

Town of Evans LWRP Monitoring Report June 2014

Community Background:

The Town of Evans lies along the south shore of Lake Erie in Erie County, New York. The most recent Census Estimate (US Census Bureau), in 2010, shows Evans with a population of 16,356 people. The Village of Angola, population 2,127 as of 2010, is entirely contained within the Town. The Town is located approximately 20 miles southwest of Buffalo, New York. Despite the Town's proximity to Buffalo, it is relatively sparsely populated, and has a rural character.

Most of the Town's early development was residential. It became a popular vacation location in the early 19th century, and has remained largely residential today, but also has a modest agricultural sector and some pockets of commercial activity. The lakeside waterfront continues to be the Town's primary attraction for seasonal and permanent residents; the Town has several public beaches and public access points, and much of the privately-owned lakefront is fully built out with residences, camps, and religious retreats. Fishing, swimming, sunbathing, and other water-dependent recreation are popular uses of the Town's lakeshore. Residents also have some access to several small streams in the Town's Waterfront Area.



Collaborations with Department of State:

The Town completed an LWRP in 1987, which DOS and OCRM approved by 1989. With funding from an Environmental Protection Fund Local Waterfront Revitalization Program (EPF LWRP) grant, the Town updated its LWRP in 2011, which was approved in 2013. In addition to that grant, the Town has also received three (3) other EPF LWRP awards. (See attached chart: Grants Awarded - Title 11 Environmental Protection Fund Local Waterfront Revitalization Program, Town of Evans).

Through these EPF LWRP awards, the Town (1) built pedestrian walkways, a bridge, and other amenities at Lake Erie Beach Park; (2) designed a new public recreation facility at Sturgeon Point Bluffs; and (3) has constructed nature paths, park amenities, and a parking area at Sturgeon Point Bluffs Park, which is scheduled to open in the summer of 2014. These projects have furthered the LWRP's aims of promoting and enhancing recreational uses of the Town's waterfront.

LWRP Monitoring Process:

DOS began the monitoring process with a telephone call to Sandra Brant, Director of the Town of Evans Planning Department, asking the Town to participate and briefly describing the monitoring protocol. DOS subsequently sent a letter to Town Supervisor Keith E. Dash outlining the monitoring process along with a list of survey questions. The correspondence indicated that a conference call would take place between DOS representatives and key municipal officials to answer the survey questions; a follow-up site visit/meeting would be arranged to review the responses provided in the survey; and, following the site visit, DOS would prepare a written assessment of findings to identify areas of improvement, training, or need for LWRP amendments.

Representatives from DOS and the Town attended the conference call. During the call, the Town representatives discussed the relevancy of its LWRP, its use, and the local consistency review process.

As a follow-up, DOS staff traveled to the Town to meet with Town representatives. This meeting focused on review of the LWRP's implementation, as well as ways DOS can assist in its ongoing updates to ensure relevance. The meeting provided DOS with an opportunity to tour the waterfront area, including Lake Erie Beach Park, the Lake Erie Beach neighborhoods, and the new Park at Sturgeon Point Bluffs.

DOS Findings:

Overview

The Town's 2013 LWRP is an ambitious and robust planning document. It seeks to guide development within the coastal zone in a way that protects and preserves natural resources, supports responsible development, and enhances recreational uses in and around the waterfront. The LWRP focuses on ways to preserve the waterfront's rural character while also enabling and encouraging appropriate development, particularly in the economically-distressed Lake Erie Beach area. The LWRP reflects the Town's recent advances in enhancing recreational opportunities in the waterfront area, and describes a strategy for continuing this progress.

LWRP Implementation and Coastal Zone Developments

Consistency Review

Because the Town's LWRP is only one year old, its long-term development strategies are in their early stages. The most significant implementation of the LWRP to date has been through the Town's consistency process, which the Town Planning Department has proactively incorporated into local permitting and zoning proceedings. The Town Code Enforcement Office (CEO) and State Department of Environmental Conservation (DEC) consistently takes the LWRP into account in its permitting processes, frequently referring applicants to the Town Planning Department for consistency determinations. Other Town governmental entities, including the Town Board, the Planning Board, and the Zoning Board of Appeals, increasingly refer to the LWRP when considering zoning variances and special use permits.

