The Building Inspector and/or Code Enforcement Officer of the Town of Hamburg.

CONSISTENT

The action will fully comply with the LWRP policy standards, conditions and objectives and, whenever practicable, will advance one or more of them.

DIRECT ACTIONS

Actions planned and proposed for implementation by an applicant or agency, such as, but not limited to, a capital project, rule making, procedure making and policy making.

ENVIRONMENT

The physical conditions that will be affected by a proposed action, including land, air, water, minerals, flora, fauna, noise, resources of agricultural, archeological, historic or aesthetic significance, existing patterns of population concentration, distribution or growth, existing community or neighborhood character, and human health.

LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)

The Local Waterfront Revitalization Program of the Town of Hamburg, approved by the Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law Article 42), a copy of which is on file in the Office of the Town Clerk of the Town of Hamburg.

MINOR ACTION

Includes the following actions, which are not subject to review under this chapter:

A. Repaving or widening of existing paved highways not involving the addition of new travel lanes;

B. Street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;

C. Maintenance of existing landscaping or natural growth, except where threatened or endangered species of plants or animals are affected, or within Significant Coastal Fish and Wildlife Habitat areas;

D. Granting of individual setback and lot line variances, except in relation to a regulated natural feature or a bulkhead or other shoreline erosion protection structure;

E. Minor temporary uses of land having negligible or no permanent impact on waterfront resources or the environment;

F. Installation of traffic control devices on existing streets, roads and highways;

G. Mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns;

H. Information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any action;

I. Official acts of a ministerial nature involving no exercise of discretion, including building permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building code;

J. Routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;

K. Conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;

L. Collective bargaining activities;

M. Investments by or on behalf of agencies or pension or retirement systems, or refinancing existing debt;

N. Inspections and licensing activities relating to the qualifications of individuals or businesses to engage in their business or profession;

O. Purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, storage of road de-icing substances, or other hazardous materials;

P. Adoption of regulations, policies, procedures and local legislative decisions in furtherance of any action on this list;

Q. Engaging in review of any part of an application to determine compliance with technical requirements, provided that no such determination entitles or permits the project sponsor to commence the action unless and until all requirements of this article have been fulfilled;

R. Civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion;

S. Adoption of a moratorium on land development or construction;

T. Interpreting an existing code, rule or regulation;

U. Designation of local landmarks or their inclusion within historic districts;

V. Emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance practicable, under the circumstances, to waterfront resources or the environment. Any decision to fund, approve or directly undertake other activities after the emergency has expired is fully subject to the review procedures of this article;

W. Local legislative decisions such as rezoning where the Town of Hamburg determines the action will not be approved.

SHORELINE REVITALIZATION COMMITTEE
The permanent committee within the Town of Hamburg that is dedicated to review waterfront issues and advise the Town Board on the same. The Shoreline Revitalization Committee is authorized to coordinate and make recommendations to Town agencies regarding consistency reviews required under this article.

WATERFRONT AREA
That portion of Coastal Area as defined in Article 42 of the Executive Law that is located within the boundaries of the Town of Hamburg, as shown on the coastal area map on file in the office of the Secretary of State, and as delineated in the Town of Hamburg Local Waterfront Revitalization Program (LWRP).

WATERFRONT ASSESSMENT FORM (WAF)
The form used by an agency to assist in determining the consistency of an action with the Local Waterfront Revitalization Program.

§ 270-4. Management and coordination of LWRP.

A. The Town of Hamburg Shoreline Revitalization Committee (the "Committee") shall be responsible for coordinating review of actions in the Town's waterfront area for consistency with the LWRP, and will advise, assist and make consistency recommendations to other Town agencies in the implementation of the LWRP and its policies and projects, including physical, legislative, regulatory, administrative and other actions included in the program.

B. The Committee shall coordinate with the New York State Department of State regarding consistency review of actions by federal agencies and with state agencies regarding consistency review of their actions.

C. The Committee shall assist the Town Board in making applications for funding from state, federal, or other sources to finance projects under the LWRP.

D. The Committee shall perform other functions regarding the waterfront area and direct such actions or projects as the Town Board may deem appropriate, to implement the LWRP.

270-5. Review of actions.

