

SPECIAL TOWN BOARD MEETING  
COLDEN TOWN HALL – December 3, 2020  
VIA: Go To Meeting 6:00pm

MEETING CALLED TO ORDER AT 6:09PM

PRESENT: Councilman David Arcara  
Councilman Jesse Hrycik - absent  
Councilwoman Patricia Zurbrick  
Councilman Gerald Pietraszek  
Supervisor James DePasquale

ALSO

PRESENT: Town Clerk Christina Kerlin  
Approximately 33 Residents (VIA: Go To Meeting)

Supervisor DePasquale stated that the Building Inspector and Town Clerk received a request for a Change of Use at 8680 State Road. The Change of Use process will go through the Planning Board, Environmental Board and if needed the Zoning Board of Appeals before coming to the Town Board for a decision. There is no vote being taken at tonight's meeting for a Dollar General the Town Board is voting tonight on a resolution, that is being introduced for the Town Board to take the Lead Agency in this Change of Use at 8680 State Road, Colden, NY. The proposed project is just starting out and this Change of Use has been determined as a Type 1 action which requires a Long SEQR form, that is the only action being taken tonight. Again, this is the only issue being addressed tonight. Social Media has blown this meeting out of proportion, have faith in the Town Board working in the best interest for the Town. The Town Board must follow all laws and codes within the town. The Planning Board and Environmental Board have good people in place and will do a top-notch job reviewing this Change of Use. I urge anyone to write to the Town Board with their concerns. The Town Board will get through this in a professional and transparent way it will just take time. Thank you for attending and showing concern.

Supervisor DePasquale read the following resolution:

TOWN OF COLDEN  
COLDEN, N.Y. 14033  
RESOLUTION #2020 – 11

A RESOLUTION REGARDING THE DECLARATION AS LEAD AGENCY

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN ARCARA WHO MOVED IT'S ADOPTION, SECONDED BY COUNCILWOMAN ZURBRICK TO WITH

WHEREAS, The Broadway Group, LLC has submitted an application for a Change of Use Permit for property located at 8680 State Road, Colden, New York 14033; and

WHEREAS, pursuant to 6 NYCRR 617.4, the proposed project has been identified by the

Town of Colden as a Type 1 action, based upon the determination of significance based upon impact which may be reasonably expected from the proposed action; and

WHEREAS, the Town Board of the Town of Colden is duly qualified to act as Lead Agency for environmental review of the project;

NOW, THEREFORE, BE IT,

RESOLVED, that the Town Board of the Town of Colden hereby declares itself as Lead Agency for SEQRA review purposes and hereby determines that the proposed action is a Type 1 action; and it is further

RESOLVED, that this determination shall become effective thirty (30) calendar days from the date hereof; and it is further

RESOLVED, that the Town Clerk is directed to give this notice to the involved agencies of the Erie County Health Department, New York State Department of Environmental Conservation, New York State Department of Transportation, the Erie County Department of Environment & Planning and New York State Office of Parks, Recreation and Historic Preservation.

DULY ADOPTED, this 3rd day of December, 2020, by the following vote.

Vote: Councilman David Arcara - yes  
Councilman Jesse Hrycik – absent  
Councilwoman Patricia Zurbrick – yes  
Councilman Gerald Pietraszek – yes  
Supervisor James P. DePasquale – yes

ADJOURN

Supervisor DePasquale wished everyone a “Good Night” and adjourn the meeting at 6:17pm

Respectfully submitted,

Christina M. Kerlin  
Town Clerk