The Town developed and adopted its local consistency review law concurrent with the 2013 LWRP. The law states that Town agencies must refer actions in the waterfront area through a Waterfront Assessment Form (WAF) to the Code Enforcement Officer and Planning Department for consistency review. The law distinguishes "actions," which are subject to consistency review, and "minor actions" (including, for example, nondiscretionary building permits that CEO issues automatically when the building is code-compliant), which are not subject to review. This somewhat confusing language has in the past led the Planning Department to review some minor actions for coastal consistency; the Town, in collaboration with DOS, is developing internal guidance to assist the various Town agencies in distinguishing between "actions" and "minor actions" for the purposes of the consistency law.

The Code Enforcement Office and Planning Department must issue their findings and determination within 30 days of receiving a WAF. The Town issues approximately one to two consistency determinations per month, though consistency is informally applied more often. Town Planning Director Sandy Brant reports that the regional DEC office considers the LWRP in its permitting process, and often collaborates with permit applicants to revise their proposed actions to enhance their consistency with the LWRP. The Planning Department keeps a physical file of all consistency determinations, which are available to the public during business hours.

Capital and Planning Projects

Most of the new capital projects proposed in the 2013 LWRP have not yet begun. These projects include new signage at Lake Erie Beach Park, renovation of the Wendt Road Terminus as a boat launch, new park amenities at Purvis Landing, and dredging and re-banking a portion of Fern Brook.

Capital projects of the LWRP that are underway include (1) the park at Sturgeon Point Bluffs and (2) expansion of the Evans Multi-Use Trail.



The Sturgeon Point Bluffs Park, funded in part through an EPF grant, is scheduled to open in summer 2014. The 29-acre Park includes a parking area, grills and picnic benches, a few miles of nature trails, and a small cleared area with a gazebo overlooking Lake Erie. The Town's pre-development studies for the Park discovered extensive wetlands in the area, which have been incorporated and preserved in the Park's design.

The Town has made some progress on expanding its Multi-Use Trail as described in the LWRP. At present, the Trail consists of two segments that run alongside Lake Shore Road. The LWRP describes an intent to connect the Trail into a contiguous path running from Evangola State Park to the Town's northern border. The next phase of this project, which will run 0.8 miles through Wendt Beach Park, has entered the conceptual planning stage. The Town intends to seek funds for this project from Erie County and from the State's Environmental Protection Fund.

The LWRP also recommends a comprehensive approach to revitalizing the Lake Erie Beach neighborhood, which has historically been economically distressed. The LWRP incorporates by reference a 2010 Neighborhood Action Plan. While the LWRP does not alter the Neighborhood Action Plan, by bringing it within the Program, it adds weight to the activities described in the plan and may make them more eligible to receive outside funding.



Lake Erie Beach Neighborhood

LWRP Document Accessibility

Printed copies of the Town's LWRP are on file in offices of the Town Clerk, Town Supervisor, Code Enforcement, Planning Department, and Parks Department (8787 Erie Road, Angola, NY 14006), and are available during business hours. The Planning Department will also be providing electronic copies to the Angola Public Library (34 North Main Street, Angola) and the Lake Shore Senior High School (959 Beach Rd, Angola). Electronic copies of the LWRP are also available in the Town Clerk and Planning Offices in CD-ROM, and are also available on the DOS website.

Grants Awarded			
Title 11 Environmental Protection Fund Local Waterfront Revitalization Program (EPF LWRP)			
Town of Evans			
Year	Amount of Grant	Project Description	Status
2006	\$13,500.00	Update LWRP: The Town, in collaboration with a subcontractor, developed a new LWRP to update and replace its initial LWRP adopted in 1989. The Town completed its new LWRP in 2011 and received State and Federal approval in 2013.	Closed
2003	\$300,000.00	Construction of Sturgeon Point Bluffs Park: The Town is presently developing 29 acres at Sturgeon Point Bluffs into a multi-use public park, including parking area, picnic tables, nature trails, and a gazebo. The Park is scheduled to open in summer 2014.	Open
1998	\$82,500.00	Design of Sturgeon Point Bluffs Park: The Town prepared design and bid specifications to develop the Sturgeon Point Bluffs area as a multi-use public recreation area.	Closed
1996	\$75,000.00	Lake Erie Beach Park improvement project: The Town designed and constructed new and renovated amenities at and around Lake Erie Beach Park, including a handicap-accessible pedestrian bridge crossing Muddy Creek, paved pathways with light fixtures, and a picnic area within Lake Erie Beach Park equipped with tables, benches, water fountains, and trash receptacles.	Closed