A. Whenever a proposed action is located within the Town's waterfront area, each Town agency shall, prior to approving, funding or undertaking the action, make a determination that it is consistent with the LWRP policy standards summarized in Subsection I of this section. No action in the waterfront area shall be approved, funded or undertaken by that agency without such a determination of consistency.

B. Whenever a Town agency receives an application for approval or funding of an action, or as early as possible in the agency's formulation of a direct action to be located in the waterfront area, the agency shall refer a copy of the completed WAF to the Committee within 10 days of its receipt. Prior to making its consistency determination, the agency shall consider the recommendation of the Committee with reference to the consistency of the proposed action.

C. After referral from an agency, the Committee shall consider whether the proposed action is consistent with the LWRP policy standards set forth in Subsection I of this section. The Committee shall require the applicant to submit all completed applications, WAFs, environmental assessment form (EAFs), and any other information deemed necessary to its consistency recommendation.

(1) The Committee shall render its written recommendation to the agency within 30 days following referral of the WAF from the agency, unless extended by mutual agreement of the Committee, the agency, and the applicant or, in the case of a direct action, the agency. The Committee's recommendation shall indicate whether the proposed action is consistent with or inconsistent with one or more of the LWRP policy standards and shall elaborate in writing the basis for its opinion. The Committee shall, along with a consistency recommendation, make any suggestions to the agency concerning modification of the proposed action, including the imposition of conditions, to make it consistent with LWRP policy standards or to greater advance them. In the event that the Committee's recommendation is not forthcoming within the specified time, the agency shall make its consistency decision without the benefit of the Committee's recommendation.

(2) The Town shall maintain a file for each action made the subject of a consistency determination, including any recommendations received from the Committee. Such file shall be kept in the office of the Planning Division and made available for public inspection upon request.

D. If an action requires approval of more than one Town agency, decision-making will be coordinated between the agencies to determine which agency will conduct the consistency review, and that agency will thereafter act as designated consistency review agency. Only one WAF per action will be prepared. If the agencies cannot agree, the Town Board shall designate the consistency review agency.

E. Upon receipt of the Committee's recommendation, the agency shall consider whether the proposed action is consistent with the LWRP policy standards summarized in Subsection I of this section. The agency shall consider the Committee's consistency recommendation, the WAF, and other relevant information in making its written determination of consistency. No approval or decision shall be issued for an action in the waterfront area without a written determination of consistency having first been rendered by a Town agency.

F. The Zoning Board of Appeals is the designated agency for the determination of consistency for variance applications subject to this law. The Zoning Board of Appeals shall consider the written consistency recommendation of the Committee in the event and at the time it makes a decision to grant such a variance and shall impose appropriate conditions on the variance to make the activity consistent with the objectives of this law.

G. Where an Environmental Impact Statement (EIS) is being prepared or required, the draft EIS must identify applicable LWRP policies standards in Subsection I of this section, and include a discussion of the effects of the proposed action on such policy standards.

H. In the event the Committee's recommendation is that the action is inconsistent with the LWRP, and the agency makes a contrary determination of consistency, the agency shall elaborate in writing the basis for its disagreement with the recommendation and state the manner and extent to which the action is consistent with the LWRP policy standards.

I. Actions to be undertaken within the waterfront area shall be evaluated for consistency in accordance with the following summary of LWRP policy standards, which are derived from and further explained and described in Section 3 of the Town of Hamburg LWRP, a copy of which is on file in the Town Clerk's office and available for inspection during normal business hours. Agencies which undertake direct actions must also consult with Section IV in making their consistency determination. The action must be consistent with the policies to:

(1) Foster a pattern of development in the Town of Hamburg that enhances community character, preserves open space, makes efficient use of the infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development (LWRP Policy 1).

(2) Preserve historic resources in the Town of Hamburg (LWRP Policy 2).

(3) Enhance visual quality and protect outstanding scenic resources (LWRP Policy 3).

(4) Minimize loss of life, structures, and natural resources from flooding and erosion (LWRP Policy 4).

(5) Protect and improve water resources (LWRP Policy 5).

(6) Protect and restore the quality of ecological resources throughout the Town of Hamburg (LWRP Policy 6).

(7) Protect and improve air quality (LWRP Policy 7).

(8) Minimize environmental degradation from solid waste and hazardous substances and wastes (LWRP Policy 8).

(9) Improve public access to the waterfront and the use of public lands (LWRP Policy 9).

