

State Environmental Quality Review
POSITIVE DECLARATION
Notice of Intent to Prepare a Draft EIS
Determination of Significance

Date January 24, 2007

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act of the Environmental Conservation Law).

The Evans Planning Board, as lead agency, has determined that the proposed action described below may have a significant effect on the environment and that a Draft Environmental Impact Statement will be prepared.

Name of Action: Wal-Mart Store No. 4454, Evans

SEQR Status: Type 1
Unlisted

Description of Action:

Development of an approximately 135,000 square-foot retail store, with associated garden center, stormwater drainage and detention facilities, landscaping and parking, on a 17+/- acre site, in the Town of Evans. The subject property currently contains an abandoned drive-in theater.

Location:

9049 Erie Road (NY State Rte. 5), at the intersection of Lake Street, Town of Evans,
Erie County, New York
(see attached map)

Reasons Supporting this Determination:

1. The existence of freshwater wetlands, hydric inclusion soils and seasonally high water table, with the potential for more extensive areas of wetlands on the site.
2. The major redevelopment of this site will alter drainage patterns that could reduce flow to adjacent wetlands and the tributary to Delaware Creek, which is a Class B waterway.
3. The location of this development and site activities, with potential noise, light and glare on a 24-hour a day basis, could adversely impact residential development situated directly south of the site
4. The project will increase traffic flow in the area and alter the present patterns of car and truck traffic. These changes may result in significant adverse impacts to Lake Street, Erie Road (NYS Route 5) and surrounding neighborhoods and roadway system in the Village of Angola.
5. The project may have significant growth inducing impacts, impacting the character of the surrounding Village, local residential neighborhoods, and the community as a whole.
6. Other issues of environmental concern are noted in the Part 2 of the EAF, and will be clarified during the formal scoping of the DEIS.

For Further Information:

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Town Contact: Sandra L. Brant, Planning Division Director
Town of Evans, 8787 Erie Road, Evans, NY 14006
Phone: 716-549-0945

A Copy of this Notice Sent to:

Steven J. Doleski, Regional Permit Administrator, NYSDEC – Region 9
Supervisor Robert R. Catalino, II, Evans, NY
Applicant: Wal-Mart Stores, Inc., Bentonville, AR
F. Jack Buholtz, PE, Bergmann Associates, Rochester, NY

See attached list.