(10) Protect existing water-dependent uses in the Town of Hamburg and promote the siting of new water-dependent uses in suitable locations (LWRP Policy 10).

(11) Protect sustainable use of living marine resources in the Town of Hamburg (LWRP Policy 11).

(12) Protect existing agricultural lands (LWRP Policy 12).

(13) Promote appropriate use and development of energy and mineral resources (LWRP Policy 13).

§ 270-6. Enforcement.

No action within the Town's waterfront area which is subject to review under this article shall proceed until a written determination has been issued from a Town agency that the action is consistent with the Town's LWRP policy standards. In the event that an activity is being performed in violation of this article or any conditions imposed thereby, the Town Code Enforcement Officer shall issue a stop-work order and all work must immediately cease. No further work or activity shall be undertaken on the project so long as a stop-work order is in effect. The Town Attorney, Code Enforcement Officer and Police Department shall be responsible for enforcing this article.

§ 270-7. Penalties for offenses.

A. A person who violates any of the provisions of, or who fails to comply with any condition imposed by, this article shall have committed a violation punishable by a fine not exceeding $350 for a conviction of a first offense and punishable by a fine of $2,000 for a conviction of a second or subsequent offense. For the purpose of conferring jurisdiction upon courts and judicial officers, each week of continuing violation shall constitute a separate additional violation.

B. The Town Attorney is authorized and directed to institute any and all actions and proceedings necessary to enforce this article. Any civil penalty shall be in addition to and not in lieu of any criminal

prosecution and penalty. The Town may also enforce this article by injunction or other civil proceeding.

§ 270-8. Applicability.

This article shall supersede and repeal any previous local regulations regarding consistency with LWRP. This article shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

§ 270-9. Severability.

The provisions of this article are severable. If any provision of this article is found invalid, such finding shall not affect the validity of this article as a whole or any part or provision hereof other than the provision so found to be invalid.

270 Attachment 1

Town of Hamburg
Waterfront Assessment Form

A. INSTRUCTIONS (Please print or type all answers)

1. Applicants, or in the case of direct actions, Town of Hamburg agencies, shall complete this WAF for proposed actions which are subject to the consistency review law. This assessment is intended to supplement other information used by the designated Town agency in making a determination of consistency with the Town of Hamburg Local Waterfront Revitalization Program.
2. Before answering the questions in Section C, the preparer of this form should review the policies and explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), a copy of which is on file in the Town Clerk's office. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the waterfront area.
3. If any questions in Section C on this form are answered "yes", then the proposed action may affect the achievement of the LWRP policy standards contained in the consistency review law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination regarding its consistency with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards, it shall not be undertaken.
4. This form should be filled out by the applicant and submitted to the Town of Hamburg Planning Division

B. **DESCRIPTION OF SITE AND PROPOSED ACTION**

1. Type of Town of Hamburg agency action (check appropriate response):

(a) Directly undertaken (e.g. capital construction, planning activity, agency regulation, land transaction) Town Refuse and Recycling District Formation

(b) Financial assistance (e.g. grant, loan, subsidy) N/A

(c) Permit, approval, license, certification N/A

(d) Agency undertaking action Hamburg Town Board

2. Describe nature and extent of action: See attached map, plan, and report for refuse and recycling district formation (September 2025)

3. Location of action (Street or Site Description. Please include the parcel(s) tax map number(s)): See attached map, plan, and report for refuse and recycling district formation (September 2025)

4. Size of site: N/A

5. Present land use: N/A

6. Present zoning classification: All

7. Describe any unique or unusual landforms on the project site (i.e. bluffs, wetlands, ground depressions, other geological formations): N/A

8. Percentage of site which contains slopes of 15% or greater: None

9. Streams, lakes, ponds or wetlands existing within or continuous to the project area?

(a) Name See attached map, plan, and report

(b) Size (in acres) _____

10. Is the property serviced by public water? Yes X No _____

11. Is the property serviced by public sewer? Yes X No _____

12. If an application for the proposed action has been filed with the Town of Hamburg agency, the following information shall be provided:

(a) Name of applicant: N/A - Town project

(b) Mailing address: N/A - Town project

(c) Telephone number: Area Code ( ) N/A - Town project

(d) Application number, if any: N/A - Town project

(e) Property tax number: See attached map, plan, and report

(Please attach copy of tax map with parcel highlighted)

13. Will the action be directly undertaken, require funding, or approval by a State or federal agency? Yes _____ No X

If yes, which State or federal agency? _____

_____

C WATERFRONT ASSESSMENT (Check either "Yes" or "No" for each of the following questions)

		YES	NO
1.	Will the proposed action be located in, or contiguous to, or have a potentially adverse effect upon any of the resource areas identified on the waterfront area map?	___	X
(a)	Significant fish or wildlife habitats?	___	X
(b)	Scenic resources of local or statewide significance?	___	X
(c)	Important agricultural lands?	___	X
(d)	Natural protective features in an erosion hazard area	___	X

If the answer to any question above is yes, please explain in Section D any measures which will be undertaken to mitigate any adverse effects.

		YES	NO
2.	Will the proposed action have a significant effect upon:		
(a)	Commercial or recreational use of fish and wildlife resources?	___	X
(b)	Scenic quality of the waterfront environment?	___	X
(c)	Development of future, or existing water dependent uses?	___	X
(d)	Stability of the shoreline?	___	X
(e)	Surface or groundwater quality?	___	X
(f)	Existing or potential public recreation opportunities?	____	X
(g)	Structures, sites or districts of historic, archeological or cultural significance to the Town of Hamburg State or nation?	___	X
3.	Will the proposed action involve or result in any of the following:	YES	NO
(a)	Physical alteration of land along the shoreline, land under water or coastal waters?	___	X
(b)	Physical alteration of two (2) acres or more of land		

		located elsewhere in the waterfront area?	___	X
	(c)	Expansion of existing public services or infrastructure in undeveloped or low density areas of the coastal area?	___	X
	(d)	Energy facility not subject to Article VII or VIII of the Public Service Law?	___	X
	(e)	Mining, excavation, filling or dredging in waterfront waters?	___	X
	(f)	Reduction of existing or potential public access to or along the shore?	___	X
	(g)	Sale or change in use of publicly-owned lands located on the shoreline or underwater?	___	X
	(h)	Development within a designated floor or erosion hazard area?	___	X
	(i)	Development on a beach, dune, barrier island or other natural feature that provides protection against flooding or erosion?	___	X
	(j)	Construction or reconstruction of erosion protective structures?	___	X
	(k)	Diminished surface or groundwater quality?	___	X
	(l)	Removal of ground cover from the site?	___	X

4. PROJECT

(a)		If a project is to be located adjacent to shore:	YES	NO
	(1)	Will water-related recreation be provided?	___	X
	(2)	Will public access to the foreshore be provided?	___	X
	(3)	Does the project require a waterfront site?	___	X
	(4)	Will it supplant a recreational or maritime use?	___	X
	(5)	Do essential public services and facilities presently exist at or near the site?	___	X
	(6)	Is it located in a flood prone area?	___	X
	(7)	Is it located in an area of high erosion?	___	X
(b)		If the project site is publicly owned:	YES	NO
	(1)	Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities?	___	X
	(2)	If located in the foreshore, will access to those and adjacent lands be provided?	___	X
	(3)	Will it involve the siting and construction of major energy		

	facilities?	___	N/A
	(4) Will it involve the discharge of effluents from major steam electric generating and industrial facilities into waterfront facilities?	___	N/A
(c)	Is the project site presently used by the community neighborhood as an open space or recreation area?	YES ___	NO X
(d)	Does the present site offer or include scenic views or vistas known to be important to the community?	___	X
(e)	Is the project site presently used for commercial fishing or fish processing?	___	X
(f)	Will the surface area of any waterways or wetland areas be increased or decreased by the proposal?	___	X
(g)	Does any mature forest (over 100 years old) or other locally important vegetation exist on this site which will be removed by the project?	___	X
(h)	Will the project involve any waste discharges into coastal waters?	___	X
(i)	Does the project involve surface or subsurface liquid waste disposal?	___	X
(j)	Does the project involve transport, storage, treatment or disposal of solid waste or hazardous materials?	___	X
(k)	Does the project involve shipment or storage of petroleum products?	___	X
(l)	Does the project involve discharge of toxics, hazardous substances or other pollutants into coastal waters?	___	X
(m)	Does the project involve or change existing ice management practices?	___	X
(n)	Will the project affect any area designated as a tidal or freshwater wetland?	___	X
(o)	Will the project alter drainage flow, patterns or surface water runoff on or from the site?	___	X
(p)	Will best management practices be utilized to control storm water runoff into coastal waters?	___	X
(q)	Will the project utilize or affect the quality or quantity of sole source or surface water supplies?	___	X

(r) Will the project cause emissions which exceed federal or state air quality standards or generate significant amounts of nitrates or sulfates? ___ N/A

D. **REMARKS OR ADDITIONAL INFORMATION** (Add any additional sheets necessary to complete this form)

See attached map, plan, and report

Preparer's Name (Please print) : Joshua Rogers

Title: Town Planner

Agency: Town of Hamburg Planning Department

Telephone Number: (716) 649-2023

Date: 9/25/25

If assistance or further information is needed to complete this form, please contact Hamburg Engineering Department at (716) 649-6111.

4.11. 2025 - 2026 JCAP Grant

RESOLVED, that the Town Board authorizes the Hamburg Town Justice Court to apply for a Justice Court Assistance Grant (JCAP) in the 2025 – 2026 grant cycle up to $30,000.00.

4.12. Assessment Board of Review-Reappointment of Robert Hutchison

RESOLVED, that the Hamburg Town Board does hereby approve the re-appointment of Robert Huthchison to the Assessment Review Board effective 10/1/2025 through 9/30/2030.

4.13. Youth, Recreation, & Senior Services P.A.F.

BE IT RESOLVED, that the Town Board approve the termination and hiring of personnel for the Youth, Recreation & Senior Services Department as follows:
ATTACHMENTS:

scan_2025_10_02_11_39_28_324.pdf

Date of Request: 10/6/25 Department: Youth, Recreation, Senior Services

Department Head Signature: _____

Supervisor Signature: _____ Date: _____

TOWN BOARD MEETING OF 10/6/25

PAGE 1 of 6

I request that a Town Board Resolution be adopted approving the following personnel action:

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/temp hourly rate	Termination Date
1	5253	Murphy, Colin	R	Rec. Attend Seas. A7184				10/7/2025
2	5336	O'Connor, Meghan	R	Rec. Attend Seas. A7184				10/7/2025
3	5167	Otremba Jr. Steve	R	Rec. Attend Seas. A7184				10/7/2025
4	5093	Schwarzkopf, Emma	R	Rec. Attend Seas. A7184				10/7/2025
5	5391	Schwarzkopf, Grace	R	Rec. Attend Seas. A7184				10/7/2025
6	5399	Linn, Abigail	R	Rec. Attend Seas. A7310				10/7/2025
7	5393	Linn, Emily	R	Rec. Ateend Seas. A.7310				10/7/2025
8	3954	Lake, Karen	R	Rec. Attend P/T A6772				10/17/2025
	3954	Lake, Karen	R	Rec. Attend Seas. A6772	10/18/2025		$16.50	
9	4884	Emmerling, Scott	R	Lifeguard Seas. A7180				10/4/2025
	4884	Emmerling, Scott	R	Lifeguard P/T A7180	10/5/2025		$19.00	
10	5079	Watkins, Paul	R	Rec. Attend Seas. A7310				10/7/2025
	5079	Watkins, Paul	R	Rec. Attend P/T A7310	10/8/2025		$18.00	

rev 03/14

4.14. Traffic Safety Advisory Board-Camp Rd & Howard

WHEREAS the Traffic Safety Advisory Board is requesting permission from the Town Board to present a written letter to be submitted to the New York State DOT petitioning them to do a study of the Camp Road corridor from Durham Road to Route 20 for possible 3 color traffic signals. (Durham & Camp) (Howard & Camp) (Sowles & Camp)

NOW THEREFORE BE IT RESOLVED that the Town of Hamburg Town Board authorizes the coordinator of the Traffic Safety Advisory Board to submit the proper paperwork to the New York State DOT.

4.15. Schedule 2026 Budget Hearing

BE IT RESOLVED that the Town Clerk is authorized to advertise for a public hearing on the 2026 Town of Hamburg Budget. The hearing is to be scheduled for October 20, 2025, at 7:00 p.m. local time.

4.16. B&G PAF

BE IT RESOLVED, that the Town Board approves the termination and hiring of the following employees in Buildings & Grounds.

ATTACHMENTS:

DOC100225.pdf

TOWN OF HAMBURG - PERSONNEL ACTION FORM

Department- Buildings & Grounds

Department Head Signature _____

Supervisor Signature _____ Date _____

TOWN BOARD MEETING OF OCTOBER 6, 2025

PAGE 1 of 1

I request that a Town Board Resolution be adopted approving the following personnel action:

#	Emp #	Emp Name	N or R	Position	Start date	Full time hrly rate	PT/Sea/temp hrly rate	Term date
1	5073	Charlie Obad		PT Laborer/A.7181.102			$16.00	10/4/2025
2	4543	Bruce Lakso		Seasonal Laborer/ A.7140.102				10/6/2025
	4543	Bruce Lakso	R	PT Laborer/A.7140.102	10/7/2025		$16.00	
3	4921	Ben Insalaco		Seasonal Laborer/ A.7140.102				10/6/2025
	4921	Ben Insalaco	R	PT Laborer/A.7140.102	10/7/2025		$16.00	
4	5229	Jeff Johnston		Seasonal Laborer/ A.7140.102				10/6/2025
	5229	Jeff Johnston	R	PT Laborer/A.7140.102	10/7/2025		$16.00	
5	4975	Mike Wilson		Seasonal Laborer/ A.7183.102				10/6/2025
	4975	Mike Wilson	R	PT Laborer/A.7183.102	10/7/2025		$16.00	
6	4530	Ron MacNeil		Seasonal Laborer/ A.7183.102				10/6/2025
	4530	Ron MacNeil	R	PT Laborer/A.7183.102	10/7/2025		$16.00	
7	3925	Tom Connolly		Seasonal Laborer/ A.7183.102				10/6/2025
	3925	Tom Connolly	R	PT Laborer/A.7183.102	10/7/2025		$16.00	
8	3134	John Grys		Seasonal Laborer/ A.7183.102				10/6/2025
	3134	John Grys	R	PT Laborer/A.7183.102	10/7/2025		$16.00	

9	5228	Greg Leonard		Seasonal Laborer/ A.7183.102				10/6/2025
	5228	Greg Leonard	R	PT Laborer/A.7183.102	10/7/2025		$16.00	
10	3712	John Gerken		Seasonal Laborer/ A.7183.102				10/6/2025
	3712	John Gerken	R	PT Laborer/A.7183.102	10/7/2025		$16.00	
11	4619	Chester Partacz		Seasonal Laborer/ A.7183.102				10/6/2025
	4619	Chester Partacz	R	PT Laborer/A.7183.102	10/7/2025		$16.00	
12	5354	Michael Cerrillo		PT Laborer/A.7140.102				10/6/2025
	5354	Michael Cerrillo	R	Seasonal Laborer/ A.7140.102	10/7/2025		$16.00	
13	5178	Benjamin Piwko		PT Laborer/A.7140.102				10/6/2025
	5178	Benjamin Piwko	R	Seasonal Laborer/ A.7140.102	10/7/2025		$16.00	
14	5137	Jordan Kiera	R	PT Laborer/A.7140.102	10/7/2025		$16.00	

4.17. Retainment of Outside Legal Counsel

WHEREAS, the Town of Hamburg's Legal Department, under the direction of the Town Attorney, has historically retained outside legal counsel without formal review and approval by the Town Board; and

WHEREAS, questions have arisen regarding the limited scope of legal work performed internally by the Town Attorney, with outside counsel often being engaged for matters that could be addressed within the Town's Legal Department; and

WHEREAS, the Town Board recognizes that the use of outside legal counsel imposes additional costs on the Town, and such expenditures must be subject to appropriate fiscal oversight and accountability; and

WHEREAS, best practices in municipal governance dictate that contracting for legal services should be subject to Town Board review to ensure transparency, proper oversight, and the prudent use of taxpayer funds;

NOW, THEREFORE, BE IT RESOLVED that prior to the engagement of outside legal counsel for any matter, the Town Board must:

1. Approve the necessity of retaining outside legal counsel, determining whether such services are warranted and cannot be effectively handled by the internal Legal Department; and

2. Approve the selection of the specific outside legal counsel or firm to be engaged, including the scope of work and the terms of engagement.

BE IT FURTHER RESOLVED that no outside legal counsel shall be retained, nor any contracts or fee arrangements executed, without the express approval of the Town Board by majority vote.

4.18. Approve the engagement of EBC HR Services

WHEREAS, the Town of Hamburg currently utilizes services through EBC to manage our UKG payroll and onboarding platform; and

WHEREAS, EBC offers a Human Resources Management service which includes various HR services to which the Town would benefit from, including but not limited to training and development, policy and procedure review and compliance, employee relations and communication; and

WHEREAS, this would provide an opportunity for the Town to further internally improve upon the Town's HR services, increasing personnel compliance and engagement controls and processes efficiencies; and

WHEREAS, this add-on service at $24,000 annually will be absorbed through underutilized personnel and finance department funds;

NOW, THEREFORE BE IT

RESOLVED, that the Hamburg Town Board authorizes the Supervisor to sign the agreement with EBC to engage in the HR management services as described in full in the attached proposal (Level 1) .

Funds in the amount of $12,580 will be transferred from A1310.102 to A1430.0440 to fund the expense for 2025.

ATTACHMENTS:

HR Services Proposal.pdf

EBC

PAYROLL • HR SERVICES

Human Capital Management Services

Proposal prepared for:

Town of Hamburg

Prepared by:
Matt Edwards
Medwards@ebchcm.com



EBC

PAYROLL • HR SERVICES

Maintaining the myriad aspects of payroll and Human Resources management can be a challenge for any company. Our mission at EBC is to assist organizations to maximize their investment in their human capital, contain costs, minimize employer-related risk, and relieve the administrative burden of activities related to human capital. Our highly accomplished team covers the spectrum of HR disciplines, time/attendance, and payroll. We come from a variety of business backgrounds and consistently strive to remain ahead of industry trends to ensure we can effectively address even the most unique or complex set of needs.

Our Value Proposition

At EBC, we pride ourselves not only on our ability to offer innovative solutions to meet our client's needs, but also on our timely, personalized service. EBC has a reputation for excellence in the products and services we offer. We provide a full range of services including payroll, HR, HRIS solutions, safety, and time and labor management.

We provide creative, practical, and relevant human resources services and solutions to organizations, leaders, and employees. The end goal is to make organizations and individuals more successful. Our consultants are available as either your complete HR department or as a trusted resource for you or your staff to call upon to answer employment-related questions.



Human Resources Management

Human Resources are a vital aspect of any organization, and we know that HR personnel can become inundated by laws and regulations as they work to establish HR policies and procedures. EBC is dedicated to offering solutions for your organization's human resources challenges. As a company that prides itself on intellectual capital and innovation, we can assist not only in solving problems on the spot but define issues and create processes to avoid future recurrences. Our philosophy is to provide a comprehensive, wide range of services to all our clients. We offer various levels of service to fit your company's needs.

EBC
PAYROLL • HR SERVICES

EBC HR & Payroll Solutions, Inc.
c/o Matt Edwards
301 Ohio Street, Suite 250,
Buffalo, NY 14204

Town of Hamburg
6100 South Park Avenue
Hamburg, NY 14075

Pricing is as follows: Outsourced HR Package

Level 1: $ 2,000 Per Month
Level 2: $ 4,166.66 Per Month
Level 3: $ 8,333.33 Per Month
Method of Payment: (Monthly) May 1st, 2024 start date

Client		**EBC HR & Payroll Solutions, Inc.**	
By:	_____	**By:**	_____
Name:	_____	**Name:**	_____
Title:	_____	**Title:**	_____
Date:	_____	**Date:**	_____

Summary of Services:

EBC HR & Payroll Solutions, Inc. will act as a strategic partner to develop systems, provide guidance and support to Town leadership, Department Heads, and partner with the Town Board on a regular basis. In addition, we will partner with the external service providers, including but not limited to: benefits providers and brokers, retirement and deferred compensation interface, safety, and Union liaison. EBC is not rendering legal, tax, accounting or investment advice in connection with the HR Services; nor shall EBC be deemed a fiduciary of the Town as employer or joint employer of the Town's employees. The Town of Hamburg agrees to comply with any and all applicable federal, state, and local laws or ordinances.

EBC HR will support the Town of Hamburg in advisement and development of policies, procedures, and processes in the following areas:

- Recruitment and Selection
- Hiring and Onboarding/Orientation
- Personnel Files & Maintenance
- Filing and Posting Requirements
- Wage and Hour Compliance
- Leave Management
- 3rd Party Investigations
- Employee Benefits
- Employee Relations and Communication
- Leadership Training and Development
- Annual In-Person Harassment Prevention Training
- Performance Management
- Employee Separation

Estimated Hours of HR Support Per Week, Based on Service Level

Level of Service	Estimated Hours of HR Support Per Week
Level 1: $24,000	Up to 4 hours per week, including 1 scheduled day on-site and participation with Town leadership and Departments as requested. EBC HR will work directly with the Town Supervisor who will assign tasks and projects ongoing. Support to the Town will include, but not be limited, to the HR-related areas bulletized above with a focus on Hiring, Discipline & Termination. If/when weekly service exceeds 4 hours, additional requests will be billed at an hourly rate of $165/hour. Additional hours will need to be approved in advance by the Town Supervisor. A monthly summary of services will be provided to the Town Supervisor and Town Board.

We anticipate being on-site much more frequently in the beginning to get projects off the ground and ensure compliance requirements are met. The scope of work will include work to be done both on-site and off-site, with a regular and consistent presence at the Town's offices.

The agreement will be for a 12-month period of time, with a 30-day advance notice of termination of services.

You will have three (3) dedicated, certified HR Advisors to service your account, with back-office support provided from a Team of HR professionals.

Other levels of service available for future consideration.

Level 2: $50,000	8 hours per week, including 1 scheduled day on-site, participation in regular Department Head meetings and (bi)weekly meeting with HR, Finance, Legal and Supervisor’s Office
Level 3: $100,000	24 hours per week, including 2 scheduled days on-site, participation in regular Department Head meetings and (bi)weekly meeting with HR, Finance, Legal and Supervisor’s Office

At EBC, we work to manage all your human capital activities. From the ever-changing HR compliance provisions, all payroll compliant functions, and Tax changes to the complex world of safety; we will act as your trusted advisor to develop innovative and comprehensive employee management strategies, specific to your company’s goals and objectives.

EBC was built upon a tradition of integrity, industry leadership, and excellence. We are committed to delivering tailored solutions with thoughtful strategic planning, valuable professional services, and technology-based solutions that result in sustained employee satisfaction.

4.19. Resolution for the Establishment of the Town of Hamburg Refuse and Recycling District

WHEREAS, the Town Board of the Town of Hamburg, New York (the "Town"), pursuant to Article 12-a of the New York Town Law, desires to establish the Town of Hamburg Refuse and Recycling District (the "District") to provide efficient and cost-effective collection, hauling, and processing of household solid waste, bulk waste, and recyclables (collectively "Refuse and Recycling Services") for eligible residential parcels; and

WHEREAS, on July 7, 2025, the Town Board duly adopted a resolution directing the Town Engineer to supervise the preparation of a map, plan and report pursuant to the requirements of Town Law § 209-c ("Map, Plan, and Report") to support the establishment of the District; and

WHEREAS, after the Town Engineer duly filed the Map, Plan, and Report in the office of the Town Clerk, the Town Board, on September 8, 2025, duly adopted an order reciting a description of the boundaries of the District, the maximum amount proposed to be expended annually for the Refuse and Recycling Services, the fact that a plan, map and report describing the same are on file in the Town Clerk's office for public inspection and specifying that the Town Board shall meet at the Town Hall on October 6, 2025, for the purpose of conducting a public hearing on the establishment of the District and to hear all persons interested in the subject thereof concerning the same (the "Order Calling Public Hearing" or "Order"), and

WHEREAS, copies of said Order were duly published and posted according to law, and the Town Board did, at the time and place specified in said Order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same,

WHEREAS, the evidence offered at public hearing supports the Town Board making the determination hereinafter made, and

WHEREAS, the formation of the District required the Town to comply with, and the Town has properly complied with, the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law and its implementing regulations at 6 NYCRR Part 617; "SEQRA");

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

Section 1. It is hereby determined that:

(1) The Order Calling Public Hearing was published and posted as required by law and is otherwise sufficient;

(2) All of the property and property owners within the District are benefited thereby;

(3) All of the property and property owners benefited are included within the District; and

(4) It is in the public interest to establish the District.

Section 2. The establishment of the District, as bounded and described in the Map, Plan, and Report, is hereby approved, and the District shall be designated and known as the Town of Hamburg Refuse and Recycling District.

Section 3. This resolution shall be subject to a permissive referendum in the manner provided in Article Seven of the Town Law.